



Minutes of the meeting of the **Alcohol and Entertainment Licensing Sub-Committee** held in Committee Room 1, East Pallant House on Monday 13 February 2023 at 2.30 pm

Members Present: Mr G McAra, Mr H Potter and Mr A Sutton

Members not present:

In attendance by invitation:

Officers present all items: Mr L Foord (Divisional Manager for Communications, Licensing & Events) and Ms G Di Lauro (Litigation and Licensing Lawyer)

86 To elect a Chairman for this Hearing

Cllr McAra proposed Cllr Potter as Chairman. Cllr Sutton seconded the proposal.

RESOLVED

Cllr Potter was elected as Chairman of the Sub Committee.

87 Declarations of Interests

There were no declarations of interest.

88 Licensing Hearings

The Chairman opened the Hearing.

The Chairman informed his fellow members that additional documents had been submitted from the following parties; the Clerk of Fernhurst Parish Council (additional representation to the application), Miss Crowder (who was an objector) and the applicant. He asked all parties present if they were happy to accept the documents as late submissions and allow them to be considered as part of the Hearing. All those present agreed that they were content for the documents to be considered.

The Chairman invited Mr Foord to make his introduction.

Licensing Manager's Introduction

Mr Foord explained the Alcohol & Licensing Sub-Committee was being held to determine an application for a Premises Licence under the Licensing Act 2003 submitted to this Licensing Authority by One Stop Fernhurst Stores as a Limited Company of 6 Midhurst Road, Fernhurst, West Sussex.

The application related to the site at the same address and was described by the applicant in the report bundle, at page 24 as -

“The premises will be a new convenience store under the brand of One Stop where all types of convenience products will be sold. Other services will also be offered to customers such as the ability to pay bills and collect/send packages along with post office services”.

The applicant had also stated that *“Alcohol will form approximately 15% of the goods on sale and as it is not the intended focus of the business there is an expectation that alcohol sales will have a limited impact on the area as local people are expected to, on the whole, purchase alcohol along with other products.”* It was further stated by the applicant that *“There is no other facility in the area providing these full services”*

Mr Foord explained the basis on which the Sub Committee had been convened. Of the representations received, ten were from members of the public, with the remaining three being from Fernhurst Parish Council, the Fernhurst Club and Sussex Police in their role as a Responsible Authority under the Licensing Act 2003.

Mr. Foord highlighted that within the various representations received, reference had been made to several areas of concern which related to the likely impact on the promotion of all the Licensing Objectives. Four additional representations had been made by members of the public; however, they had been advised by the Authority that their correspondence did not constitute a relevant representation.

Mr. Foord told the Sub Committee additional supporting information had been provided by the Agent to the Licensing Authority on behalf of the applicant. He confirmed that the information had been circulated via email to all parties present, as well as being published online. The supplementary information had not been interpreted as a representation as the period in which to submit had closed on 18 January 2023.

A full copy of the original application was included within the bundle, along with an illustration (page 17) which depicted the application site and its location in relation to all who had submitted a relevant representation and, the outcome of mediation between the applicant and Sussex Police.

Mr Foord informed the Sub Committee that following the submission of the Sussex Police representation, a series of positive discussions had taken place between themselves and ‘Licensing Matters’ (acting as Agent’s for the applicant), in principle an agreement which included a number of proposed additional conditions had been reached by both parties. However, as other representations had been received for

which it had not been possible to mediate, the representation from Sussex Police remained extant.

Mr Foord explained that the inclusion (or otherwise) of any proposed condition or amendment to the original application was ultimately a matter for the Sub-Committee to determine.

He drew the Sub Committee's attention to page 83 which presented the outcome of the mediation between the applicant and Sussex Police.

Mr Foord confirmed the agenda papers had been provided and made available to all parties involved in the Hearing, as well as being made available for inspection.

Mr Foord informed the Sub Committee that the Statutory Notice of Hearing under the Licensing Act 2003 (Hearings) (Amendment) Regulations had been sent to the applicant and all persons who had made relevant representations. He explained that upon receipt of that Notice a party was required to give the Licensing Authority notice stating whether they intended to attend or be represented at the Hearing and whether they consider a hearing to be unnecessary. With regards to the case being heard, the parties were required to give notice no later than five working days before the day on which the hearing was to be held. A list of those who had submitted relevant representations was included at page 13.

