

Committee Manager: Carrie O'Connor (Ext 37614)

15 August 2018

## LICENSING SUBCOMMITTEE

A meeting of the Subcommittee will be held in Committee Room 1 (the Pink Room) at the Arun Civic Centre, Littlehampton on **Friday 24 August 2018 at 9.30 a.m.** and you are requested to attend.

Members : Councillors Cooper, Dillon and Hitchins

## AGENDA

1. ELECTION OF CHAIRMAN
2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declarations of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and officers should make their declaration by stating :

- a) the item they have the interest in
  - b) whether it is a pecuniary, personal and/or prejudicial
  - c) the nature of the interest
3. ITEM ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES
  4. APPLICATION FOR A PREMISES LICENCE FOR JUNIPER, 31 TARRANT STREET, ARUNDEL

This report asks Members to consider the matter of an application for a premises licence for Juniper, 31 Tarrant Street, Arundel, under Section 17 of the Licensing Act 2003.

5 **EXEMPT INFORMATION**

The Committee is asked to consider passing the following resolution:-

That under Section 100A(4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified again the items.

6 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE DRIVER LICENCE  
[Exempt – Paragraph 1 – Information Relating to Individuals]

To consider the attached report.

7 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE  
[Exempt – Paragraph 1 – Information Relating to Individuals]

To consider the attached report.

8 DISQUALIFIED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE [Exempt  
– Paragraph 1 – Information Relating to Individuals]

To consider the attached report.

Note : \*Indicates report is attached for Members of the Licensing Committee only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager or accessed via [www.arun.gov.uk](http://www.arun.gov.uk)

Note : Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant officer in advance of the meeting.

# ARUN DISTRICT COUNCIL

## LICENSING SUBCOMMITTEE – 24 AUGUST 2018

### PART A: REPORT

**SUBJECT:** Application for a Premises Licence

**REPORT AUTHOR:** Glenn James, Licensing Officer

**DATE:** 30 July 2018

**EXTN:** 37681

**PORTFOLIO AREA:** Place

**EXECUTIVE SUMMARY:** This report asks Members to consider the matter of an application for a premises licence for Juniper, 31 Tarrant Street, Arundel

**RECOMMENDATIONS:** It is recommended that the Members consider application and make an appropriate decision from the options available to them at section 3.0 of this report.

#### 1. BACKGROUND:

##### 1.0 Introduction

1.1 Mr and Mrs Page have made an application for a premises licence under section 17 of the Licensing Act 2003. A copy of the application is attached as appendix 1. The premises are not currently licensed, under the Licensing Act.

1.2 Photographs of the local area and the position of the café in relation to other properties are attached as appendix 2.

1.3 The premise is a small café with a maximum of 30 covers and operates only at street level. There is no garden or outside terrace area to the building therefore all activity will take place inside the premises.

1.4 At the present time the applicant has used a Temporary Event Notice (TEN) to cover a late night supper with the provision of alcohol, which finished at 23.00 hours. No complaints were received about this event.

1.5 The application is for the following licensable activities:

Supply of alcohol	09.00 to 23.00 Monday to Sunday
Hours open to the public	09.00 to 23.00 Monday to Sunday

1.6 No representations have been received from responsible authorities.

1.7 Two representations have been received from local residents (see appendix 3). The Subcommittee may only consider those points within representations which are relevant in terms of the Act and relate to the licensing objectives.

- i) Shirley Roden, 1 Chapel Apartments, Nineveh House, 31a Tarrant Street, Arundel.
- ii) Mr and Mrs Perkin, 2 Chapel Apartments, Ninevah House, 31A Tarrant Street, Arundel.

