

Public Document Pack

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A meeting of **Alcohol and Entertainment Licensing Sub-Committee** will be held in Committee Room 2, East Pallant House on **Monday 7 August 2023 at 2.00 pm**

MEMBERS: Mr I Ballantyne, Mrs T Bangert and Ms J Brown-Fuller

AGENDA

Part 1

- 1 **To elect a Chairman for this Hearing**
- 2 **Declarations of Interests**
Members and officers are reminded to make any declarations of disclosable pecuniary, personal and/or prejudicial interests they may have in respect of matters on the agenda for this meeting.
- 3 **Licensing Hearings (Pages 1 - 66)**
Krakow Market, 2A Crane Street, Chichester, West Sussex, PO19 1LH
Application for a PREMISES LICENCE (Application Number – 23/01157/LAPRE)
Chair opens the Hearing.
 - (a) Items arising from Regulation 6 Notice (Notice of Hearing).
 - (b) Notice of any representations withdrawn.
 - (c) The procedure will then follow the Sub-Committee protocol note attached
- 4 **Consideration of any late items as follows:**
 - (a) items added to the agenda papers and made available for public inspection;
 - (b) items which the chairman has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting.

NOTES

1. The press and public may be excluded from the meeting during any item of business whenever it is likely that there would be disclosure of exempt information as defined in section 100I of and Schedule 12A to the Local Government Act 1972
2. The press and public may view the agenda papers within Part 1 of the agenda on Chichester District Council's website at <http://www.chichester.gov.uk/committees>.
3. Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is

permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of his or her intentions before the meeting starts. The use of mobile devices for access to social media is permitted but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided. [Standing Order 11.3 in the Constitution of Chichester District Council]

CHICHESTER DISTRICT COUNCIL

THE LICENSING ACT 2003 (THE 'ACT')

THE LICENSING ACT 2003 HEARING REGULATIONS 2005

SUB-COMMITTEE PROTOCOL

PROTOCOL

1. The Notice of Meeting

- (a) The Notice of Sub-Committee meeting issued by the Council shall be accompanied by the following:
 - (i) A report of the Licensing Officer which shall include:
 - (a) Conditions the Licensing Officer considers relevant in the event that the application is granted;
 - (b) Any matters which in his opinion require clarification; and
 - (c) Observations on the application in relation to the Licensing Objectives, National Guidance and local policy.
 - (ii) Where relevant, the notices which have been given by the applicant and other parties under the Act.
- (b) The Notice of Meeting shall be served upon:
 - (i) The applicant (together with copies of relevant representations under the Act);
 - (ii) Persons who have made relevant representations under the Act; and
 - (iii) Where appropriate the Chief Officer of Police who has given notice under the Act.

2. Appearances and Submissions

(a) Constitution of the Sub Committee

A Member of a Ward in which the premises are located and is the subject of an application shall not be a Member of the Sub-Committee determining such application.

(b) Parties entitled to appear

In accordance with the Licensing Act 2003 (Hearings) Regulations 2005 any person making relevant representations, the applicant and the Licensing Officer may attend the hearing and may be assisted or represented by any person whether or not the person is legally qualified.

(c) **At the Hearing**

Any party shall be entitled to:

- (i) Respond to any point in support of their application or representation which the Licensing Authority (the 'Authority') has given notice that it may require further clarification on;
- (ii) Normally to put questions to any other party; and
- (iii) Address the Sub-Committee.

(d) **Consequences of non-attendance**

- (i) The Sub-Committee will normally proceed with a hearing where a party has informed the Authority that it does not intend to attend or be represented at the hearing.
- (ii) Where a party has not so indicated but fails to attend or to be represented at the hearing the Sub-Committee may, at its discretion, where it is considered necessary in the public interest, adjourn the hearing to a later date or hold the hearing in the party's absence subject to, (in the latter case), the Sub-Committee considering the application or representations made by the absent party.

(e) **Submissions to the Sub Committee**

- (i) Subject to each party being given an equal maximum time the Sub-Committee may, at its discretion, where it considers appropriate in the public interest, advise parties that it will impose a time limit on speeches or submissions to be made to it.
- (ii) The Sub-Committee may, at its discretion, request that where a number of relevant representations repeat or in substance repeat a representation, that a representative of those making such representations make submissions to it on behalf of the other parties.
- (iii) The production of draft conditions by the Licensing Officer shall not be construed as influencing the Sub-Committee in advance of hearing representations and are produced for administrative convenience in the event that, following formal determination of the application, the Sub-Committee considers it appropriate to grant consent but with such conditions as it may consider appropriate.
- (iv) The Sub-Committee shall not have regard to any information first produced by a party at the hearing without first obtaining the consent of other parties present at the hearing.

(f) **Conduct at the Hearing**

- (i) The Sub-Committee may, at its discretion, require a person to leave the hearing and refuse to permit that person to return or to return only on such conditions as the Sub-Committee specifies if, in its opinion, that person is behaving in a disruptive manner, provided that such person may submit written evidence in accordance with the Regulations.

- (ii) Any irregularity arising from any failure to accord with this procedure shall not make the hearing void. If any person has clearly been prejudiced the Authority will take appropriate steps to rectify the irregularity before reaching its determination. Clerical mistakes in a document arising from accidental slip or omission may be corrected by the Authority.
- (iii) The public (including any parties or their representatives) may be excluded from part of the hearing where the public interest in so doing outweighs the public interest in the hearing taking place in public.
- (iv) The Sub-Committee may adjourn the hearing to a specified date where it considers it necessary to obtain further information or to facilitate representations or to assess such representation at or in the vicinity of the premises.

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Licensing Authority, Chichester District Council, East Pallant House,
1 East Pallant, Chichester, West Sussex, PO19 1TY

Alcohol and Entertainment Licensing Sub-Committee

Date & Time: Monday 7th August 2023 at 14:30

Venue: Committee Room 2, Chichester District Council, East Pallant House, 1 East Pallant,
Chichester, West Sussex, PO19 1TY

**Application for a PREMISES LICENCE
(Application Number – 23/01157/LAPRE)**

Krakow Market
2A Crane Street
Chichester
West Sussex
PO19 1LH

RECOMMENDATIONS

- 1.1 That the Sub-Committee consider and determine an application made by Mr Kaiwani Kadri Nadri for a Premises Licence.
- 1.2 If the determination is to grant a Premises Licence, to give consideration as to whether it is appropriate to attach conditions to ensure the statutory licensing objectives are promoted.
- 1.3 The Sub-Committee is to give reasons for its decision.