Mr Foord drew the Sub Committee's attention to page 6 and highlighted paragraph 4.4 and table 4.5 which clarified that the application sought a permanent Premises Licence for the retail sale of alcohol for consumption off the premises only; he confirmed the application did not seek any external areas associated with this activity.

The hours applied for the 'retail sale of alcohol' were for everyday between 6am and 10pm; these were the same as the proposed opening hours of the premises.

The original representation from Sussex Police had been included at pages 47 to 50 along with evidence from the applicant showing that they had read and understood their implications should the application be successful (this was included from page 83 onwards). The correspondence included the acceptance in principle of the addition of conditions covering such matters as digital CCTV installation and recordings; implementation of a Challenge 25 policy; staff training and record keeping.

Mr Foord, with the Chairman's consent asked the applicant's representative to confirm that his report had outlined the application accurately. The applicant confirmed that the report accurately outlined the application and thanked Mr Foord for his summary.

The Chairman invited members of the Sub Committee to ask questions

In responding to a question from Cllr Sutton; Mr Foord confirmed there were other premises within the vicinity of the application site which provided alcohol sales. However, as per the Home Office Guidance issued under Section 182 of the

Licensing Act revised in December 2022, a representation was only relevant if it referred to the Licensing Objectives. A representation referring to the commercial damage caused by competition from a new licence premises would not be considered relevant. In addition, Ms Di Lauro advised the Sub Committee (and would advise them again) that they should attach no weight to 'competition' when they determined the application. She reminded them that the only grounds they must consider when determining the application were the four licensing objectives; prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.

With regards to the representation from Sussex Police; Mr Foord explained that it was the view of the Licensing Authority that although the applicant's (via their agent) had agreed in principle to a number of conditions, it was the decision of the Sub Committee to determine whether to attach the additional conditions to a licence. He explained why the representation from the police remained extant. Ms Di Lauro confirmed the advice offered by Mr Foord.

Cllr Sutton asked Ms Di Lauro for clarification on the matter of the late items submitted and whether they could be considered by the Sub Committee. Ms Di Lauro confirmed they could be considered as all parties present had agreed, she explained that the weight applied to them was a matter for the Sub Committee to determine. The Agent agreed they could be considered by the Sub-Committee as part of their determination.

Mr Sampra (agent for the applicant) informed the Sub Committee that he had received a phone call from Mr Jones, Clerk of Fernhurst Parish Council, who had explained that his main point was that he thought the applicant/agent had submitted a representation and for that reason this should be adjourned because nobody had had the opportunity to view and consider them. Mr Sampra told the Sub Committee that he explained to Mr Jones it was not a representation but an additional supplement

Responding to a question from Cllr Potter; Mr Foord confirmed he had no evidence regarding a Post Office licence being granted. For clarification; XXX confirmed that there was no intention to open/offer a Post Office at the premises. Ms Di Lauro reminded the Sub-Committee whether there was or wasn't a Post Office was not part of the consideration.

The Applicant confirmed they had no questions

Applicant's Address

The Chairman invited Mr Sampra to address the Sub Committee.

Mr Sampra confirmed that the application referred to a new One Stop shop, at 6 Midhurst Road, Fernhurst that had to date sold no alcohol to anybody. He explained it would be a well-stocked One Stop Shop of the sort people were familiar with. Mr Sampra told the Sub Committee that One Stop was a franchise, owned by Tesco's;

who only accepted the most diligent licensees, with their operation being a cut above the standard franchise model.

The support the franchisee gets in terms of upholding the Licensing Objectives was of a very high standard. Their systems (till prompts, staff training, stock ordering from Tesco, CCTV) were all part of the 'package' and ensured a very responsible operation. The store would be opening on 17 February 2023 and the licence was crucial to the business model. One Stop were currently waiting to prepare the store for that date.

