

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF ARUN DISTRICT COUNCIL LICENSING SUB-COMMITTEE ON 23 JUNE 2023

SUBJECT:

Licensing Act 2003, Application for a New premises licence

REPORT AUTHOR: Steven Wright – Licensing Officer

DATE: 04 April 2023

EXTN: 01903 737680

AREA: Growth.

EXECUTIVE SUMMARY:

The Authority is in receipt of an application for a new Premises Licence located at 9 Ocean Parade, Ferringham Lane, Ferring, Worthing, West Sussex. BN12 5QG. The premises will be known as the Little Tipple if granted and will be operated by the applicant Mrs Anya Clayton of [REDACTED]

A summary of the application is attached as **(Appendix A)**

RECOMMENDATIONS:

The Sub-Committee should make an evidence-based determination, justified as being appropriate for the promotion of the licensing objectives.

The Sub-Committee may only consider matters referred to in representations relevant to the promotion of one or more of the four licensing objectives. These must be considered in the context of what is relevant to the application.

1. BACKGROUND:

1. BACKGROUND

- 1.1 This is an application for a new premises licence which was received on 14 April 2023.
- 1.2 The premises is currently known as Village Interiors.
- 1.3 The proposed Premises Licence Holder is Anya Clayton who will also be the Designated Premises Supervisor for the premises.
- 1.4 Proposed licensable activities are as follows: Supply of Alcohol for consumption on and off the premises between the hours of 10.00-22.00 Monday to Saturday 11.00-22.00 on a Sunday.

1.5 The proposed premises is best described as a Micro Pub with a maximum occupancy of 50 customers seated inside the premises, with some seating proposed for the external area to the front of the premises.

2.0 RELEVANT REPRESENTATIONS

2.1 Supporting representations in this matter have been made by Sussex Police which is subject to agreed conditions by the applicant and Sussex Police **(Appendix B)**

2.2 A representation (Objection) from Arun District Council Environmental Health Team attached. **(Appendix C)**

2.3 The application has attracted representations in support and objection to the application, attached as **(Appendix D Objections and Appendix E Support)**

2.4 A representation from the applicant was also received and is attached. **(Appendix F)**

2.5 Representations that have been accepted as relevant representations are attached.

3. ARUN DISTRICT COUNCIL POLICY CONSIDERATIONS

3.1 Relevant extracts from Arun District Council's Licensing Principles are shown in this section.

(5.1) The main principles of the policy are: -

- to reduce the fear of crime.
- to encourage cultural diversity and lively, safe town centres.
- to reduce the burden of unnecessary regulation on business.
- to contribute to the quality of life.
- to promote public health.
- to ensure that premises are being managed responsibly.
- to ensure the promotion of the licensing objectives

(5.2) The Policy is also intended to ensure that the provision of additional opportunities for licensable activities are matched by appropriate and proportionate measures enabling the police and licensing authorities to act promptly to maintain public order and safety.

The Licensing Committee and any of its Sub-Committees, when holding licence hearings, will follow these guidelines so as to maintain a degree of consistency and transparency when making decisions. The Committee reserves the right to amend and republish these guidelines in light of operational experience and as a separate document to the statement of licensing policy. In reaching a decision the committee will take into account any of the aggravating or mitigating factors below but may also consider other relevant evidence before them. Likewise, they can consider any other proportionate and appropriate action as allowed under the Licensing Act 2003. Section 182 guidance will also be considered in conjunction with this policy.

Relevant representation received regarding The Prevention of Crime and Disorder	
Aggravating Factors	Mitigating Factors
Encouraging or inciting criminal behaviour associated with licensed premises.	Good controls, practices and training in place.
Confidence in management ability to uphold the Licensing Objectives	Willingness to agree conditions with Sussex Police
Previous track record	Track record of operating similar premises
See Appendix D&E for representation from members of the public	

Relevant representation received regarding The Prevention of Public Nuisance	
Aggravating Factors	Mitigating Factors
Encouraging or inciting anti-social behaviour associated with licensed premises.	Good controls, practices and training in place.
Confidence in management ability to uphold the Licensing Objectives	Willingness to address the concerns expressed by
Previous track record	Environmental Health Team.
See Appendix D&E for representation from members of the public	Track record of operating similar premises

Relevant Representation received regarding Protection of Children from Harm	
Aggravating Factors	Mitigating Factors
Confidence in management ability to uphold the Licensing Objectives	Willingness to agree conditions with Sussex Police
See Appendix D&E for representation from members of the public	

APPENDICES:

- A: Summary of Application with plan.
- B: Agreed conditions with Sussex Police.
- C: Representation by Environmental Health Team.
- D: Objections from members of the Public.
- E: Support from members of the Public.
- F: Representation from the Applicant.

Background Papers:

Licensing Act 2003
 Section 182 Guidance
 Arun Statement of Licensing Policy

PROPOSAL(S):**4.0 OBSERVATIONS**

4.1 The Sub Committee is obliged to determine this application with a view to promoting the licensing objectives which are:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- Public Safety
- The Protection of Children from Harm

4.2 In making its decision the Sub Committee is also obliged to have regard to national guidance and Arun's Statement of Licensing Policy.

4.3 The Sub Committee must also have regard to all relevant representations and evidence that it hears.

OPTIONS:

5 The Committee may:

- a) Grant the application.
- b) Refuse the application, providing reasons for the refusal.
- c) Grant the licence with conditions.
- d) Modify the proposed conditions.

6. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	x	
Relevant District Ward Councillors	x	
Other groups/persons (please specify)	x	

7. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 8 below	YES	NO
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

8. IMPLICATIONS:

Any decision made by the Licensing Sub-Committee can be appealed to the Magistrates Court

9. REASON FOR THE DECISION:

The Licensing Sub-Committee must provide reasons for their decision in writing

10. BACKGROUND PAPERS:

- A: Copy of application with plan attached.
- B: Representation by Sussex Police with agreed conditions
- C: Representation from Pollution Control
- D: Representations opposed to the application
- E: Representations in support of the application.
- F: Representation from the applicant.