2. REASONS FOR HEARING

- 2.1 The Premises Licence application submitted by Mr Kaiwani Kadri Nadri of Flat 7 Bayview Court, 8-12 Nyewood Lane, Bognor Regis, PO21 2QG has been the subject of two relevant representations, both in opposition to the application. Of the representations received, one is from a member of the public with the other from Sussex Police in their statutory role as a Responsible Authority under the Licensing Act 2003.

3. BACKGROUND

Included in this report are the following attachments:

- 3.1 Copy of the Alcohol and Entertainment Licensing Sub-Committee – Protocol.
- 3.2 Plans depicting the application site and local area in relation to the representations received by the Licensing Authority (**Attachment A**).

- 3.3 Copy of the complete Premises Licence application (**Attachment B**).
- 3.4 Copy of all relevant representations (**Attachment C**).
- 3.5 Copy of mediation between the applicant and both Sussex Police and Mr A J G Crawshaw (**Attachment D**).

4 SUMMARY OF THE PREMISES LICENCE APPLICATION

- 4.1 A copy of the complete application is reproduced in full at Attachment B.
- 4.2 Mr Nadri submitted a valid application on 12th June 2023. As part of the application process, statutory public notices were displayed by the applicant at the application site during the representation period; this ran between 12th June 2023 and 10th July 2023 inclusive. In addition, a copy of the statutory public notice was published in the Chichester Observer newspaper on 22nd June 2023.
- 4.3 The following is an extract taken from the application form in which the applicant provides a general description of the site and intended use:

‘THIS is an empty premises we wish to open as a General Store selling alcohol alongside the other products available’.

- 4.4 The application is for a permanent Premises Licence and seeks only the retail sale of alcohol for consumption off the premises as a licensable activity.
- 4.5 The table below specifies the proposed standard days and times being sought for the supply of alcohol along with the associated opening hours:

Licensable Activity	Hours proposed by the applicant within the application	Location
Supply of Alcohol <i>(for consumption off the premises only)</i>	Every Day 08:00 – 22:00	Indoors Only
Hours premises are open to the public	Every Day 08:00 – 22:00	N/A

- 4.6 The applicant has provided information within Box M of the application form stating the steps that they intend to take to promote all four of the licensing objectives; the application form is included at Attachment B. With respect to the representation submitted by Sussex Police, the applicant has agreed in principle to a number of conditions requested by Sussex Police and, should it have been possible to proceed to grant a Premises Licence, Sussex Police were prepared to withdraw their representation. The agreement in principle between Sussex Police and the applicant with respect to the additional conditions is shown at Attachment D.

4.7 In view of the retail sale of alcohol being applied for as a licensable activity, it is necessary for an individual to be nominated within the application as the proposed 'Designated Premises Supervisor' (DPS). In order to be a DPS, the proposed individual must either hold or be in the process of applying for a Personal Licence granted under the Licensing Act 2003. Mr Nadri has nominated himself as the proposed DPS, although he does not currently hold a Personal Licence. However, it is understood that he is in the process of collating the necessary documentation and will be submitting an application to Arun District Council imminently.

5 THE PROCESS AND PROMOTION OF LICENSING OBJECTIVES

5.1 The legislation provides a clear focus on the promotion of four licensing objectives which must be addressed when licensing functions are undertaken. Each objective is of equal importance. The licensing objectives are:

- The prevention of crime and disorder,
- Public safety,
- The prevention of public nuisance, and
- The protection of children from harm.
-

5.2 In carrying out its licensing functions, the Licensing Authority must also have regard to its current Statement of Licensing Policy 2022-2027, statutory guidance published by the Home Office (December 2022) along with relevant matters raised in any representation(s).

6 RELEVANT REPRESENTATION(S)

6.1 A representation is "relevant" if it relates to the likely effect of the grant of a licence on the promotion of at least one or more of the licensing objectives. Representations can be in opposition and/or support of an application. As stated at paragraph 2.1 above, the application attracted two relevant representations, both of which are in opposition. Both representations are reproduced in full at Attachment C.

6.2 The relevant representations that remain are one from member of the public along with Sussex Police in their role as a Responsible Authority, albeit that an agreement in principle has been reached between Sussex Police and the applicant.

6.3 The basis for the representations being submitted was that the representors were not fully satisfied that the steps proposed by the applicant within their application would be effective to promote the Prevention of Crime and Disorder, Prevention of Public Nuisance and Protection of Children from Harm licensing objectives

7 MEDIATION

7.1 As mentioned at paragraph 6.2, whilst Sussex Police determined to submit a representation in respect of the application, discussions were subsequently had between Mr Patrick Burke, agent acting on behalf of Mr Nadri, and Sussex Police. The outcome of these discussions was that Mr Nadri agreed to a number of additional conditions proposed by Sussex Police. Sussex Police were consequently prepared to withdraw their representation should it have been possible to grant a Premises Licence at the end of the representation period. The successful mediation is shown in full at Attachment D, however in order to assist, the agreed conditions relate to the following areas/ matters:

- (i) Provision and maintenance of closed-circuit television system (CCTV);
- (ii) Provision and maintenance of an incident log;
- (iii) Spirits to be kept behind the counter out of direct reach by customers;
- (iv) Provision of direct contact details for the Designated Premises Supervisor to all statutory Responsible Authorities;
- (v) Restrictions in respect of the purchase of alcohol or tobacco products from sellers calling at the premises without prior appointment;
- (vi) Operation of a 'Challenge 25' policy at the premises to protect against children buying alcohol including signage at the premises;
- (vii) Training of all individuals who would be involved in selling alcohol; and
- (viii) Requirements for any alcohol delivery service provided.

7.2 With respect to the representation submitted by Mr Crawshaw, Mr Burke did communicate with Mr Crawshaw on behalf of Mr Nadri. Mr Burke outlined the statutory process that had been followed and confirmed that his client had agreed a to the inclusion of a number of specific conditions proposed by Sussex Police. However, Mr Crawshaw's concerns remained and consequently his representation subsists. The communication between Mr Burke and Mr Crawshaw is shown at Attachment D.

8 CONSIDERATION

8.1 In reaching its determination, the Sub-Committee must take into consideration the promotion of the four statutory licensing objectives, the Council's Statement of Licensing Policy, the current Home Office Guidance along with written and/or oral evidence during the hearing.