Mr Sampra explained the applicant company was One Stop Fernhurst Stores Ltd, owned by Vikneswaran 'Vikkey' Mahadevan, he confirmed Mr Mahadevan would be the Designated Premises Supervisor (DPS). He had two further shops and had held a Personal Licence since 2004.

Mr Sampra reiterated that each Licensing application must be judged on its own facts and merits. He explained that it was the applicant's responsibility to demonstrate that the proposals in the Operating Schedule could promote the Licensing Objectives and not undermine them. The representors, opposing the application, had to demonstrate how the premises trading under the Operating Schedule would undermine the Licensing Objectives. Mr Sampra stated that, any sub-committee properly advised, could only refuse the application if the Operating Schedule was found (on the evidence of the Representors), to not be capable of promoting the Licensing Objectives.

Mr Sampra claimed that there was no evidence in the Representations made that challenged or criticised the Operating Schedule, the premises, the applicant or the DPS.

Mr Sampra addressed the representations made.

Mr Sampra confirmed that the applicant was pleased to agree the additional conditions requested by the Police, in their role as a responsible Authority. No further representation had been made by any of the other Responsible Authorities. Mr Sampra noted that this was significant as it demonstrated the application did not undermine the Licensing Objectives.

Responding to the remaining representations Mr Sampra addressed the concerns raised under the following headings;

- No need for another one; Mr Sampra reminded the Sub-Committee that commercial competition was not a relevant consideration in discharging licensing functions.
- Car Parking & Traffic; Mr Sampra reminded the Sub-Committee that neither the Planning Authority nor the Highways Department had raised any concern with the application. In addition, a Crash map Data for the locality had been submitted and showed that there had been only four slight injury collisions over the last decade.

- Children & Young Persons; Mr Sampra informed the Sub Committee that the applicant had agreed to the exemplar conditions regarding Challenge 25, as suggested by the Police. He stressed that Mr Mahadevan had absolutely no intention of selling alcohol irresponsibly, or to anyone underage. He acknowledged concerns raised regarding the possibility of young people 'loitering around', evidence from UK Crime Statistics had been submitted with the application to demonstrate how low the risk of an ASB incident occurring was. In addition, Mr Madahaven would not allow such behaviour to occur as it would be very bad for business.
- Crime & ASB; Mr Sampra told the Sub-Committee it was pure speculation that noisy and unruly behaviour would result from an alcohol licence being granted. He reminded the Sub-Committee that the location was in a very low crime, low incident, and low risk area (as demonstrated by the UK Crime Statistics included within the bundle).
- Litter; Mr Sampra confirmed that a bin would be supplied, however, the concern that litter would be generated specifically from people coming to purchase alcohol was speculation and not admissible in the proceedings. He referred to the reason why speculation was not admissible, quoting both para 9.43 of the S.182 guidance and the case of Daniel Thwaites Plc V Wirral Brough Magistrates' Court (Case No; CO/5533/2006).
- Competition; Mr Sampra reiterated that para 9.4 of the S182 guidance clearly stated that concerns about commercial damage caused by competition was not a relevant representation and therefore could have no bearing on the Hearing.
- Planning; Mr Sampra told the Sub-Committee that concerns regarding the whether the shop was in keeping within the area was a planning matter. Planning permission was already in place, with the shop operating on the site of a former business called Ede's Newsagents. Mr Sampra referred to para 9.3 of the Chichester CDC Statement of Licensing Policy 2022-27 which stated; *'The Licensing Authority recognises that there should be a clear separation of the planning and licensing regimes, and that licensing applications should not be a 're-run' of the planning application. However, some liaison will be maintained between the Licensing Authority, Development Management or SDNPA and the appropriate committees.*
- Fernhurst Parish Council; Mr Sampra acknowledged the concerns raised by the Parish Council. He hoped that the comprehensive operating schedule which had been enhanced by Sussex Police, would help assure the Parish Council that the applicant did also now want to see any serious problems occur because of the sale of alcohol at the premise. As a point of note, he highlighted that Sussex Police did not anticipate any of the problems raised by the Parish Council coming to fruition.

