



The Licensing Team
Environmental Health Department
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
BN17 5LF

West Sussex Division Neighbourhood Licensing Team

1st July 2020

Dear Mrs Meeten,

**RE: APPLICATION FOR VARIATION OF THE PREMISES LICENCE UNDER THE
LICENSING ACT 2003 FOR WILLIAM HARDWICKE PO21 1SR**

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 objective of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and the Protection of Children from Harm.

This premises is located in the town centre and has featured prominently within in the night time economy. It is currently licenced for the sale of alcohol between 09:00 ~ 00:00 Sunday to Thursday, and between 09:00 ~02:00 Friday and Saturday. Recorded music is permitted indoors for the same hours. There is also a note on the licence which says:

DJ console with playing wide variety of popular recorded music including for dance. The use of D.J's playing amplified recorded music. Xmas Eve and Boxing Day until 02.00. New Year's Eve from cessation of hours for regulated entertainment until start of hours for regulated entertainment on New Year's Day.

The premises opening times cease 30 minutes later than those of the licensable activities on each day. These times are the latest available to a licenced premises in the area, with the exception of the nightclub situated on the pier.

A pre application request was made to Sussex Police on 16th March 2020 which proposed some of the changes currently applied for. This was responded to via email, albeit briefly, highlighting some the areas of concern to Sussex Police. The impact of the Coronavirus was already at that stage presenting problems and the matter has not subsequently been reviewed. The application seeks additional changes other than

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those initially raised and it may be that these would have been expanded upon had we engaged in further dialogue.

The application received reflects the new layout of the premises including to an outside area. It also seeks to extend the opening hours until 02:30 hours for six days a week; Monday to Saturday and to extend this further via seasonal variation until 03:30 (primarily bank holidays/weekend).

An extension to the sale of alcohol is also sought until 02:00 hours six days a week (Monday to Saturday). Further extensions are sought under the seasonal variations and are primarily for bank holiday/ weekend.

There is an additional request to facilitate the off-sale of alcohol from the premises. There has been no context to this and it is unclear if this is solely for home deliveries or for off sales in open vessels into the town centre. There is no indication that the hours for off sales is to be modified, nor any reference to any measures taken to prevent this creating a negative impact upon the local community.

While there are some measures proffered within the operating schedule which seek to demonstrate a willingness to promote the licensing objectives, there remain some considerable concerns for Sussex Police in relation to this application.

It is disturbing to note that there is social media advertising an event to be held at the premise; as recently as March of this year, which exceeds the authorisation of the premises licence. On Thursdays the premises should be closed to the public by 00:30 hours, however a DJ set and 'shots' are advertised until 02:00 hours.

The William Hardwicke is not without incident and the number of occurrences reported to Sussex Police has been steadily rising since July 2019. I am aware that a particularly nasty assault in September, involving patrons exiting the premises, was seriously hampered by the failure of the Designated Premises Supervisor and his staff to provide CCTV footage; despite verbal and written requests from the investigating officer. Intoxication of patrons is not uncommon requiring the premises door staff to intervene and leading to assaults both at the premises and in the immediate vicinity. It is therefore with some concern that the premises licence holder seeks a substantial extension to the hours for licensable activities, including the provision of off sales until the early hours of the morning throughout the week.

Sussex Police are concerned that the premises shall become a focal point for patrons leaving the other numerous licenced premises in the area when they close. It is therefore considered that, to prevent additional confrontation at the premises,

- the extension to the closing time be permitted until 01:00 hours. This will also reduce the impact upon local residents of patrons leaving the area in the early hours of the morning.

Similarly Sussex Police consider that

- the use of the outside area should cease by 23:00 hours.

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There is a request that children are permitted on the premises until 03:30 on New Year's Eve. Sussex Police are concerned that this is not an environment that affords a sufficient level of protection to children. Consequently a condition is sought restricting children on the premises to attending sit down meals or a pre-booked private functions until 23:00 hours. (See below)

Some of the conditions below reflect those proffered by the applicant, but have been re-worded in the interests of clarity or to ensure the condition is robust and enforceable; others are additions sought to address the concerns raised above.

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 eight (8) weeks. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
3. The premises shall at all times maintain and operate a sales refusals log and an incident log 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.
4. 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/exits to the premises and the entrance to the WCs. and the premises curtilage. 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.

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- 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.
5. Any patron under the age of 18 years must be accompanied by a responsible person aged 18 or over
 6. After 21:00 hours all children under 18 years must be accompanied by a responsible adult and may only remain on the premises until 23:00 hours and then only if partaking in a sit down meal or attending a pre-booked private function or event . (Such private functions must be booked at least 24 hours in advance and a risk assessment must be performed by the premises staff, with the promotion of the licensing objectives to be addressed.)
 7. Off sales shall be permitted in sealed, non-glass vessels only and shall cease at 18:00 hours. (unless part of a home delivery order)
 8. Staff must ensure that all empty glasses and bottles are promptly cleared away from the public areas. Regular patrols are to be conducted, at least hourly, both inside and outside the premises.
 9. The supply of alcohol will cease 20 minutes prior to the closure of the premises.
 10. *Security Industry Authority (SIA) door supervisor's condition as offered in operating schedule but at point 4 but to read ...* and on any other day of the week when the premises remains open after midnight.
 11. Those performing the role of SIA Door Supervisor will not perform any other role when engaged for the purpose of Door Supervision activities
 12. SIA door supervisors shall wear and operate Body Worn Video cameras with a recording facility & availability in line the CCTV condition above.
 13. SIA door supervisors shall complete incident logs prior to the end of their shift

14. The premises licence holder/DPS shall create a documented risk assessment which identifies the activities undertaken at the premises and the controls necessary to promote the licensing objectives. This shall consider events such as, but not restricted to International/National football matches, University student rag week, Halloween/New Year's Eve and other local events. It will take into account the potential need for additional SIA door supervisors, polycarbonate drinking vessels, externally and internally, ticketing/restricted numbers etc. It will include written emendations demonstrating what considerations have been made. This document shall be immediately available for inspection by the Police and the Licensing Authority, upon request

Conditions for alcohol delivery service:

15. Alcohol deliveries will only be made to a residential or business address.
16. The person accepting the delivery must be aged 18 years or over. Where the person accepting delivery appears to be under 25, a recognised photographic ID must be produced prior to delivery.
17. Customers ordering alcohol for delivery to a residential or business address must have their age verified. This process will be advertised and shall be documented. These records must be retained for no less than twelve months and produced on request to an officer of a Responsible Authority

Therefore Sussex Police invite the licensing committee to grant with conditions this variation application.

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,

**Insp R Lovell CL740
Force Licensing Lead
Sussex Police**

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