## **2.0 POLICY CONSIDERATIONS**

Arun's policy states:

5.10 Arun District Council acknowledges that licensing law is not a mechanism for the general control of anti-social behaviour by people once they are beyond the direct control of the individual, club or business holding a licence, certificate or relevant permission. However, the Licensing Authority believes a level of responsibility for customer or member behaviour clearly exists beyond the site boundary. The Licensing Authority will seek compelling evidence linking incidents that occur away from particular premises when making decisions concerning licences, certificates or notices. The control of anti-social behaviour away from licensed premises, qualifying clubs and temporary events is primarily a matter for the Police but the individual, club or business holding a licence, certificate or relevant permission will be expected to work in co-operation with the Police to ensure that, wherever possible, anti-social behaviour away from premises and events is minimised.

6.2 This policy shall avoid unnecessary duplication or inefficiencies by properly separating the planning and licensing regimes in operation.

8.2 The licensing committee or its subcommittee licensing authority is only able to impose additional conditions that are clearly proportionate and appropriate following relevant representation made to the authority or that are agreed with the applicant. Such conditions will only be imposed if appropriate for the promotion of the licensing objectives. The licensing authority may act in its capacity as a responsible authority and raise representations in relation to an application if it deems it appropriate to do so.

11.5 The Council may require stricter (noise) conditions where the premises are situated in an area primarily of a residential nature.

## **3.0 OBSERVATIONS**

3.1 The Subcommittee is obliged to determine the application with a view to promoting the licensing objectives, which are:

- i) The Prevention of Crime and Disorder
- ii) The Prevention of Public Nuisance

iii)	Protection of Children from Harm		
iv)	Public Safety		
3.2	In making its decision the Subcommittee is also obliged to have regard to national guidance and Arun's Statement of Licensing Policy.		
3.3	The Subcommittee must also have regard to all relevant representations and evidence that it hears		
<b>2. PROPOSAL(S):</b> To consider the applicant with a view the licensing objectives and make an appropriate decision from the options available at section 3.0 of this report.			
<b>3. OPTIONS</b>			
3.1	Grant the licence as applied for		
3.2	Grant the licence as applied for but add whatever conditions deemed appropriate to promote the licensing objectives		
3.4	Modify the application		
3.5	Refuse the application		
<b>4. CONSULTATION:</b> Not Applicable			
Has consultation been undertaken with:		<b>YES</b>	<b>NO</b>
Relevant Town/Parish Council		✓	
Relevant District Ward Councillors		✓	
Other groups/persons (please specify)		✓(public advert)	
<b>5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)</b>		<b>YES</b>	<b>NO</b>
Financial			x
Legal			x
Human Rights/Equality Impact Assessment			x
Community Safety including Section 17 of Crime & Disorder Act			x
Sustainability			x
Asset Management/Property/Land			x
Technology			x
Other (please explain)			x
<b>6. IMPLICATIONS:</b>			

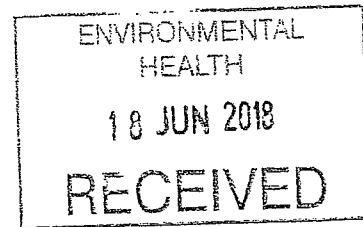
**7. REASON FOR THE DECISION:** The Council has a statutory duty to determine the application and give full reasons for their decision.

**APPENDICES:**

- 1 Application
- 2 Photographs of the local area
- 3 Representations

**BACKGROUND PAPERS:**

Licensing Act 2003  
Section 183 Guidance  
Arun District Council Statement of Policy



## LICENSING ACT 2003 - Section 17

### Application for a premises licence to be granted.

Reference number:

Arun District Council  
 Arun Civic Centre  
 Maltravers Road  
 Littlehampton  
 West Sussex BN17 5LF

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We OLH Partners

*(Insert name(s) of applicant)*

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

#### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description

**Juniper**  
**31 Tarrant Street**  
**Arundel**  
**West Sussex**

Post town

Arundel

Postcode

BN18 9DG

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£ 0

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  please complete section (B)
  - iii as an unincorporated association or  please complete section (B)
  - iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

- 
- 
-



(A) INDIVIDUAL APPLICANTS (fill in as applicable)

M <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/>		Other Title (for example, Rev)	
Surname		First names	
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

SECOND INDIVIDUAL APPLICANT (if applicable)

M <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/>		Other Title (for example, Rev)	
Surname		First names	
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current postal address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name OLH Partners, Russell Jon Le Page and Jennifer Helen Christine Le Page
Address [REDACTED] Littlehampton West Sussex [REDACTED]
Registered number (where applicable) n/a
Description of applicant (for example, partnership, company, unincorporated association etc.) Partnership
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
01	08	2018

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

DD	MM	YYYY

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

The premises are a small cafe at the end of a row of shops, cafes and restaurants in the tourist centre of Arundel. It has planning use class A3. Used as a cafe and tea room for more than 30 years, it has not previously had an alcohol license. The cafe consists of two rooms; the front room, visible from the street through a large window, seats 4-5 customers, and also contains the main area for food preparation, display and service. Takeaway coffee and sandwiches are also sold from the counter in this front room. The second room at the rear of the premises seats 22 customers at 7 tables. There are also two small storage areas. There is a single toilet in the basement of the property accessed by stairs.

Apart from takeaway food and coffee there is waiter service; the menu consists of simply prepared food including sandwiches.

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

n/a
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What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)
  
- i) Provision of late night refreshment (if ticking yes, fill in box I)
- j) Supply of Alcohol (if ticking yes, fill in box J)

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>	
					Outdoors	<input type="checkbox"/>	
Day	Start	Finish	Both				<input type="checkbox"/>
Mon	-----	-----	<u>Please give further details here</u> (please read guidance note 4)				
Tue	-----	-----					
Wed	-----	-----	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)				
Thurs	-----	-----					
Fri	-----	-----	<u>Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)				
Sat	-----	-----					
Sun	-----	-----					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon	-----	-----			
Tue	-----	-----	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Wed	-----	-----			
Thurs	-----	-----	<b>Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b>Please give further details</b> (please read guidance note 4)		
Day	Start	Finish			
Mon	-----	-----			
Tue	-----	-----	<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)		
Wed	-----	-----			
Thurs	-----	-----	<b>Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon	-----	-----	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	-----	-----			
Wed	-----	-----	<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thurs	-----	-----			
Fri	-----	-----	<b><u>Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	-----	-----			
Sun	-----	-----			

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon	-----	-----	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	-----	-----			
Wed	-----	-----	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thurs	-----	-----			
Fri	-----	-----	<b><u>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	-----	-----			
Sun	-----	-----			

**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	-----	-----	<b>Please give further details here</b> (please read guidance note 4)		
Tue	-----	-----			
Wed	-----	-----	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thurs	-----	-----			
Fri	-----	-----	<b>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat	-----	-----			
Sun	-----	-----			
	-----	-----			

**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	-----	-----	<b>Please give further details here</b> (please read guidance note 4)		
Tue	-----	-----			
Wed	-----	-----	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Thurs	-----	-----			
Fri	-----	-----	<b>Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat	-----	-----			
Sun	-----	-----			
	-----	-----			

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	-----	-----		Outdoors	<input type="checkbox"/>
Tue	-----	-----	<b>Please give further details here</b> (please read guidance note 4)		
Wed	-----	-----			
Thurs	-----	-----	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri	-----	-----			
Sat	-----	-----	<b>Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sun	-----	-----			

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
Day	Start	Finish			Outdoors	<input type="checkbox"/>
Mon	-----	-----	<b>Please give further details here</b> (please read guidance note 4)			
Tue	-----	-----				
Wed	-----	-----	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)			
Thurs	-----	-----				
Fri	-----	-----	<b>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6)			
Sat	-----	-----				
Sun	-----	-----				



**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) n/a		
Mon	09:00	23:00			
Tue	09:00	23:00			
Wed	09:00	23:00			
Thurs	09:00	23:00			
Fri	09:00	23:00			
Sat	09:00	23:00			
Sun	09:00	23:00			
			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6) n/a		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Russell J Le Page	
Date of birth [REDACTED]	
Address [REDACTED] West Sussex	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) Arun District Council	

**K**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

n/a

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	09:00	23:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
	-----	-----	
Tue	09:00	23:00	
	-----	-----	
Wed	09:00	23:00	
	-----	-----	
Thurs	09:00	23:00	
	-----	-----	
Fri	09:00	23:00	
	-----	-----	
Sat	09:00	23:00	
	-----	-----	
Sun	09:00	23:00	
	-----	-----	

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

It is our intention that the sale of alcohol will be an ancillary activity for the business; the main purpose of the business will remain the provision of food and other non-alcoholic drinks. We will work closely with the relevant authorities to ensure that the business is an additional asset to the town of Arundel which already has a number of similar businesses. We are a family run business and as owners we are, and will remain, present at the premises maintaining a close watch on our trade. We will ensure that any staff in the business are given appropriate training. Well trained staff will contribute to well-run premises and a responsible approach to the sale of alcohol provision of the Licensing Act 2003. All staff will be advised of licensing law in writing before they are allowed to serve alcohol. Over time we will introduce formal qualifications for staff, where appropriate to Personal License level. Training will be provided on our specific policies relevant to the operation of the business. A record will be kept of the date and name of person trained or advised and be made available for inspection by the police or licensing authority. Full records will be kept of any incident that could affect the licensing objectives. The nature of our business means that wish the premises to be a family-friendly, comfortable environment that welcomes those who wish to enjoy alcohol with their meal, but just as importantly is welcoming to those who wish to consume non-alcoholic drinks.

**b) The prevention of crime and disorder**

We will have clear documented policies and procedures in place which identify all crime and disorder risks associated with the premises and the measures implemented to prevent, manage and respond to those risks. The design of the premises ensures that all customers entering the cafe are greeted by a member of staff at the serving counter, and this initial contact between customer and staff will ensure that staff are able to assess any risks associated with individual customers upon entry. Likewise the constant presence of staff between the main room of the cafe and the exit will ensure that the risk of theft of property is low. All stocks of alcoholic drink will be kept in the lockable store cupboard and only small amounts of alcohol will be kept out for service. No alcoholic drinks will be visible to the public. As a small cafe with waited service, staff will be a constant presence in the seating area and will have the opportunity to monitor customer behaviour; good customer service skills can prevent escalation of any incident and the owner of the business has extensive experience of managing customer service teams in public facing roles. Informal daily staff briefings will be used to improve security practices. As a matter of course we ensure that tables are cleared of glasses etc in order to provide a pleasant eating environment, but this will also help to ensure any risks relating to disorder are reduced. It is our intention to sell alcohol with food in small measures. All good practice regarding the prevention of crime and disorder has been considered, and although we will always be happy to take the advice of the licensing authority and the police we believe that the risk is relatively low; however this assessment will be reviewed at least annually and more regularly in the first months of operation with an alcohol license.

**c) Public safety**

We will take a proactive approach to protecting and managing public safety at the premises. We will put clear documented policies and procedures in place which identify all public safety risks associated with our premises and measures implemented to prevent, manage and respond to those risks. First Aid boxes will be maintained on the premises and the owners will seek to achieve first aid qualifications. We are a small cafe with 26 seats and we would not expect customers to be on the premises who are not seated. Including staff we would not expect more than 30 people to be on the premises at any one time, and when full, customers would be turned away. Tables are now, and will continue to be, cleared in good time. In order to aid in the prevention of drink driving we will maintain a relationship with a local taxi firm and offer to call taxis for any customers who appear to intend to drive when they have been drinking. Smoke and fire detectors are present in both rooms of the cafe.

**d) The prevention of public nuisance**

We will have clear documented policies and procedures in place which identify all public nuisance risks associated with our premises and measures implemented to prevent, manage and respond to those risks. We will also engage with local residents on a regular basis to ensure that we are being good neighbours and dealing with problems as they arise. As a small premises seating only 22 in the main room of the cafe and 4 in the anteroom we do not envisage significant noise breakout from speech; however we will ensure that noise is monitored by management on an ongoing basis using perimeter checks. We will ensure that local residents in the vicinity of the premises have the personal phone number of the owners and that they are personally known to them to ensure that a good relationship is maintained. We do not anticipate customer noise at the entrance and we would expect dispersal to be staggered through the evening with no significant increase in customer traffic at closing time.

**e) The protection of children from harm**

We will have clear documented policies and procedures in place which identify all age restricted risks at the premises and measures implemented to prevent, manage and respond to those risks. As a family friendly cafe we would expect children to be accompanied by an adult on the premises. We will operate a strict 'No ID - No Sale' policy using a 'Challenge 25' scheme to give staff additional support and encouragement to ask for ID from any person appearing to be under 25 years of age to prove that they are over 18. We will only accept photographic driving licences, passports or PASS (Proof of Age Standards Scheme) cards approved as means of ID. We will keep a refusals book on the premises and ensure it is completed whenever a sale is refused to a person who cannot prove they are over the age of 18 to include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. The book will be made available to Police and authorised Council officers on request. It will be reviewed on a regular basis to see if any patterns emerge. Staff will be trained in the age related sections of the Licensing Act 2003 should be provided to all door, bar and till staff and a record will be kept of the date and name of person trained.

**Checklist:**

**Please tick to indicate agreement**


- I have made or enclosed payment of the fee.
  - I have enclosed the plan of the premises.
  - I have sent copies of this application and the plan to responsible authorities and others where applicable.  AS ADVISED
  - I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
  - I understand that I must now advertise my application.
  - I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

**Part 4 – Signatures** (please read guidance note 11)

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

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	
Date	18 JUNE 2018
Capacity	PARTNER

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

## Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.

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

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

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

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

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

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.

- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.



- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

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

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

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

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

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







Licensing Team  
Environmental Health  
Arun District Council  
Arun Civic Centre  
Maltravers Road  
Littlehampton  
West Sussex BN17 5LF

25th July 2018

Dear Sir/Madam

Licensing Act 2003 – Notice Reference:16473 OLH Partners Juniper – 31 Tarrant Street Arundel BN18 9DG

We are writing to you to express our concerns about the proposal submitted to you by OLH Partners in respect of granting a Premises Licence under the Licensing Act 2003 to allow the supply of alcohol between the hours of 9.00 and 23.00 Monday to Sunday.

Our concerns are based on the fact that we own [redacted] Tarrant Street, Arundel, [redacted] and are extremely worried that the above application, which if approved in its current form without conditions, could have a very serious impact on our rights, enshrined in Article 1 of Protocol I to the European Convention on Human Rights as the "right to peaceful enjoyment of possessions", where the right to protection of property is defined as such: "1) Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The European Court of Human Rights having interpreted "possessions" to include tangible property. In addition, we believe that the approval of the requested licence in its currently proposed unconditional form would constitute a public nuisance which needs to be prevented for the reasons outlined below.

We would point out that our concerns are neither frivolous or vexatious, but are based on the fact that the window to the main bedroom in our property is only 13.7 meters from the premises for which the licensing application is being made. In between the two properties

there exists only an open garden (photos attached), so that there is no acoustic barrier of any kind to insulate our property from the sound that will be generated as a direct consequence of approving a proposal to obtain a license for the supply of alcohol between the hours of 9.00am and 11.00pm seven days a week, which is a significant increase on the current Juniper published opening hours of 9.00 am to 4.00 pm on only six days a week (Wednesday to Monday).

We have spoken informally with Russel Le Page the owner of Juniper, together with our neighbour about his future intentions for his restaurant and he told us that he just wanted to be able to offer a glass of wine to his customers and that the menu wouldn't change. However, he also told us that he wanted to have the license until 11.00pm, because he would to be able to hire out Juniper as a function room for parties, as well as keeping Juniper open for longer hours in the evening when he would be playing music.

We are very concerned about these proposals, as they would take place in a building where because of its age it is unlikely in the extreme, that the building would have any modern sound-proofing or noise-limiting devices in-situ, that would contain the level of amplified sound produced by parties and that inevitably the sound would escape from the premises, particularly in hot weather when Juniper would need to open its windows, with the sound waves travelling directly to our property, forcing us into keeping our windows closed of an evening even in high summer and having to take other measures to reduce the sound level, all of which would prevent us from having the peaceful enjoyment of our property, that we are entitled to by law and which we currently enjoy. In addition, granting this license on an unconditional basis would also expose us to a potentially significant and unnecessary health risk, given the very strong presence of Radon Gas in Arundel and the fact that the harmful effects of exposure to this gas can be mitigated by keeping windows open to maximise air circulation within one's property.

Notwithstanding the points already made, the Licensing Act 2003 made no mention of "Drinking Up Time", so although the sale of alcohol may stop at 11.00pm the consumption of already purchased alcohol at a party for instance could continue well after the 11.00pm time limit outlined in the proposed license application and if the license application as in this case does not specify the maximum period for which the licensee wishes to allow their customers to stay after the time at which the sale of alcohol ends, then in law the drinking time is determined only by the licensee's discretion, which means that parties might well not end until well after 11.00pm, resulting in us as close neighbours being subjected to further disturbance, as people left the parties at which alcohol was consumed. As anyone who has lived next to a function hire facility could testify, it is a noisy event, as cars and taxi's appear to take party goers home, to the accompaniment of people wishing each other loud farewells, with in the worst cases people leaving their litter and sometimes the contents of their

stomachs on the pavement when they have over imbibed, all of which constitutes a public nuisance which the licensing authority has the power to prevent.

There is also a security issue as there are steps running down the side of 31 Tarrant Street into the garden. The gate is left permanently wide open and unlocked meaning anyone who has been drinking has direct access to our and our neighbours bedroom windows which are on the ground floor garden level, with the potential that the garden could be used as a toilet late at night given that Juniper has only a single WC yet envisages having thirty people in the building at any one time.

To conclude I think that we should point out that we do not object in principal to Juniper selling alcohol to their current clientele during their current opening hours, however we do object most strongly to the granting of an unconditional hours license to OLH Partners, which would allow night time parties be held at Junipers premises for the reasons we have outlined in this letter and would strongly ask that you as the licensing authority make the granting of the license conditional on limiting the sale of alcohol between the hours of 9.00am and 7.00pm seven days a week and ask the proposed licensee to define the period that will be given to customers to consume the alcohol that they have already purchased, which should not exceed thirty minutes after the proposed closing time of 7.00pm.

Yours faithfully

[Redacted signature]

[Redacted signature]

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[Redacted line]

*Nineveh House*

[Redacted line]  
[Redacted line]  
[Redacted line]

[REDACTED]  
**Nineveh house**  
[REDACTED]  
[REDACTED]

ENVIRONMENTAL  
HEALTH  
26 JUL 2018  
RECEIVED

Licensing Team, Environmental Health,  
Arun District Council,  
Arun Civic Centre,  
Maltravers Road,  
LITTLEHAMPTON BN17 DLF.

25<sup>th</sup> July 2018

Dear Sir/Madam

Licensing Act 2003 – Notice Reference:16473 OLH Partners Juniper –  
31 Tarrant Street Arundel BN18 9DG

I am writing to you to express my concern regarding the proposal submitted to you by OLH Partners in respect of granting a Premises Licence under the Licensing Act 2003 to allow the supply of alcohol between the hours of 9.00 and 23.00 Monday to Sunday.

My concern is based on the fact that I own [REDACTED] Tarrant Street, Arundel [REDACTED] and am extremely worried that the above application, if approved in its current form without conditions, could have a very serious impact on my rights, enshrined in Article 1 of Protocol I to the European Convention on Human Rights as the "right to peaceful enjoyment of possessions", where the right to protection of property is defined as such: "1) Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law, the European Court of Human Rights having interpreted "possessions" to include tangible property. In addition, I believe that the approval of the requested licence in its currently proposed unconditional form would constitute a public nuisance which needs to be prevented for the reasons outlined below.

I would point out that my concerns are neither frivolous nor vexatious, but are based on the fact that the window to my bedroom in my property is only 7.6 metres (25 feet) from the premises for which the licensing application is being made. In between the two properties there exists only an open garden, so that there is no acoustic barrier of any kind to insulate my property from the sound that will be generated as a direct consequence of approving a proposal to obtain a license for the supply of alcohol between the hours of 9.00am and 11.00pm seven days a week, which is a significant increase on the current Juniper published opening hours of 9.00 am to 4.00 pm on only six days a week (Wednesday to Monday).

I and my neighbours the [REDACTED] have spoken informally with Russell Le Page the owner of Juniper about his future intentions for his restaurant and he told us that he just wanted to be able to offer a glass of wine to his customers and that the menu wouldn't change. However, he also told us that he wanted to have the license until 11.00pm, because he would be able to hire out Juniper as a function room for parties (in his application he mentions covers for at least

Page 31 of 32

30 people including staff) as well as keeping Juniper open for longer hours in the evening when he would be playing music.

We are all three very concerned about these proposals, as they would take place in a building where because of its age it is unlikely that the building would have any modern sound-proofing or noise-limiting devices in-situ, that would contain the level of amplified sound produced by parties and that inevitably the sound would escape from the premises, particularly in hot weather when Juniper would need to open its windows, with the sound waves travelling directly to both our properties, forcing us into keeping our windows closed of an evening even in high summer and having to take other measures to reduce the sound level, all of which would prevent us from having the peaceful enjoyment of our property, that we are entitled to by law and which we currently enjoy. In addition, granting this license on an unconditional basis would also expose us to a potentially significant and unnecessary health risk, given the very strong presence of Radon Gas in Arundel and the fact that the harmful effects of exposure to this gas can be mitigated by keeping windows open to maximise air circulation within one's property.

Notwithstanding the points already made, the Licensing Act 2003 made no mention of "Drinking Up Time", so although the sale of alcohol may stop at 11.00pm the consumption of already purchased alcohol at a party for instance could continue well after the 11.00pm time limit outlined in the proposed license application and if the license application as in this case does not specify the maximum period for which the license wishes to allow their customers to stay after the time at which the sale of alcohol ends, then in law the drinking time is determined only by the licensee's discretion, which means that parties might well not end until well after 11.00pm resulting in both flats as close neighbours being subjected to further disturbance, as people left the parties at which alcohol was consumed, which as anyone who has lived next to a function hire facility could testify is a noisy event, as cars and taxis appear to take party goers home, to the accompaniment of people wishing each other loud farewells, with in the worst cases people leaving their litter and sometimes the contents of their stomachs on the pavement when they have over-imbibed, all of which constitutes a public nuisance which the licensing authority has the power to prevent.

There is also a security issue as the licence appears to be for selling alcohol for consumption on or off the premises and there are steps running down the side of 31 Tarrant Street into the garden. The gate is left permanently wide open and unlocked meaning anyone who has been drinking has direct access to my and my neighbours bedroom windows which are on ground floor garden level.

To conclude I would like to point out that I do not object in principal to Juniper selling alcohol to their current clientele during their current opening hours. However both my neighbours and I do object most strongly to the granting of an unconditional hours license to OLH Partners, which would allow night time parties to be held at Junipers premises for the reasons outlined in this letter and would strongly ask that you as the licensing authority make the granting of the license conditional on limiting the sale of alcohol between the hours of 9.00am and 7.00pm seven days a week and ask the proposed licensee to define the period that will be given to customers to consume the alcohol that they have already purchased, which should not exceed thirty minutes after the proposed closing time of 7.00pm.

Yours sincerely