In his summary Mr Sampra, stated that the Hearing was simply about whether the premises, operating under the Operating Schedule would either undermine or promote Licensing Objectives. In his opinion it would not undermine but indeed

promote them. That the Responsible Authorities raised no issues supported this statement.

He respectfully requested that the Sub Committee grant the applicant, including the additional conditions.

The Chairman thanked Mr Sampra and asked members of the Sub Committee to ask any questions they may have.

Responding to concerns raised by Cllr Sutton that the DPS would be located off-site; Mr Sampra informed the Sub-Committee that Mr Madahevan would be the DPS, in addition his wife; Kirishna Madahevan (who already held her own personal licence issued by Chichester DC) would be overseeing the operation at Fernhurst. All members of staff would be trained to the One Stop model which was Level One on the responsible retailing of alcohol. In addition; Mr Foord confirmed that there was a personal licence in place for Mrs Madahevan, which had been in place since 20 January 2020. There had been no issues with the licence, and it was linked to the Easebourne Street, licensed premises in Midhurst. However, he advised the Sub-Committee that it was Mr Madahevan who was the named DPS on the application, he confirmed he did have a personal licence which had been issued by Croydon Borough Council.

Regarding the hours of sale; Mr Sampra explained the One Stop model was from 6am until 11pm, as standard throughout the UK. However, when the application was completed the applicant's acknowledged that those hours would not be suitable for the proposed location and therefore proposed that the application hours were brought back one hour to 10pm. In addition, Mr Foord referred to the Home Office Guidance revised December, which acknowledged that different licensing strategies for opening hours would be appropriate to ensure the promotion of the Licensing Objectives. He quoted the following; *'...shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping. Unless there are good reason based on the licensing objectives for restricting hours.'*

Ms Di Lauro noted the guidance provided by Mr Foord as chapter 10.15 of the Home Office Guidance.

Representor Statements

There were no representors present. Ms Di Lauro explained to a member of the public that as they had not submitted a representation within the required deadlines they could not speak at the Hearing.

The Sub-Committee adjourned whilst Ms Di Lauro clarified whether it was within the discretion of the Sub-Committee to allow the member of public to speak.

When the Sub-Committee have reconvened, the Chairman invited Ms Di Lauro to read out Regulation 18 of the 2005 Regulations. Ms Di Lauro read out Regulation 18 which related to late submissions, she confirmed that if the Sub-Committee and all parties agreed discretion could be applied to allow a representation at the Hearing,

however, Regulation 19 stated that the Sub-Committee must disregard any information given at the Hearing which was not relevant to the Licensing Objectives.

The Applicant did not support any new representation being presented at the Hearing. As not all parties agreed no additional representations were made.

The Chairman invited the Licensing Manager to make his summary.

Mr Foord highlighted the Chichester DC Statement of Licensing Policy. He explained that it set out the general approach taken by the Licensing Authority when considering licences under the Licensing Act. He reminded the Sub-Committee that each application must be considered on its own merit.

He clarified that the Licensing function should not be seen as the way to control Anti-Social Behaviour once beyond the direct control of licensed premises, as there were other mechanisms outside the licensing regime which would address such issues. However, the Licensing Authority expected every holder of a licence to take responsibility to minimise the impact of anti-social behaviour from their customers or patrons within the vicinity of their premises and reflect the measures to do this within their Operating Schedule.

As already discussed, it would normally be the case that the hours of sale for alcohol were the same as the operating hours for other lines.

The Chairman invited Mr Sampra to summarise on behalf of the applicant.

Mr Sampra thanked Mr Foord for his summary. He reminded the Sub-Committee that it was the applicant's responsibility to demonstrate that the proposals in the Operating Schedule could promote the Licensing Objectives and not undermine them. The representors, opposing the application, had to demonstrate how the premises trading under the Operating Schedule would undermine the Licensing Objectives. Mr Sampra stated that, any sub-committee properly advised, could only refuse the application if the Operation Schedule was found (on the evidence of the Representors), to not be capable of promoting the Licensing Objectives.

The Chairman informed the Hearing that the Sub-Committee would retire for deliberations.