8.2 It is very important to note that these are the only matters to be addressed by the Licensing Authority when considering this application. The licensing objectives are the only grounds on which representations can be made, and the only grounds on which the Licensing Authority will be able to refuse an application or impose appropriate conditions in addition to mandatory conditions and those proposed by the applicant in their operating schedule.

8.3 Human Rights considerations must be taken into account fully in balancing licensing issues, in particular, article 1 of the first protocol and articles 6 and 8. Article 1 relates to the protection of property and the peaceful enjoyment of possessions and property (holding a licence would be considered a possession). Article 8 relates to the right to respect for private and family life, home and correspondence. Article 6 relates to the right to a fair trial. These are however qualified rights and can be deprived of "in the public interest". Interference is permissible if what is done: -

- Has its basis in law;
- Is necessary in a democratic society to fulfil a pressing need or pursue a legitimate aim,
- Is proportionate to the aims being pursued; and,
- Is related to the prevention of crime or, the protection of public order or health or the protection of the rights and freedoms of others.

8.4 The Sub-Committee must consider each application on its own merits, and in accordance with the principles of natural justice, as well as the provisions of the Licensing Act 2003. All relevant factors must be taken into account, and all irrelevant factors must be disregarded.

- 8.5 All applications before the Sub-Committee must be considered against the backdrop of anti-discriminatory legislation including the Equality Act 2010 and in accordance with the Council's current Equality Strategy.
- 8.6 In accordance with Section 17 of the Crime and Disorder Act 1998 the Council is under a duty to exercise its functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent, crime and disorder in its areas. The possible crime and disorder implications are clearly relevant factors in the consideration of all applications and this is re-emphasised by the Licensing Act 2003 itself. In giving "due regard" to these possible implications members will consider and weigh up all the information available and representations made, including those from Responsible Authorities and any other person(s).
- 8.7 The Sub-Committee are required to give reasons for their decision.

9. OPTIONS OPEN TO THE SUB-COMMITTEE

- 9.1 When considering this application, the following options are available to the Sub-Committee:
- (a) Grant the Premises Licence as applied for;
 - (b) Grant the Premises Licence as applied for along with any additional conditions considered appropriate to promote one or more of the licensing objectives on which relevant representations have been received.
 - (c) Grant the Premises Licence but exclude certain licensable activities from the licence or reduce the hours being sought during which the licensable activities may take place; or
 - (d) Reject the whole or part of the Premises Licence application.

10 BACKGROUND PAPERS

- Licensing Act 2003 (as amended)
- Home Office Guidance issued under section 182 of the Licensing Act 2003 (December 2022)
- Chichester District Council's Statement of Licensing Policy 2022-2027

11 ATTACHMENTS

Attachment A: Plan depicting the application site and local area in relation to the representations received by the Licensing Authority

Attachment B: Copy of the complete Premises Licence application

Attachment C: Copy of all relevant representations

Attachment D: Copy of all mediation

Contact: Mr D Knowles-Ley
Licensing Manager
Licensing Team
dknowles-ley@chichester.gov.uk
01243 534743

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Krakow Market, 2A Crane Street, Chichester, West Sussex, PO19 1LH

RELEVANT REPRESENTATIONS

Public	Name and address	Stance
1	Chief Officer of Sussex Police, C/o Licensing Officer, Centenary House, Durrington Lane, Worthing, West Sussex, BN13 2QB	OBJECT However, conditions in principle agreed with applicant.
2	Mr A J G Crawshaw 16 Rose Court, St Cyriacs, Chichester, West Sussex, PO19 1AW	OBJECT

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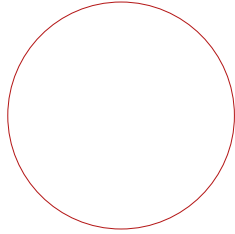
ATTACHMENT A

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23/01157/LAPRE

Krakow Market

2A Crane Street, Chichester,
West Sussex, PO19 1LH



Krakow Market



Representation



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2023. Ordnance Survey. 100018803.
Chichester District Council,
East Pallant House, 1 East Pallant,
Chichester, West Sussex, PO19 1TY.

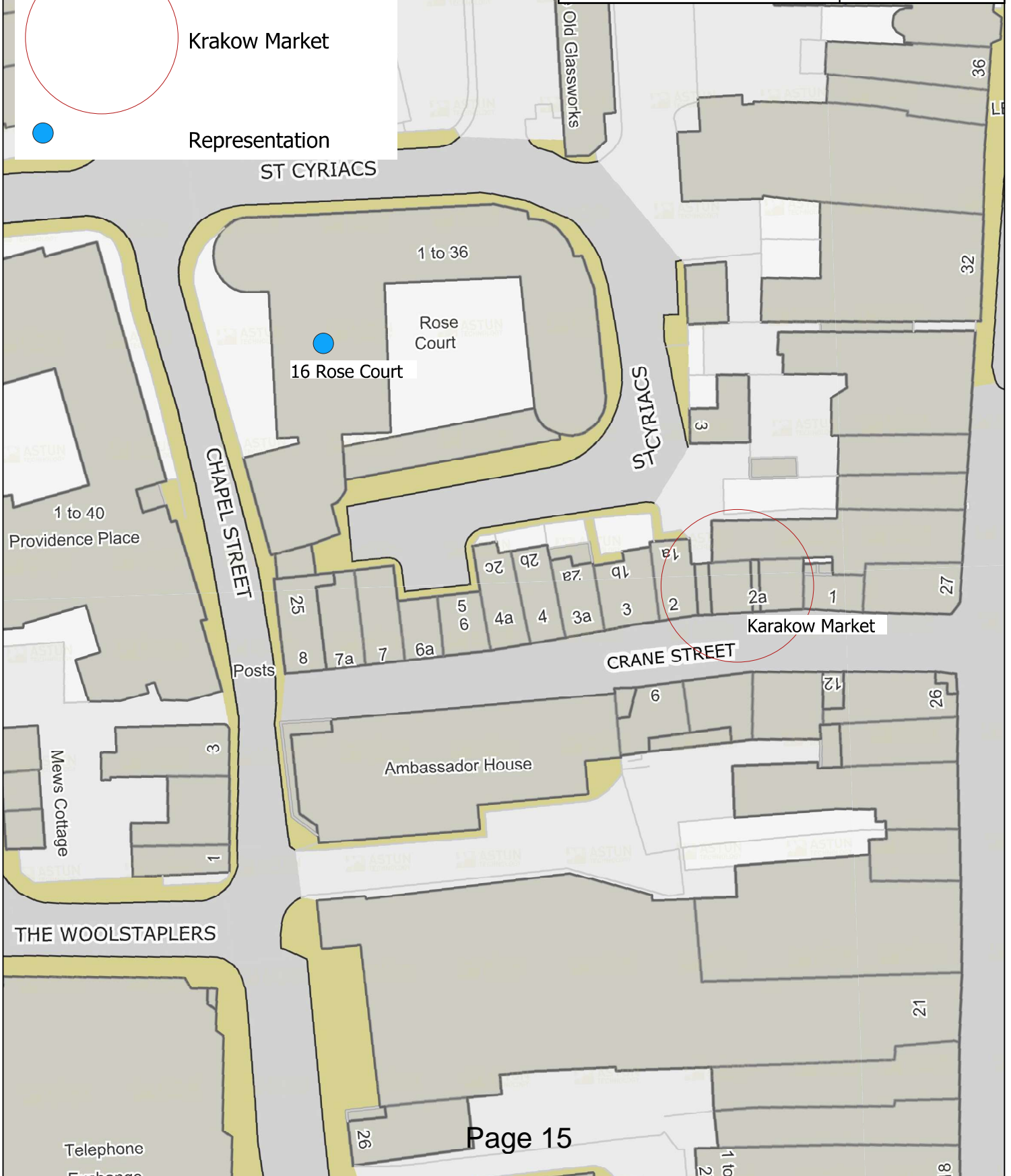


Location of representors

1:650

26/07/2023

D Bolton



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ATTACHMENT B

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**Application for a premises licence to be granted
under the Licensing Act 2003**

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 **Kaiwanl Kadri Nadri**

(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 Krakow Market Unit 1 At 2a Crane St Chichester PO19 1LH			
Post town		Postcode	
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£9200	

Part 2 - Applicant details

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

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | 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)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <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 over		I am 18 years old or		<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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? **ASAP**

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

Please give a general description of the premises (please read guidance note 1)
THIS is an empty premises we wish to open as a General Store selling alcohol alongside the other products available

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

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)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, I, and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films 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			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>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</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment 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 boxing or wrestling entertainment</u> (please read guidance note 5)			
Thur						
Fri			<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> (please read guidance note 6)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live 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	Please give further details here (please read guidance note 4)			
Mon						
Tue			State any seasonal variations for the performance of live music (please read guidance note 5)			
Wed						
Thur			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 (please read guidance note 6)			
Fri						
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) 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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 (please read guidance note 6)		
Sun					

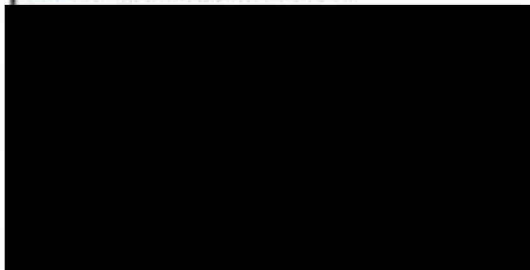
I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 5)	
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	08:00	22:00			
Tue	08:00	22:00			
Wed	08:00	22:00			
Thur	08:00	22:00			
Fri	08:00	22:00			
Sat	08:00	22:00			
Sun	08:00	22:00			

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 Kaiwani Kadri Nadri	
	
Postcode	
Personal licence number (if known) TBA	
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).

NON

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	22:00	<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	08:00	22:00	
Wed	08:00	22:00	
Thur	08:00	22:00	
Fri	08:00	22:00	
Sat	08:00	22:00	
Sun	08:00	22:00	

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)

No alcohol or tobacco will ever be purchased from sellers calling at the premise. Exceptions to the condition would be purchases made from authorised representatives who have made prior appointments to visit the store.

- All alcohol and tobacco products sold at the premises shall have the relevant UK duty paid.**
- Foreign tobacco, which does not comply with relevant UK legislation, shall not be stored and/or sold at the premise.**
- If any spirits purchased for or on behalf of the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee and/or designated premises supervisor shall notify the supplier to Trading Standards and HMRC as soon as possible.**
- If any tobacco products purchased for or on behalf of the business does not have UK Duty Paid fiscal mark or are otherwise suspicious, the licensee and/or designated premises supervisor shall notify the supplier to Trading Standards and HMRC as soon as possible.**

Protecting Children from Harm

b) The prevention of crime and disorder

- 1. The CCTV system must be installed and operate internally to cover all areas that licensable activities take place and where alcohol is displayed within any public area.**
- 2. The CCTV unit shall be positioned in a secure part of the licensed premise. Access to the system should be allowed immediately to the Police upon request.**
- 3. A competent trained person in the use of and operation of the CCTV will be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to down load in a recognised format any information requested by the ALL RESPONSIBLE AUTHORITIES immediately on request**
- 4. The CCTV system clock should be set correctly and maintained (taking account of GMT and BST).**
- 5. A facility will be available for ALL RESPONSIBLE AUTHORITIES to remove from the CCTV system a copy of any material relevant to any ongoing investigation immediately on request**

6. All CCTV images will be retained for a period of not less than 31 day
7. An incident register of all occurrences and ejections from the premises will be maintained at the premises and all details of public order offences will be recorded.
8. All persons involved in the sale of alcohol will receive initial and subsequent 6 monthly refresher training by the Designated Premises Supervisor or an appropriately accredited training provider with regards to the law in relation to the sale of alcohol. This will be recorded in a staff training register and will include, signature of the member of staff, the DPS or an appropriately accredited training provider together with the date.

All Records shall be retained at the premises for a period of no less than 12 months and made available to responsible authorities on request.

c) Public safety

A Risk assessment will be in place and updated annually

d) The prevention of public nuisance

**PROMINENT SIGNS WILL BE DISPLAYED REQUESTING CUSTOMERS TO HAVE REGARD FOR LOCAL RESIDENTS WHEN LEAVING THE PREMISES
ADEQUATE BINS ARE AVAILABLE FOR CUSTOMERS TO DISPOSE OF LITTER**

e) The protection of children from harm

**We will operate CHALLENGE 25
Notices to be displayed prominently including the following locations –on or near the entrance to the premises, where alcohol is being offered for sale on general display and near the checkout. The notices will state “UNDER 25 ? PLEASE BE PREPARED TO SHOW PROOF OF AGE WHEN BUYING AGE RESTRICTED PRODUCTS”**

A notice stating it is an offence to buy alcohol for persons under the age of eighteen to be displayed on or near the door to the premises.

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.
- 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).

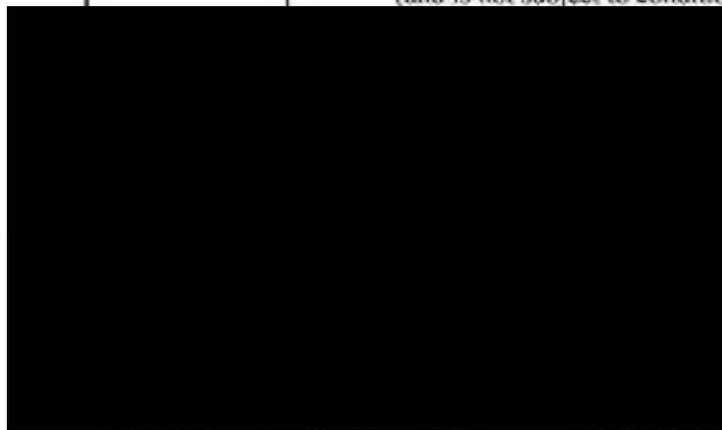
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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.**

Declaration	<ul style="list-style-type: none"> • [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). • 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 activity) and I have seen a copy of his or work, if appropriate (please see note 15)

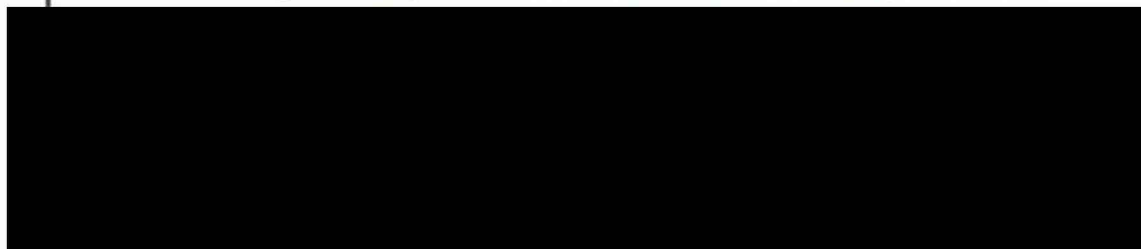


applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

PMB LICENSING
The Clock House
361 High Street, West Bromwich West Midlands, B70 9QG



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.

Consent of individual to being specified as premises supervisor

I Kaiwani Kadri Nadri



hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

New Premises Licence

By Kaiwani Kadri Nadri

relating to a premises licence tba
for

Krakow Market

Unit 1 At 2a Crane St

Chichester PO19 1LH

and any premises licence to be granted or varied in respect of this application made by

Kaiwani Kadri Nadri

concerning the supply of alcohol at

Krakow Market

Unit 1 At 2a Crane St

Chichester PO19 1LH

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number TBA

Personal licence issuing authority Arun District Council

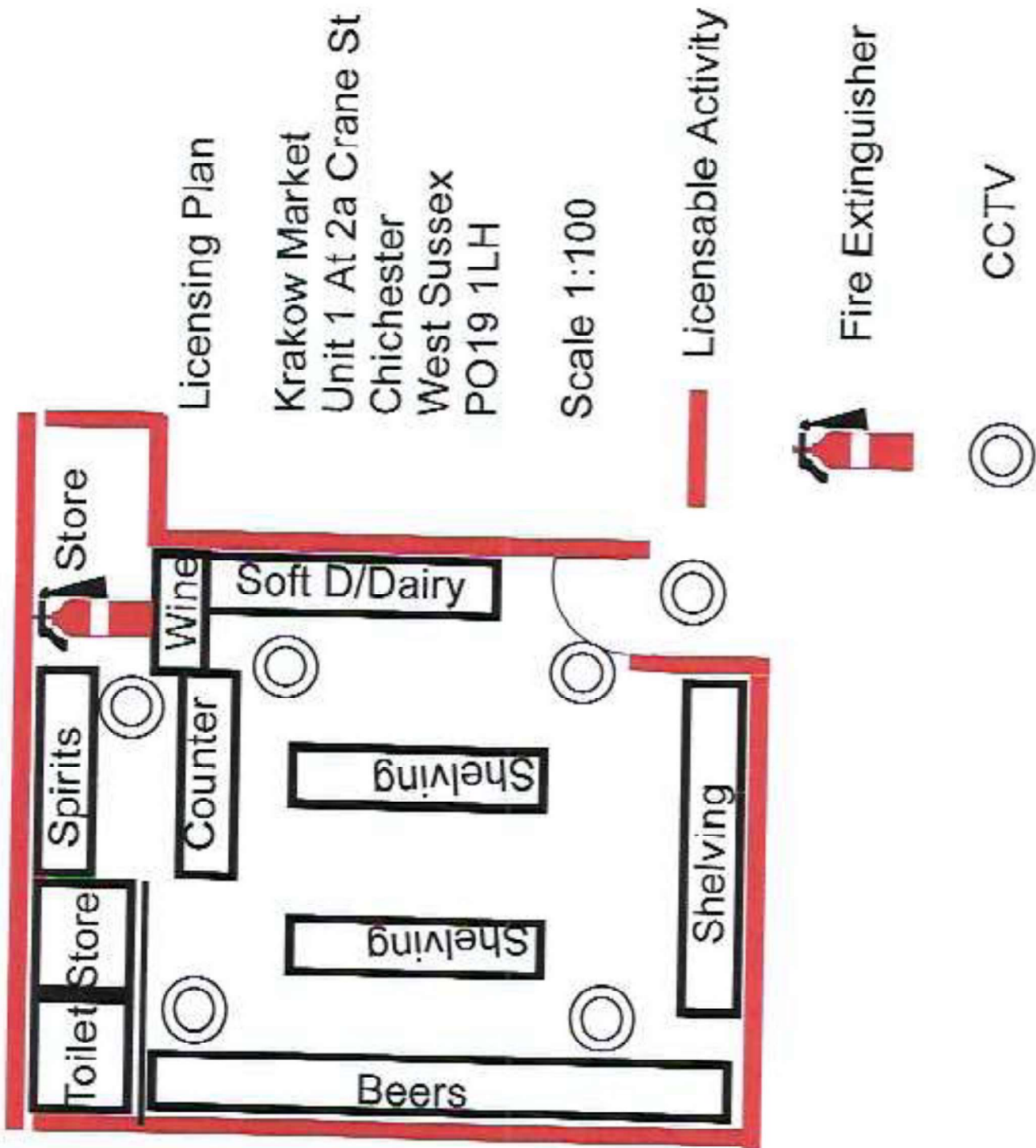
Signed



Name Kaiwani Kadri Nadri

Date 02/06/23

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ATTACHMENT C

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Sussex Police
Serving Sussex

www.sussex.police.uk

West Sussex Division
Neighbourhood Licensing Team

West Sussex Licensing Team
Centenary House
Durrington Lane
Worthing
West Sussex
BN13 2PQ



30th June 2023

Mr David Knowles-Ley
Licensing Unit
Chichester District Council
East Pallant House
1 East Pallant
Chichester
PO19 1TY

Dear Mr Knowles-Ley,

RE: APPLICATION FOR A NEW PREMISES LICENCE FOR KRAKOW MARKET, UNIT 1, 2A CRANE STREET, CHICHESTER, WEST SUSSEX, PO19 1LH. UNDER THE LICENSING ACT 2003. YOUR REF: 23/01157LAPRE .

I write on behalf of the Chief Officer of Police for Sussex to raise a representation in respect of this new application on the grounds of the prevention of crime and disorder and the protection of children from harm.

This is an application for a convenience store with off sales of alcohol 08:00 to 22:00, seven days a week.

Following consultation with Mr Patrick Burke for the applicant, the following new and revised conditions have been agreed to go on the new licence, should it be granted in due course:

The Prevention of Crime & Disorder

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:

- outside of the premises;
- the entrance to the premises;
- The till and service desk area;
- All displays of alcohol.

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 and outside the premises at all times.

CCTV footage will be stored for a minimum of 31 days.

The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy. Times will be updated promptly when British Summer Time starts and ends.

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. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police or authorised officer recent data or footage with the absolute minimum of delay when requested.

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), or upload CCTV footage to Sussex Police Digital media systems via the internet 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 team immediately (and a receipt or acknowledgement from Sussex Police Licensing obtained and retained) & 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.

An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises and any refusals of alcohol. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a month. The log book should be kept on the premises and be available for inspection at all times the premises are open by officers of any responsible authority.

An incident will be defined as being one which involves an allegation of a criminal offence. The log book will record the following:

- a. all crimes reported to the venue
- b. all ejections of patrons
- c. any complaints received
- d. any incidents of disorder
- e. any faults in the CCTV system
- f. any refusal of the sale of alcohol and the name of the member of staff
- g. who refused the sale.
- h. details of any officer of a responsible authority who visits the premises, including their name, job title and the responsible authority they represent.

The log will be kept for a minimum of twenty four (24) months.

All spirits will be kept behind the counter out of arms reach of the public.

Direct contact details for the Designated Premises Supervisor including their name, mobile phone number and email address will be kept at the premises and made available to officers of any responsible authority on request.

Tobacco and Alcohol Duty

No alcohol or tobacco will ever be purchased from sellers calling at the premises. Exceptions to the condition would be purchases made from authorised representatives who have made prior appointments to visit the store.

All alcohol and tobacco products sold at the premises will have the relevant UK duty paid.

Foreign tobacco, which does not comply with relevant UK legislation or is counterfeit, shall not be stored and/or sold at the premises.

If any spirits purchased for or on behalf of the business have UK Duty Stamps that do not have fluorescence under ultra-violet light, or are otherwise suspicious or suspected of being counterfeit, the licensee and/or designated premises supervisor shall notify the supplier to Trading Standards and HMRC as soon as possible and retain a receipt or acknowledgement from Trading Standards and HMRC to evidence this.

If any tobacco products purchased for or on behalf of the business does not have UK Duty Paid fiscal mark or are otherwise suspicious, the licensee and/or designated premises supervisor

shall notify the supplier to Trading Standards and HMRC as soon as possible and retain a receipt or acknowledgement from Trading Standards and HMRC to evidence this.

For the Protection of Children from Harm:

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 licenses 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, people who have ‘just popped in’, persons who ‘are passing by’ or otherwise helping out on a casual or informal basis) 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 six 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.

In the event that the shop is being run by persons who are not employees and are just helping out or passing by etc, all alcohol will be removed from retail display in the shop beforehand, and will not be sold.

A list of staff members who are authorised to sell alcohol on the premises shall be kept. This shall be endorsed by the DPS with the date such authorisation commences.

At all times the premises is open and undertaking licensable activity, members of staff engaged in the sale of alcohol must be able to communicate sufficiently to enable them to promote the four licensing objectives and to make an effective challenge.

Conditions for alcohol delivery service:

Alcohol deliveries will only be made to a residential or business address and not to a public place (including the beach or local public parks/public spaces).

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

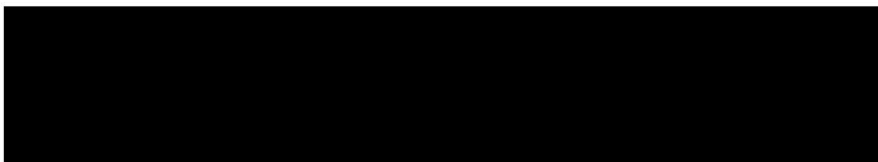
only be purchased for delivery to intended recipients (or persons who will accept delivery on behalf of the named recipient) who are aged over 18. Customers will be reminded that it is a criminal offence for a person under 18 to purchase or attempt to purchase alcohol and that it is also an offence to 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.

I enclose an email confirmation from Mr Burke confirming acceptance of the new and revised conditions above. Accordingly I confirm that Sussex Police now withdraw their representation subject to the above new and revised conditions being added to the new licence in their entirety.

Yours sincerely,



Inspector Mike Butler CB238
West Sussex Licensing Inspector
Sussex Police

Enc

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16 Rose Court,
St. Cyriacs,
CHICHESTER,
W.Sussex,
PO19 1AW.



7th July 2023

Dear Licensing,

Krakow Market, Unit 1, 2a Crane Street, Chichester, PO19 1LH

I am writing to object to the application for a licence to sell alcohol from the above premises, for consumption off the premises.

As you will be aware there has been a continuing problem with "street drinkers" in the area, often associated with 'The Old Glassworks', adjacent to the car park. These drinkers are sometimes "roaring drunk" already by the morning, regularly urinate in the street and leave their detritus in the area.

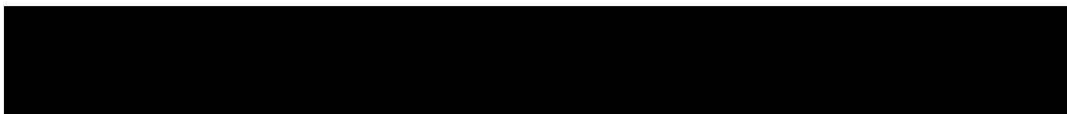
My concern is that a convenient off licence will make these antisocial problems worse. This is likely to be exacerbated if the windows are obscured, as at the moment, so that nobody can see what is being sold to whom.

In summary, an off-licence for these premises is likely to increase the public nuisance and encourage crime and disorder, so should not be granted.

Yours sincerely,



A.J.G.Crawshaw.



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ATTACHMENT D

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From: Bateup, David 63941
Sent: 30 Jun 2023 10:33:49 +0000
To: Licensing
Subject: [EXTERNAL] Police representation: New licence application for Krakow Market
Attachments: Krakow Market police rep 30.06.23.doc

This Message originated outside your organization.

Dear Chichester Licensing,
Please find attached our representation in respect of the above new application.
Acceptance of the new and revised conditions by Mr Burke for the applicant is below on this page

Thanks.

David

David Bateup

Police Licensing Officer

Direct Dial: 01273 470 101 ext 581 214

Licensing office: 01273 40 40 30

david.bateup@sussex.police.uk

Neighbourhood Police Licensing Team

West Sussex Division, Centenary House, Durrington Lane,

Worthing, West Sussex, BN13 2PQ

From: Patrick Burke <pmblicensing@yahoo.com>

Sent: 29 June 2023 12:54

To: Bateup, David 63941 <David.Bateup@sussex.police.uk>

Subject: Re: New licence application for Krakow Market

Warning: This email was sent from outside the organisation. If you are suspicious of it, please report it using the '**Report Message**' button in Outlook. Further guidance can be found on the [Information Security Guidance Hub](#).

Hi David

Apologies

My client is happy for the suggested conditions to be

The Prevention of Crime & Disorder

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:

- outside of the premises;
- the entrance to the premises;
- The till and service desk area;
- All displays of alcohol.

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 and outside the premises at all times.

CCTV footage will be stored for a minimum of 31 days.

The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy. Times will be updated promptly when British Summer Time starts and ends.

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. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police or authorised officer recent data or footage with the absolute minimum of delay when requested.

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), or upload CCTV footage to Sussex Police Digital media systems via the internet 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 team immediately (and a receipt or acknowledgement from Sussex Police Licensing obtained and retained) & remedied as soon as practicable.

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An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises and any refusals of alcohol. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a month. The log book should be kept on the premises and be available for inspection at all times the premises are open by officers of any responsible authority. An incident will be defined as being one which involves an allegation of a criminal offence. The log book will record the following:

- a. all crimes reported to the venue
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- c. any complaints received
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- e. any faults in the CCTV system
- f. any refusal of the sale of alcohol and the name of the member of staff
- g. who refused the sale.
- h. details of any officer of a responsible authority who visits the premises, including their name, job title and the responsible authority they represent.

The log will be kept for a minimum of twenty four (24) months.

All spirits will be kept behind the counter out of arms reach of the public.

Direct contact details for the Designated Premises Supervisor including their name, mobile phone number and email address will be kept at the premises and made available to officers of any responsible authority on request.

Tobacco and Alcohol Duty

No alcohol or tobacco will ever be purchased from sellers calling at the premises. Exceptions to the condition would be purchases made from authorised representatives who have made prior appointments to visit the store.

All alcohol and tobacco products sold at the premises will have the relevant UK duty paid.

Foreign tobacco, which does not comply with relevant UK legislation or is counterfeit, shall not be stored and/or sold at the premises.

If any spirits purchased for or on behalf of the business have UK Duty Stamps that do not have fluorescence under ultra-violet light, or are otherwise suspicious or suspected of being counterfeit, the licensee and/or designated premises supervisor shall notify the supplier to Trading Standards and HMRC as soon as possible and retain a receipt or acknowledgement from Trading Standards and HMRC to evidence this.

If any tobacco products purchased for or on behalf of the business does not have UK Duty Paid fiscal mark or are otherwise suspicious, the licensee and/or designated premises supervisor shall notify the supplier to Trading Standards and HMRC as soon as possible and retain a receipt or acknowledgement from Trading Standards and HMRC to evidence this.

For the Protection of Children from Harm:

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 licenses 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, people who have ‘just popped in’, persons who ‘are passing by’ or otherwise helping out on a casual or informal basis) 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 six 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.

In the event that the shop is being run by persons who are not employees and are just helping out or passing by etc, all alcohol will be removed from retail display in the shop beforehand, and will not be sold.

A list of staff members who are authorised to sell alcohol on the premises shall be kept. This shall be endorsed by the DPS with the date such authorisation commences.

At all times the premises is open and undertaking licensable activity, members of staff engaged in the sale of alcohol must be able to communicate sufficiently to enable them to promote the four licensing objectives and to make an effective challenge.

Conditions for alcohol delivery service:

Alcohol deliveries will only be made to a residential or business address and not to a public place (including the beach or local public parks/public spaces).

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.
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 - 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.

David Bateup
Police Licensing Officer

Direct Dial: 01273 470 101 ext 581 214

Licensing office: 01273 40 40 30

david.bateup@sussex.police.uk

Neighbourhood Police Licensing Team

West Sussex Division, Centenary House, Durrington Lane,

Worthing, West Sussex, BN13 2PQ

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From: Simon Grant
Sent: 13 Jul 2023 16:07:54 +0000
To: licensingidox
Subject: FW: [EXTERNAL] Fw: Krakow Market



Simon Grant

Licensing Assistant Technical
Licensing Team
Chichester District Council

Ext: 21110 | Tel: 01243521110 | sgrant@chichester.gov.uk | Fax:
<https://www.chichester.gov.uk>

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<http://www.chichester.gov.uk/newsalerts>

East Pallant House opening hours: 9am-4pm Monday to Friday



From: Patrick Burke <pmblicensing@yahoo.com>
Sent: 13 July 2023 15:13
To: Simon Grant <sgrant@chichester.gov.uk>
Subject: [EXTERNAL] Fw: Krakow Market

This Message originated outside your organization.

[Sent from Yahoo Mail on Android](#)

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

From: [REDACTED]
To: "Patrick Burke" <pmblicensing@yahoo.com>
Cc: "Simon Grant" <sgrant@chichester.gov.uk>
Sent: Thu, 13 Jul 2023 at 15:06
Subject: Re: Krakow Market

Dear Mr. Burke,

Thank you for your comments in response to my representations regarding the application for a premises licence at Krakow Market.

My responses, in order, are:

CCTV. The measures proposed are commendable, but do not address the problem of "Street Drinkers" as these people generally send their most reputable-looking group member, or a friend, in to buy the alcohol. Once bought and round the corner, the alcohol is transferred to the end user. CCTV is only as good as the manager and the maintenance; In York there was a street death in suspicious circumstances, round the corner from my house, and the police checked the CCTV of the near-by licenced premises for possible evidence. Unfortunately the CCTV was not working, so the police were not able to establish whether the bloodied corpse was the result of a traffic incident or

a late-night fight. No doubt you will say that your applicant would never be so slack, but had you asked the operators of the defective camera, they would have said the same.

Under-age sales of alcohol. Again, a commendable approach, but the street drinkers very rarely look under 18, so this measure is also unlikely to solve the problem.

Delivery of alcohol. I had no idea that the applicant was proposing to offer this facility, but, if he is, I do not think that the declarations sought are an adequate protection against a determined under-age drinker lying about their age.

I regret that I do not think that the conditions agreed with the police by your applicant, which seem fairly standard, will solve the problem of alcohol sales to 'street drinkers'. I am not prepared to withdraw my objections on the basis of the solutions offered by your applicant.

Yours sincerely,

A.J.G.Crawshaw.

On 13/07/2023 at 12:56 PM, "Patrick Burke" <pmblicensing@yahoo.com> wrote:

Good Afternoon Mr Crawshaw

Your email address has been forwarded to me by Licensing at Chichester, I have copied Simon Grant into this email.

My name is Patrick Burke, I am a Licensing Consultant, representing Mr Nadri, regarding his application for a Premises Licence at Krakow Market Unit 1 At Crane St Chichester PO19 1LH

I have read though your representation and the concerns you have and wish to explain the application process.

The application is submitted to the Licensing Authority, copies of which are sent to the Responsible Authorities, being the Police, the Fire Service, Trading Standards, EHO, Planning, a Body concerned with the Welfare of Children, The Health Authority and the Home Office.

The application is advertised by way of a notice displayed at the premises and a notice in a local newspaper.

The Responsible Authorities and General Public have 28 days to object to the application.

During the application period we came to an agreement with the Police with regard to conditions, none of the other Responsible Authorities made any comments regarding this application.

The conditions agreed with suggested by the police are

The Prevention of Crime & Disorder

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:

- outside of the premises;
- the entrance to the premises;
- The till and service desk area;
- All displays of alcohol.

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 and outside the premises at all times.

CCTV footage will be stored for a minimum of 31 days.

The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy. Times will be updated promptly when British Summer Time starts and ends.

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. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police or authorised officer recent data or footage with the absolute minimum of delay when requested.

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), or upload CCTV footage to Sussex Police Digital media systems via the internet 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 team immediately (and a receipt or acknowledgement from Sussex Police Licensing obtained and retained) & 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.

An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises and any refusals of alcohol. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a month. The log book should be kept on the premises and be available for inspection at all times the premises are open by officers of any responsible authority. An incident will be defined as being one which involves an allegation of a criminal offence. The log book will record the following:

- a. all crimes reported to the venue
- b. all ejections of patrons
- c. any complaints received
- d. any incidents of disorder

- e. any faults in the CCTV system
- f. any refusal of the sale of alcohol and the name of the member of staff
- g. who refused the sale.
- h. details of any officer of a responsible authority who visits the premises, including their name, job title and the responsible authority they represent.

The log will be kept for a minimum of twenty four (24) months.

All spirits will be kept behind the counter out of arms reach of the public.

Direct contact details for the Designated Premises Supervisor including their name, mobile phone number and email address will be kept at the premises and made available to officers of any responsible authority on request.

Tobacco and Alcohol Duty

No alcohol or tobacco will ever be purchased from sellers calling at the premises. Exceptions to the condition would be purchases made from authorised representatives who have made prior appointments to visit the store.

All alcohol and tobacco products sold at the premises will have the relevant UK duty paid.

Foreign tobacco, which does not comply with relevant UK legislation or is counterfeit, shall not be stored and/or sold at the premises.

If any spirits purchased for or on behalf of the business have UK Duty Stamps that do not have fluorescence under ultra-violet light, or are otherwise suspicious or suspected of being counterfeit, the licensee and/or designated premises supervisor shall notify the supplier to Trading Standards and HMRC as soon as possible and retain a receipt or acknowledgement from Trading Standards and HMRC to evidence this.

If any tobacco products purchased for or on behalf of the business does not have UK Duty Paid fiscal mark or are otherwise suspicious, the licensee and/or designated premises supervisor shall notify the supplier to Trading Standards and HMRC as soon as possible and retain a receipt or acknowledgement from Trading Standards and HMRC to evidence this.

For the Protection of Children from Harm:

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 licenses 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, people who have 'just popped in', persons who 'are passing by' or otherwise helping out on a casual or informal basis) 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 six 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.

In the event that the shop is being run by persons who are not employees and are just helping out or passing by etc, all alcohol will be removed from retail display in the shop beforehand, and will not be sold.

A list of staff members who are authorised to sell alcohol on the premises shall be kept. This shall be endorsed by the DPS with the date such authorisation commences.

At all times the premises is open and undertaking licensable activity, members of staff engaged in the sale of alcohol must be able to communicate sufficiently to enable them to promote the four licensing objectives and to make an effective challenge.

Conditions for alcohol delivery service:

Alcohol deliveries will only be made to a residential or business address and not to a public place (including the beach or local public parks/public spaces).

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.

I would ask in view of the fact that you are the only objector to this application and you now have details of conditions agreed with the police would you be happy to withdraw your representation or could you suggest any additional conditions that would alleviate your concerns i would be happy if you wish to call me to discuss.

Patrick Burke
PMB Licensing



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