Resolved

The Sub-Committee made the following determination;

The Sub-Committee resolved the application and granted it after a hearing subject to the below.

The application is for a Premises Licence for the sale of alcohol for consumption off of the premises, every day from 6:00am to 10:00pm by One Stop Fernhurst Stores Ltd, in Fernhurst.

This Sub-Committee considered all documentation available in the Pack, such as

the application, the conditions as suggested by the Responsible Authority: Sussex Police and all the representations made within the statutory deadlines as well as two documents from the applicant which were submitted on 10th February 2023. The Sub-Committee heard all the submissions made orally at the hearing by the Licensing Divisional Manager, Mr Laurence Foord and by the Applicant's Agent, Mr Semper. One member of the public, Mr Denis, had asked to make an oral representation at the hearing. The Sub-Committee refused to give permission to Mr Denis after seeking the consent of all parties present and having received the Applicant's objection to this taking place. The Licensing Divisional Manager confirmed that Mr Denis, had indeed submitted a representation prior to the hearing but the same had been refused as it had been deemed irrelevant.

The Sub-Committee agreed, (after seeking the consent of the parties present at the hearing), to consider two documents, submitted on the date of the hearing, in response to the Applicant's supplements mentioned above. These were two emails from two representors who had already submitted their substantive, relevant representations as included in the pack.

The two supplements submitted by the Applicant on 10th February 2023 were as follows: the first was a map showing four incidents details of vehicles collisions between 2014 and 2020 in the vicinity of the premises and the second was a chart listing crime data within one mile radius of the premises between July and December 2022.

In response, two representors, namely Fernhurst Parish Council and Ms Tessa Crowder submitted two emails. Fernhurst Parish Council asked for the hearing to be adjourned for the Sub-Committee to have adequate time to consider the Applicant's supplements and Ms Crowder stated her concerns about potential litter being generated by the premises and its inside lights disturbing those nearby and parking issues.

The Sub-Committee considered it not to be necessary to adjourn the hearing because the Applicant's supplements had been submitted following the correct procedure and circulated to all parties involved. The brevity of their contents meant these could be considered, together with the two representors' emails adequately at the hearing, having obtained the consent to all parties present, as provided by The Licensing Act 2003 (Hearings) Regulations 2005. The Sub-Committee decided to attach negligible weight to the issue of parking, lights from the premises or indeed to the issue of litter due to the refurbishing works currently taking place at the premises as this was deemed to be a temporary issue due to building works. The Sub-Committee noted that the Responsible Authority, the Environmental Protection Team of this Council, had made no representations regarding any concerns around the Licensing Objective of the prevention of public nuisance in relation to light pollution and noise caused by anti-social behaviour. It also noted that, the Planning Authority, as a Responsible Authority, had made no representations concerning the lay-out of the road or any other scheme design.

The Sub-Committee was satisfied that the three Licensing Objectives of Public Safety, the Prevention of Crime and Disorder and the Protection of Children from Harm would be promoted by the provisions in the Operating Schedule, together with the conditions as suggested by Sussex Police.

Furthermore, several relevant representations had referred to issues around competition due to other facilities being already present in the village offering similar services. The Sub-Committee attached no weight to this issue due to it not being relevant to the promotion of the four Licensing Objectives and it had regard to paragraph 9.4 of the Home Office Guidance (December 2022) which states, amongst other things, that: *'a representation [...] about the commercial damage caused by competition from new licensed premises would not be relevant'*.

Some representations had raised concerns about the proposed closing hours of 10:00pm every day and had asked for consideration to be given for the sale of alcohol, if granted, to finish earlier. The Sub-Committee was referred by the Applicant's Agent to paragraph 10.15 of the Home Office Guidance which states that: *'Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours'*. The Licensing Divisional Manager confirmed that such provision was also reflected in this Council's Statement of Licensing Policy 2022-2027. The Sub-Committee also noted that the sale of alcohol would only represent 15% of the goods on sale and it found no good reasons to restrict those hours.

The Sub-Committee, in reaching its decision has considered all the facts of the case and taken into consideration the following:

The four Licensing Objectives which are:

1. The prevention of crime and disorder;
2. Public safety;
3. The Prevention of public nuisance; and
4. The protection of children from harm.

It also gave due regard to the Home Office Guidance of December 2022, this Council's Statement of Licensing Policy 2022-2027, Human Rights Act and Equality Act considerations.

The Sub-Committee decided to **GRANT** a Premises Licence for the sale of alcohol for consumption off the premises from 6:00am to 10:00pm every day. The licence will include the mandatory conditions as well as all those conditions as suggested by Sussex Police which are stated below. The Sub-Committee is mindful of the fact that, should issues arise which do not promote the four Licensing Objectives, this licence may be reviewed at any time, subject to reliable and credible evidence being submitted.

Conditions as agreed between the applicant and Sussex Police:

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. The time will be amended promptly when British Summer Time starts and ends.

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 Licensing Department immediately (and retain documentary evidence in the form of an acknowledgement or receipt that this has been done) & 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.

All off sales of alcohol will be made in sealed containers.

Spirits will be stored and displayed behind the server/service counter out of the reach of the public.

The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licences with a photograph, photographic military ID or proof of age cards bearing the "PASS" mark hologram, official photographic identity cards issued by EU states bearing a hologram or ultraviolet feature.

Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises, including the point of sale and the area where the alcohol is displayed.

The Premises Licence Holder shall ensure that all staff members (including family members and friends) engaged or to be engaged, in selling alcohol at the premises shall receive induction training. This training will take place prior to the selling of such products:

- The lawful selling of age restricted products*
- Refusing the sale of alcohol to a person who is drunk*

Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed three months, with the date and time of the verbal reinforcement/refresher training documented.

All such training undertaken by staff members shall be fully documented and recorded and signed and dated by both the employee and the DPS. All training records shall be kept on the premises and made available to officers of any responsible authority upon request.

The premises shall at all times maintain and operate an incident log and refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book will be kept at the premises and made available to officers of any responsible authority upon request. All incidents recorded in the log/refusals register will be retained on the premises for a minimum of twenty-four months.

Alcohol deliveries will only be made to a residential or business address and not to a public place.

The age verification policy (including challenge 25) shall clearly be advertised at each stage of the order and on all advertising. All forms of advertising and promotional literature detailing the delivery service (including internet sites and flyers/leaflets) will clearly state that alcohol should only be purchased for delivery to intended recipients (or persons who will accept delivery on behalf of the named recipient) who are aged over 18. Customers will be reminded that it is a criminal offence for a person under 18 to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18.

At the time the order is placed a declaration will be required from the person placing the order that that person is aged 18 years or over, and that the intended recipient are over 18 years or over. This process will be documented, (tick box before proceeding, record of verbal acknowledgement or similar). These records must be retained for no less than twelve months and produced on request to an officer of a Responsible Authority.

1. For deliveries where the alcohol is delivered by a third party, the alcohol is concealed in a secure sealed package, and the DPS has no direct supervision or

control over the delivery (such as an independent courier or Royal Mail), there cannot be an age verification challenge on delivery, but the above conditions will be followed.

2. For deliveries made directly by the DPS or their employees, staff or agent or persons instructed by the DPS/PLH, 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. No ID, no delivery.

3. Where the premises contracts a third party to deliver alcohol on their behalf and the person collecting the alcohol from the premises delivers it directly to the customer within a short timescale (such as Deliveroo, Just Eats), the premises will ensure that the third party:

only employs delivery employees or agents aged 18 and over;

is aware that alcohol is included in the delivery;

that the delivery person actively engages with the person receiving delivery and operates a challenge 25 policy rather than just handing the delivery over;

that 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.

In accordance with Schedule 5 of the Licensing Act 2003, you may appeal against this determination of the Licensing Authority to the Worthing Magistrates' Court, Christchurch Road, Worthing, West Sussex BN11 1JD.

Such an appeal must be commenced by notice of appeal given by the appellant to the Justices' Chief Executive for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified in writing by the Licensing Authority of the decision appealed against.

89 Consideration of any late items as follows:

There were no late items.

The meeting ended at 4.25 pm

CHAIRMAN

Date: