

# Public Document Pack

## **JOHN WARD**

Head of Finance and Governance Services

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A meeting of **Alcohol and Entertainment Licensing Sub-Committee** will be held in Virtual on **Thursday 14 May 2020 at 9.30 am**

MEMBERS: Mr A Moss, Mr H Potter and Mr A Sutton

## 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 - 51)**  
**'Flip Out', Atlas House, Glenmore Business Park, Portfield Works, Oving, Chichester, West Sussex, PO19 7BJ**  
  
Application for a Premises Licence:
  - (a) Chair opens the Hearing.
  - (b) Items arising from Regulation 6 Notice (Notice of Hearing).
  - (c) Notice of any representations withdrawn.
  - (d) The procedure will then follow the Sub-Committee protocol and procedure 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 on Chichester District Council's website at Chichester District Council - Minutes, agendas and reports unless these are exempt items.

3. This meeting will be audio recorded and the recording will be retained in accordance with the council's information and data policies. If a member of the public makes a representation to the meeting they will be deemed to have consented to being audio recorded.

## CHICHESTER DISTRICT COUNCIL

### THE LICENSING ACT 2003 (THE 'ACT')

#### THE LICENSING ACT 2003 HEARING REGULATIONS 2005

#### SUB-COMMITTEE PROTOCOL AND PROCEDURE NOTE

#### A. 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.

## **B. Procedure at the Hearing**

### **1. Order of Presentation**

- (a) The procedure of the Sub-Committee is as follows:
  - (i) Chair opens the meeting, introducing Members of the Sub-Committee and officers present to the applicant and members of the public, explains the nature of the decision to be taken and the procedure to be followed, and shall consider any request made by a party under the Regulations for permission for another person to appear at the Hearing, such permission not to be unreasonably withheld.
  - (ii) The Licensing Officer outlines the application, any relevant representations and relevancies to the local authority licensing policy statement and statutory guidance (optional).
  - (iii) Members to ask any relevant questions of the officer.
  - (iv) Licensing Officer introduces applicant (if present) and invites him or her, or person representing them, to address the committee or clarify any information arising from the officers' outline, if necessary.
  - (v) Licensing Officer to invite those parties making representations to address the Sub-Committee.
  - (vi) Members to ask any relevant questions of those parties making representations.
  - (vii) Applicant or person representing them to ask any relevant questions of those parties making representations.
  - (viii) Applicant or person representing them addresses the Sub-Committee.
  - (ix) Members may ask any relevant questions of the applicant or person representing them.
  - (x) Parties that made representations to ask any relevant questions of the applicant or person representing them.
  - (xi) Chair to invite applicant or those representing them, and any parties making representations, to briefly summarise their points if they wish.

- (xii) Chair invites Licensing Officer to comment on the effect of any evidence submitted in relation to local Licensing Authority's policies.
- (xiii) Chair asks all parties that they are satisfied they have said all they wish to.
- (xiv) Members of the Sub-Committee retire and discuss and make their decision.
- (xv) Chair relays the decision and the reasons given for the decision and any conditions placed upon the licence (if granted) and the licensing objective that they relate to.

**NB (b) Decision**

- (i) The Sub-Committee shall assess the application:

- (a) Against the four Licensing Objectives being

- The Prevention of Crime and Disorder;
  - Public Safety;
  - The prevention of public nuisance;
  - The protection of children from harm; and

- (b) Any relevant national guidance and local policy.

- (ii) **Legal Advice**

The Sub-Committee may request the assistance of the Council's legal officer at any time. Where practicable, the legal officer shall ensure that any legal advice given to the Sub-Committee not previously given during the course of hearing, shall be made known to the applicant and those making relevant representations and he shall give them the opportunity of making representations on such advice before the Sub-Committee makes its decision.

- (iii) **Confirming the Decision**

Written confirmation of the decision including any conditions in the event that the application is granted and reasons for the decision and, if relevant conditions, will be given within five working days of the hearing.

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

**Alcohol and Entertainment Licensing Sub-committee**

**Date & Time:** Thursday 14<sup>th</sup> May 2020 at 09:30am

**Venue:** Remotely hosted and facilitated by Chichester District Council, East Pallant House,  
East Pallant, Chichester, West Sussex, PO19 1TY

**Application for a PREMISES LICENCE  
(Application Number - 20/00545/LAPRE)**

**'Flip Out'  
Atlas House  
Glenmore Business Park  
Chichester  
West Sussex  
PO19 7BJ**

**1. RECOMMENDATIONS**

- 1.1 That the sub-committee consider and determine an application made by FO Chichester Ltd 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 FO Chichester Ltd of 59 East Street Littlehampton, West Sussex, BN17 6AU has been the subject of two relevant representations, both in opposition to the application. The two representations were received from Sussex Police and the Council's Health Protection Team (in their statutory role of 'Responsible Authorities' 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 and Procedure.
- 3.2 Copy of the complete Premises Licence application (**Attachment A**).
- 3.3 Copy of all relevant representations and, where applicable, details of any successful mediation (**Attachment B**).

**4 SUMMARY OF THE PREMISES LICENCE APPLICATION**

- 4.1 A copy of the complete application is reproduced in full at Attachment A.
- 4.2 FO Chichester Ltd submitted a valid application on 25th March 2020. 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 25th March 2020 and 22nd April 2020 inclusive. In addition, a copy of the public notice was also published in a local newspaper.
- 4.3 The applicant states the following within the application form which provides a general description of the site and the intended use:

*“Trampoline park and entertainment centre”*

- 4.4 The application seeks a permanent Premises Licence which would allow the requested licensable activities to be conducted at the premises namely;
  - The provision of late night refreshment and
  - Retail sale of alcohol (for consumption on the premises and indoors only)
- 4.5 The table below illustrates the standard days and timings for the various forms of licensable activities being applied for:

<b>Proposed licensable activities</b>	<b>Proposed by Application</b>
Retail sale of alcohol <i>(for consumption on the premises and indoors only)</i>	<b>Everyday 10:00 to 23:30</b>
Provision of late night refreshment	<b>Everyday 00:00 to 00:00</b> (Only licensable between 23:00 to 05:00)
Hours premises are open to the public	<b>Everyday 09:00 to 00:00</b>

- 4.6 The applicant provided information within Box M of the application form as to the steps that they intend to take to promote all four of the licensing objectives; the application form is included at Attachment A.

4.7 The applicant confirms that no 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 are to be provided.

4.7 Against the licensable activity of 'late night refreshment' the applicant provided the following explanatory text;

*"The premises ordinarily will be open to members of the public between 09:00 and 20:00 and therefore exempt from licensing. Occasionally the premises host events for private groups such as the scouts, therefore authorisation is sought to licence this activity throughout the night."*

4.8 FO Chichester Ltd has nominated Kieran Anthony Wootton as the proposed Designated Premises Supervisor (DPS) should a Premises Licence be granted. Mr Wootton holds a current Personal Licence granted by Worthing Borough Council (Personal Licence Number: LN/202000080). There are no reported incidents known to this Licensing Authority associated with Mr Wootton.

## **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 2016 – 2021, statutory guidance published by the Home Office (April 2018) 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 were in opposition. Both representations, and where applicable, the outcome of successful mediation, are reproduced in full at Attachment B.

6.2 As outlined at paragraph 2.1 representations were received from the Chief Officer of Sussex Police and the Council's Health Protection Team in their respective roles as Responsible Authorities.

6.3 Whilst the representation submitted by Sussex Police on 21 April highlighted that in their opinion it was "*an unusual application for a premises licence for a children's trampoline park and entertainment centre*" they proposed a number of conditions which have in principle been agreed with the applicant who is happy to have them attached to the Premises Licence, if granted, and ultimately supported by the Sub-

Committee. A full copy of the Sussex Police representation, proposed conditions and written agreement from the applicant are included at Attachment B.

- 6.4 However, at the time of compiling this report the representation submitted by the Health Protection Team remained outstanding despite mediation having been entered into with the applicant. Again a copy of the representation and relevant correspondence is included at Attachment B. In summary the concerns of the responsible authority were;

**Protection of children form harm** - *The site requires that children are supervised by adults when using the trampolines. The consumption of alcohol is not conducive to aiding the concentration required to supervise children when they are running around the trampoline park. Since 2017 there have been 48 accidents reported by the site under the Reporting of Injuries Diseases and Dangerous Occurrences Regulations ('RIDDOR'). These regulations require the reporting of the most serious injuries and include broken limbs and loss of consciousness. The site is aimed at the provision of leisure activities for children and the majority of these 48 accidents have been to children. Any reduction in supervision through intoxication with alcohol will increase the risk to children.*

*.....the company spoke of a system where customers who purchase alcohol have wrist bands removed – the system did not identify people who consumed alcohol i.e. may have alcohol purchased by someone else. Furthermore any such system would require diligent policing as there is open access from the current cafe area to the trampoline area and the company has not stated how this will be controlled.*

**Public safety** - *The undertaking of trampolining is a high risk activity and the participants need to have full awareness. The business requires of their customers that they "jump within their ability". The consumption of alcohol is known to affect a person's judgement and give a sense of bravado and increased risk taking. This will lead to an increase in accidents.*

*Trampolining is not an activity which is compatible with the consumption of alcohol.*

*Also the layout of the site would make it easy for customers to move undetected from café to trampoline area*

*In summary I have grave concerns about the sale of alcohol at Flip Out and so urge the application be turned down*

- 6.5 All parties that submitted a relevant representation to the application were sent the statutory Notice of Hearing as was the applicant and/or their representative. The notice invited the various parties to attend the hearing and specifically asked whether they wished to be represented at the hearing.

## **7 CONSIDERATION**

- 7.1 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.

- 7.2 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.
- 7.3 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.
- 7.4 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.
- 7.5 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.
- 7.6 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).
- 7.7 The Sub-Committee are required to give reasons for their decision.

## **8. OPTIONS OPEN TO THE SUB-COMMITTEE**

- 8.1 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. This may

include attaching different conditions to different parts of the premises or to different licensable activities.

- (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.

## **9 BACKGROUND PAPERS**

- Licensing Act 2003
- Home Office Guidance issued under section 182 of the Licensing Act 2003 (April 2018)
- Chichester District Council's Statement of Licensing Policy 2016 - 2021

## **10 ATTACHMENTS**

**Attachment A:** Copy of the complete Premises Licence application.

**Attachment B:** Copy of all relevant representations and, where applicable, details of any successful mediation.

**Contact:** Mr L Foord  
Divisional Manager  
Communications, Licensing & Events  
[lfoord@chichester.gov.uk](mailto:lfoord@chichester.gov.uk)  
01243 534742

# LICENSING LAWYERS

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East Pallant House  
Chichester  
PO19 1TY

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E-mail: [enquiries@licensinglawyers.co.uk](mailto:enquiries@licensinglawyers.co.uk)

25 March 2020

Our Ref : FO 00764/19

Your Ref:

Dear Sirs,

**RE: Premises licence application-Flip Out Chichester, Glenmore Business Park, PO19 7BJ**

We have been instructed to make an application for a premises licence in respect of the above premises and therefore we have pleasure in enclosing the application form, along with the supporting information. Arrangements are being made for the necessary site and press notices to be published.

The primary use of this premises is to provide entertainment for individuals or small groups. It is not intended to operate as a high volume or vertical drinking establishment and the sale of alcohol is ancillary to the primary use. When drafting the application particular attention has been paid to the licensing authorities Statement of Licensing Policy and to the views of the police that were given during pre-application discussions. It is our opinion that the conditions proposed will sufficiently promote the licensing objectives, however our client is keen to discuss any concerns that may be raised by any interested persons or the responsible authorities to avoid the need for a hearing. For this purpose we would be grateful if you could provide our contact details, perhaps by showing a copy of this letter, to anyone who makes an enquiry concerning the application or suggests they are proposing to make a representation.

In the event of any query, this matter is being dealt with by Mr Luke Williams who can be contacted via email at [lw@licensinglawyers.co.uk](mailto:lw@licensinglawyers.co.uk) or via direct line at 0844 556 1193.

Yours faithfully,



Licensing Lawyers

Direct Line : 08445561193

Email : [lw@licensinglawyers.co.uk](mailto:lw@licensinglawyers.co.uk)

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Head Office : Prama House, 267 Banbury Road, Oxford OX2 7HT Director : Jon Godfrey-Payne Consultants : D Foster, J Payne. For details of other lawyers, please contact the office.

VAT No: 183 3982 75 SRA Registration No : 639564 ICO Registration No : ZA069685

**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 FO Chichester Ltd

*(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			
Atlas House Glenmore Business Park Chichester West Sussex			
Post town	Chichester	Postcode	PO19 7BJ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£164,000

**Part 2 - Applicant details**

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

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  please complete section (B)
  - iii as an unincorporated association or  please complete section (B)
  - iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)
<b>Surname</b>		<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>				
Current residential address if different from premises address				
Post town			Postcode	
<b>Daytime contact telephone number</b>				
<b>E-mail address (optional)</b>				
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)				

**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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
<b>Nationality</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town		Postcode			
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(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 FO Chichester Ltd
Address 59 East Street Littlehampton BN17 6AU
Registered number (where applicable) 09939542
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

**As soon as possible**

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)  Trampoline park and entertainment centre.
--

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, L and M**

**A**

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

## B

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

**C**

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

**D**

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

**E**

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

**F**

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

# G

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

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><u>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</u></b> (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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	00:00		<b><u>Please give further details here</u></b> (please read guidance note 4) The premises ordinarily will be open to members of the public between 09:00 and 20:00 and therefore exempt from licensing. Occasionally the premises host events for private groups such as the scouts, therefore authorisation is sought to licence this activity throughout the night.		
		00:00			
Tue	00:00				
		00:00			
Wed	00:00		<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
		00:00			
Thur	00:00				
		00:00			
Fri	00:00		<b><u>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</u></b> (please read guidance note 6)		
		00:00			
Sat	00:00				
		00:00			
Sun	00:00				
		00:00			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30			
Fri	10:00	23:30			
Sat	10:00	23:30			
Sun	10:00	23:30			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		

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):

<b>Name</b> Kieran Anthony Wootton	
<b>Date of birth</b>	[REDACTED]
<b>Address</b> [REDACTED]	
<b>Postcode</b>	[REDACTED]
<b>Personal licence number (if known)</b> LN/202000080	

**Issuing licensing authority (if known)**

Worthing Borough 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).

None

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	09:00		<b><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></b> (please read guidance note 6)
		00:00	
Tue	09:00		
		00:00	
Wed	09:00		
		00:00	
Thur	09:00		
		00:00	
Fri	09:00		
		00:00	

Sat	09:00		
		00:00	
Sun	09:00		
		00:00	

## 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)

All staff will be provided with training in relation to the licensing objectives that are commensurate with their duties. This will include the individuals responsibilities, age verification and licensing offences, as appropriate. Details of the training will be recorded in a personnel file or log book and will be refreshed at regular intervals.  
Staff will ensure that a sign advising members of the public that all alcoholic beverages purchased within the licensable area may only be consumed on the mezzanine will be on display at all times the sale of alcohol takes place.

### b) The prevention of crime and disorder

A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by a member of staff.  
The refusals log will be kept and maintained at the premises (except for the purpose of copying) and will be available for inspection by the police upon request.  
The record of refusals will be retained for 12 months.

A colour recording CCTV system that captures images from the main public areas must be fully operational whilst licensable activities are taking place. In the event of a technical failure of the CCTV equipment, a member of staff shall notify the police within 24 hours of the fault. The system shall be able to cope with all levels of illumination.

The system clock shall be checked for accuracy taking account of GMT and BST. Digital systems shall have sufficient storage capacity for 28 days evidential quality recordings (minimum 4 frames per second).

The images produced shall be date and time stamped.

A notice shall be displayed at the entrance to the premises advising that CCTV is in operation.

A member of staff trained to operate the CCTV equipment shall be present at all times the premises are open to the public.

### c) Public safety

Where a private booking consisting of 10 or more people attend, alcoholic beverages shall be served to them in plastic containers.

All other safety matters at the premises are adequately covered by statutory provisions such as The Health and Safety at Work (etc) Act 1974 and The Regulatory Reform (Fire Safety) Order 2005.

**d) The prevention of public nuisance**

Due to the location of the premises it is not envisaged that incidents of public nuisance will occur. Existing legislation such as the Environmental Protection Act 1990 and the Noise Act 1996 will of course apply.

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

A challenge 25 scheme will be adopted in compliance with the age verification condition. Customers who appear to be under 25 years of age will be required to prove their age when attempting to purchase alcohol. Suitable forms of identification will be a passport, 'pass' card or other identification recognised by the licensing authority in its statement of licensing policy.  
Challenge 25 posters shall be displayed at prominent positions.

**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 or my share code issued by the Home Office online right to work checking service (please read note 15).

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

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

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

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

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

Signature	[Redacted]
Date	25 <sup>th</sup> March 2020
Capacity	Lawyers and agents for the applicant

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

Signature	[Redacted]
Date	[Redacted]
Capacity	[Redacted]

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

**Licensing Lawyers**

[Redacted]

Post town	[Redacted]	Postcode	[Redacted]
Telephone number (if any)	[Redacted]		

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

[Redacted]

**Consent of individual to being specified as premises supervisor**

Kieran Anthony Wootton

.....  
*[full name of prospective premises supervisor]*

of

*[home address of prospective premises supervisor]*



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

by

*[name of applicant]*

FO Chichester Ltd

.....  
N/A

relating to a premises licence

*[number of existing licence, if any]*

for

*[name and address of premises to which the application relates]*

Atlas House  
Glenmore Business Park  
Chichester  
West Sussex  
PO19 7BJ

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

*[name of applicant]*

FO Chichester Ltd

.....  
concerning the supply of alcohol at

*[name and address of premises to which application relates]*

Atlas House  
Glenmore Business Park  
Chichester  
West Sussex  
PO19 7BJ

.....  
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

*[insert personal licence number, if any]*

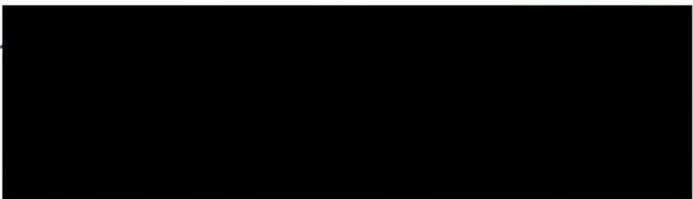
LN202000080

Personal licence issuing authority

*[insert name and address and telephone number of personal licence issuing authority, if any]*

Worthing Borough Council  
Licensing  
Public Health & Regulation  
Portland House  
44 Richmond Road  
Worthing  
West Sussex  
BN11 1HS

Signed



Name (please print)

Kieran WOOTTON

Date

20/03/20



## Emma Burle

---

**Subject:** FW: Flip out: 20/00545/LAPRE

**From:** Tim Wyatt  
**Sent:** 14 April 2020 16:51  
**To:** David Knowles-Ley  
**Cc:** Lauren Dyer  
**Subject:** Flip out: 20/00545/LAPRE

Hi David

As you are aware Flip Out have put in an application for the sale of alcohol on the premise. I have been in touch with their solicitor to clarify some matters so that my concerns about public safety and the protection of children from harm may be alleviated, however having received their reply I still have concerns and so wish to object to their application.

### **Protection of children from harm:**

The site requires that children are supervised by adults when using the trampolines. The consumption of alcohol is not conducive to aiding the concentration required to supervise children when they are running around the trampoline park.

Since 2017 there have been 48 accidents reported by the site under the Reporting of Injuries Diseases and Dangerous Occurrences Regulations. These regulations require the reporting of the most serious injuries and include broken limbs and loss of consciousness. The site is aimed at the provision of leisure activities for children and the majority of these 48 accidents have been to children. Any reduction in supervision through intoxication with alcohol will increase the risk to children.

The response from the company spoke of a system where customers who purchase alcohol have wrist bands removed – the system did not identify people who consumed alcohol i.e. may have alcohol purchased by someone else. Furthermore any such system would require diligent policing as there is open access from the current cafe area to the trampoline area and the company has not stated how this will be controlled.

### **Public Safety:**

The undertaking of trampolining is a high risk activity and the participants need to have full awareness. The business requires of their customers that they “jump within their ability”. The consumption of alcohol is known to affect a person’s judgement and give a sense of bravado and increased risk taking. This will lead to an increase in accidents.

The high number of accidents at trampoline parks has caused concern to health professionals and has been widely reported, such as by the BBC at <https://www.bbc.co.uk/news/uk-england-43261578> or the guardian newspaper <https://www.theguardian.com/lifeandstyle/2017/mar/20/visit-trampoline-park-at-your-peril-injuries>. Trampolining is not an activity which is compatible with the consumption of alcohol.

As mentioned earlier the current information provided by the company refers only to people who purchase alcohol and not to those who consume alcohol. Also the layout of the site would make it easy for customers to move undetected from café to trampoline area.

In summary I have grave concerns about the sale of alcohol at Flip Out and so urge the application be turned down.



**Tim Wyatt**

Senior Environmental Health Officer  
Health Protection  
Chichester District Council

Ext: 22111 | Tel: | [twyatt@chichester.gov.uk](mailto:twyatt@chichester.gov.uk) | Fax:



**From:** Helena Giudici  
**Sent:** 1 May 2020 10:06:39 +0000  
**To:** licensingidox  
**Subject:** 20/00545/LAPRE - email from Mr Williams to Tim Wyatt re hp rep

---

**From:** lw@licensinglawyers.co.uk [mailto:lw@licensinglawyers.co.uk]  
**Sent:** 29 April 2020 13:43  
**To:** Tim Wyatt  
**Subject:** Re: FAO Luke Williams. Flip Out Licence Application - Chichester

Good Afternoon Tim,

I understand that you have lodged a representation against the grant of a premise licence for Flip Out Chichester. This is exceptionally disappointing, not least because you are the only authority to raise any objection, but also because I was unaware that your concerns had not been fully addressed following my email on the 14<sup>th</sup> April. Had the additional points that you have raised in your representation been brought to my attention I am sure that we could have negotiated a solution that would be acceptable to both parties.

In your representation you state that "*the system did not identify people who consumed alcohol i.e. may have alcohol purchased by someone else.*" Given the layout of the premise and the small licensable area it is highly unlikely that such a scenario would take place without the knowledge of staff. Furthermore, we have offered a comprehensive staff training condition that would include making sure staff are aware of the risks of proxy sales and what they should do if they suspect alcoholic beverages are being purchased for other people.

It is also worth reiterating that whilst there have been 48 reportable incidents since 2017, the premise has received over 200,000 visitors during that time. The number of visitors who unfortunately suffer an injury therefore works out at just 0.02%. The news articles that you have linked in your representation refer to an entirely different trampoline park under a different management. The safety policies at that venue may not be the same as at Flip Out Chichester, notwithstanding those additional measures that have been proposed in the licence application. To suggest that Flip Out Chichester should be judged upon the faults of another trampoline site from several years ago is at odds with the Secretary of State's Guidance that each application should be viewed upon its own merits. With the conditions we have proposed in this application, combined with the existing policies in

place at the premise, we are confident that the licensing objectives will be suitably promoted.

You have also added that "*there is open access from the current cafe area to the trampoline area and the company has not stated how this will be controlled.*" This is not strictly true. As per the licensed plan access to the café area is via stairs located at the sides of the mezzanine. One of these stairs does not lead directly to the trampoline area, but to the front lobby. The other staircase is closely supervised by staff. Admission to the trampoline area is controlled by staff who will be trained to look out for signs of intoxication as per the staff training condition we have voluntarily offered. If staff have any suspicion that a member of the public would be unsafe to admit to the trampoline area, whether through intoxication or any other reason, they will not do so. If at any time a member of staff observes that a member of the public is behaving in a dangerous manner (either to themselves or to others) the situation is addressed and, if necessary, that individual asked to leave. It would not be in our clients interest to 'turn a blind eye' to any dangerous behaviour.

In summary, our client agrees with your statement that "*Trampolining is not an activity which is compatible with the consumption of alcohol*"-which is why we have endeavoured to put together an application that would only allow the sale of alcohol in a safe environment and would not allow members of the public access to the trampolining area after consumption of any alcoholic drink. Of course should the licence be granted it would still an option for yourself (or any other responsible authority) to call for a review, should it be felt that in practice the conditions we have offered are insufficient and your concerns have not been addressed.

I would invite you to make any proposals for conditions that you would wish to see added to the licence to promote the licensing objectives and alleviate your concerns. I can then put your proposed conditions to our client and if appropriate voluntarily amend the application. It would then be possible for you to withdraw your representation and avoid the need for a contested hearing.

I look forward to hearing from you as soon as possible and working towards an agreeable solution.

---

Kind Regards,  
Luke Williams,

Direct Line : 0844 556 1193 Switchboard : 0844 556 1191  
Fax : 0872 751 1191

Correspondence address:

The Old Counting House, 82e High Street, Wallingford, Oxfordshire, OX10 0BS

Head Office:

Prama House | 267 Banbury Road | Oxford | OX2 7HT

Meeting facilities by appointment at :

Upper Berkeley St | Marble Arch | London | W1H 5QL

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On 14/04/2020 14:35, Tim Wyatt wrote:

Dear Luke

Thank you for your reply which I am considering. One further question, could you let me know of the capacity – i.e. maximum number of customers that the venue can accommodate and also the number of toilets on site.

Thanks  
Tim.



**Tim Wyatt**

Senior Environmental Health Officer  
Health Protection  
Chichester District Council

Ext: 22111 | Tel: | [twyatt@chichester.gov.uk](mailto:twyatt@chichester.gov.uk) | Fax:



---

**From:** [lw@licensinglawyers.co.uk](mailto:lw@licensinglawyers.co.uk) [<mailto:lw@licensinglawyers.co.uk>]  
**Sent:** 14 April 2020 13:54  
**To:** Tim Wyatt  
**Subject:** Re: FAO Luke Williams. Flip Out Licence Application - Chichester

Good Afternoon Tim,

My apologies for not getting back to you sooner, I am currently on leave but working from home it seems that my calls and emails aren't diverting properly.

I have forwarded your email to our client and he has replied with the following (I have copied your email and highlighted the response in italics):

The site requires that children are supervised by adults when using the trampolines. The consumption of alcohol is not conducive to aiding the concentration required to supervise children when they are running around the trampoline park.

Since 2017 there have been 48 accidents reported by the site under the Reporting of Injuries Diseases and Dangerous Occurrences Regulations. These regulations require the reporting of the most serious injuries and include broken limbs and loss of consciousness. The site is aimed at the provision of leisure activities for children and the majority of these 48 accidents have been to children. Any reduction in supervision through intoxication with alcohol will increase the risk to children. Please explain what measure the business will put in place to mitigate this risk.

*We have a strict admissions policy at Flip Out Chichester which we ensure we always adhere to. The admissions policy is as follows;*

*Children aged 5 & under MUST be supervised INSIDE the arena by a parent/guardian.*

*Children aged under 12 do not have to be supervised by the parent/guardian inside the arena however must remain on site.*

*Guests aged 12+ do not need supervision via an adult.*

*The supervision of the children and safety lies with our competent safety Marshalls and is always our top priority at Flip Out Chichester - these are the people who make sure to the best of their ability that the rules are being followed, follow a 3 strike rule procedure, liaise with managers if they feel someone is repeatedly out of their ability and needs to be removed from site and therefore decrease the likelihood of any accidents occurring inside*

*the trampoline park. Our staff are always on site and always inside the arena/ on any novelty areas when they have been opened and are in use.*

*Therefore the people who are required to directly supervise their children will always remain inside the arena and this would not be an issue.*

*We have had 48 RIDDOR reportable accidents since 2017, but since 2017 have also had well over 200,000 people through our doors so even by using these numbers are risk of a serious accident currently sits at 0.02%*

*Accidents will and unfortunately do happen - we aim our best to reduce any potential and with the figures above I am sure you can agree do a very good job with this.*

*Our journey through the site starts at reception; at which point you get booked in and are given valid wristbands*

*Any person jumping gets given a coloured wristband corresponding to the session they are jumping in which allows access to our arena & helps us ensure we are running to the correct capacity as only certain colours are allowed inside the arena.*

*For anyone who is remaining inside the building but not jumping they will be issued a white (or any colour that we do not run hourly sessions with) wristband and asked to place this on.*

*Therefore everyone inside our building will be wearing a wristband either coloured or white.*

*As soon as anyone purchases alcohol from us their wristband will be cut off and removed by our staff team - this means at no point is anyone who is not wearing a wristband be allowed access onto the arena and this will be reiterated to the customers. Meaning no one who has even purchased an alcoholic beverage be granted access onto our arena.*

*The above is the current idea with are thinking of using and may change slightly however one thing that will not change - no wrist band - no jumping .*

## 1. Public Safety

The undertaking of trampolining is a high risk activity and the participants need to have full awareness. The business requires of their customers that they "jump within their ability". The consumption of alcohol is known to affect a person's judgement and give a sense of bravado and increased risk taking. This will lead to an increase in accidents. Please explain what measures the business will put in place to mitigate this risk.

*Addressed in the point above - absolutely no one who has even purchased any alcoholic beverage will be allowed to jump inside the arena even if it has not been consumed yet. No wristband = no entry. We wish to keep health & safety at the forefront of our site and customers .*

I hope this addresses your concerns. If you do have further questions or any proposals for conditions then please do not hesitate to get in touch with me. As the deadline for representations is still over a week away I am confident we can deal with any further issues without the need for a hearing.

---

Kind Regards,  
Luke Williams,

Direct Line : 0844 556 1193 Switchboard : 0844 556 1191  
Fax : 0872 751 1191

Correspondence address:

The Old Counting House, 82e High Street, Wallingford, Oxfordshire, OX10 0BS

Head Office:

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On 07/04/2020 16:21, Tim Wyatt wrote:

Dear Mr Williams

I note that you have applied for a licence to sell alcohol at Flip Out Chichester.

In order for me to not object to the licence I would be obliged if you could allay my concerns about the application. I will need to receive a response in good time to fully consider it and to make representations should they still be necessary – to that end I would be grateful for a reply by 14 April 2020.

1. Protection of children from harm:

The site requires that children are supervised by adults when using the trampolines. The consumption of alcohol is not conducive to aiding the concentration required to supervise children when they are running around the trampoline park. Since 2017 there have been 48 accidents reported by the site under the Reporting of Injuries Diseases and Dangerous Occurrences Regulations. These regulations require the reporting of the most serious injuries and include broken limbs and loss of consciousness. The site is aimed at the provision of leisure activities for children and the majority of these 48 accidents have been to children. Any reduction in supervision through intoxication with alcohol will increase the risk to children. Please explain what measure the business will put in place to mitigate this risk.

2. Public Safety

The undertaking of trampolining is a high risk activity and the participants need to have full awareness. The business requires of their customers that they "jump within their ability". The consumption of alcohol is known to affect a person's judgement and give a sense of bravado and increased risk taking. This will lead to an increase in accidents. Please explain what measures the business will put in place to mitigate this risk.

With kindest regards



**Tim Wyatt**

Senior Environmental Health Officer  
Health Protection  
Chichester District Council

Ext: 22111 | Tel: | [twyatt@chichester.gov.uk](mailto:twyatt@chichester.gov.uk) | Fax:



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**Subject:** FW: 20/00545/LAPRE

**From:** Tim Wyatt  
**Sent:** 30 April 2020 12:41  
**To:** lw@licensinglawyers.co.uk  
**Cc:** Lauren Dyer; David Knowles-Ley  
**Subject:** RE: FAO Luke Williams. Flip Out Licence Application - Chichester

Dear Luke

Thank you for your email. If I could see a solution that would alleviate my concerns then I would happily propose a condition that would allow a licence, however, considering the number of reported accidents and that there will be many more accidents that are not reported under RIDDOR (i.e. less serious accidents and incidents), I remain of the opinion that the trampoline park is an activity that is not compatible with the consumption of alcohol.

In this case I suggest that the licensing committee should act as the arbiter unless you can propose a condition that alleviates my concerns.

With kindest regards

 **Tim Wyatt**  
Senior Environmental Health Officer  
Health Protection  
Chichester District Council

Ext: 22111 | Tel: | [twyatt@chichester.gov.uk](mailto:twyatt@chichester.gov.uk) | Fax:





**Sussex Police**  
Serving Sussex

[www.sussex.police.uk](http://www.sussex.police.uk)

**West Sussex Division**  
Neighbourhood Licensing Team

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

Tel: 01273 404 030

Email: [WS\\_Licensing\\_WOR@sussex.pnn.police.uk](mailto:WS_Licensing_WOR@sussex.pnn.police.uk)

21<sup>st</sup> April 2020

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 PREMISES LICENCE FOR FLIP OUT CHICHESTER LIMITED, ATLAS HOUSE, GLENMORE BUSINESS PARK, CHICHESTER, WEST SUSSEX, PO19 7BJ. 20/000545/LAPRE. UNDER THE LICENSING ACT 2003.**

I write on behalf of the Chief Officer of Police for Sussex to raise a representation in respect of this application on the grounds of all four licensing objectives.

This is an unusual application for a premises licence for a children's trampoline park and entertainment centre. The licensed area is restricted to the mezzanine floor inside the premises. Following correspondence between Mr Luke Williams for the applicant and ourselves, Sussex police have proposed the following amended and new conditions to go on the licence:

**General – all four licensing objectives**

**Sussex Police Headquarters**  
Malling House Malling, Lewes, East Sussex, BN7 2DZ

Telephone: 101 | 01273470101

Staff will ensure that a sign advising members of the public that all alcoholic beverages purchased within the licensable area may only be consumed on the mezzanine will be on display at all times the sale of alcohol takes place.

The sale of alcohol is ancillary to the primary use of the premises as a trampoline park and entertainment centre.

### **The prevention of crime and disorder**

A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by a member of staff.

The refusals log will be kept and maintained at the premises (except for the purpose of copying) and will be available for inspection by the police upon request.

The record of refusals will be retained for 12 months.

A colour recording CCTV system that captures images from the main public areas must be fully operational whilst licensable activities are taking place. In the event of a technical failure of the CCTV equipment, a member of staff shall notify the police within 24 hours of the fault.

The system shall be able to cope with all levels of illumination.

The system clock shall be checked for accuracy taking account of GMT and BST.

Digital systems shall have sufficient storage capacity for 28 days evidential quality recordings (minimum 4 frames per second).

The images produced shall be date and time stamped.

A notice shall be displayed at the entrance to the premises advising that CCTV is in Operation.

A member of staff trained to operate the CCTV equipment shall be present at all times the premises are open to the public.

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.

### **Public safety**

Where a private booking consisting of 10 or more people attend, alcoholic beverages shall be served to them in plastic containers.

All other safety matters at the premises are adequately covered by statutory provisions such as The Health and Safety at Work (etc) Act 1974 and The Regulatory Reform (Fire Safety) Order 2005.

## **The prevention of public nuisance**

Due to the location of the premises it is not envisaged that incidents of public nuisance will occur. Existing legislation such as the Environmental Protection Act 1990 and the Noise Act 1996 will of course apply.

## **The protection of children from harm**

All staff will be provided with training in relation to the licensing objectives that are commensurate with their duties. This training will take place prior to the selling of such products. This will include the individual's responsibilities, age verification and licensing offences, as appropriate. Details of the training will be recorded in a personnel file or log book and will be refreshed at regular intervals, with a maximum of one calendar year between refresher training sessions.

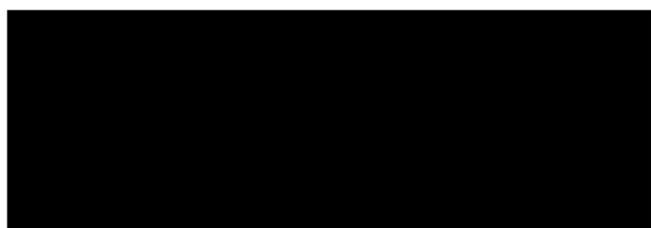
A challenge 25 scheme will be adopted in compliance with the age verification condition.

Customers who appear to be under 25 years of age will be required to prove their age when attempting to purchase alcohol. Suitable forms of identification will be a passport, 'pass' card or other identification recognised by the licensing authority in its statement of licensing policy.

Challenge 25 posters shall be displayed at prominent positions.

I am advised by Mr Williams that he is going to email you separately confirming acceptance of the above new and revised conditions. Accordingly Sussex Police are able to withdraw their representation subject to the new agreed conditions being added to the new licence in their entirety.

Yours sincerely,



**Rob Lovell**  
**Licensing Inspector**

**From:**Helena Giudici  
**Sent:**24 Apr 2020 09:58:59 +0100  
**To:**licensingidox  
**Subject:**20/00545/LAPRE - email from sussex police and agent confirming rep resolved  
**Attachments:**Flip Out Chichester police rep 21.04.20.doc

**From:** David.Bateup@sussex.pnn.police.uk [mailto:David.Bateup@sussex.pnn.police.uk]  
**Sent:** 23 April 2020 14:32  
**To:** Licensing  
**Cc:** Helena Giudici; lw@licensinglawyers.co.uk  
**Subject:** Flip Out, Chichester

Dear Helena/Chichester Licensing,

With reference to our representation in respect of the above (copy attached), please note below confirmation from Mr Williams acting for the premises that he is happy with the new and revised conditions set out in our representation.

Accordingly Sussex police now withdraw their representation subject to the new conditions being added to the licence.

Thank you.

David

**David Bateup**  
**Police Licensing Officer**

Direct Dial: 01273 470 101 ext 581 214

Licensing office: 01273 40 40 30

[david.bateup@sussex.pnn.police.uk](mailto:david.bateup@sussex.pnn.police.uk)

Neighbourhood Police Licensing Team

West Sussex Division, Centenary House, Durrington Lane,

Worthing, West Sussex, BN13 2PQ

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**From:** lw@licensinglawyers.co.uk [mailto:lw@licensinglawyers.co.uk]  
**Sent:** 23 April 2020 14:23  
**To:** Bateup David 63941 <David.Bateup@sussex.pnn.police.uk>  
**Subject:** Re: Flip Out, Chichester

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Afternoon David,

Not to worry. I did email the council before the consultation deadline to make the amendment but as I said it appears there was some confusion.

To confirm, our client is happy with the suggested conditions in your representation being added to the licence.

Many thanks.

---

Kind Regards,  
Luke Williams,

Direct Line : 0844 556 1193 Switchboard : 0844 556 1191  
Fax : 0872 751 1191

Correspondence address:

The Old Counting House, 82e High Street, Wallingford, Oxfordshire, OX10 0BS

Head Office:

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On 23/04/2020 13:58, [David.Bateup@sussex.pnn.police.uk](mailto:David.Bateup@sussex.pnn.police.uk) wrote:

Luke,

Hello. I am terribly sorry but I have just realised that I did not copy you in on my rep when I emailed it to the Council. I always do that as a matter of course and professional courtesy but I seem to have failed here!

Here is my rep anyway which simply says that we came to an agreement, you are going to send in a separate email confirming the same new agreed conditions and then we are all happy.

If you can just email me back to confirm you are happy with my amendments in my rep and that they are exactly what you have agreed with me, I will resolve this one this afternoon.

Regards,

David

**David Bateup**  
**Police Licensing Officer**

Direct Dial: 01273 470 101 ext 581 214

Licensing office: 01273 40 40 30

[david.bateup@sussex.pnn.police.uk](mailto:david.bateup@sussex.pnn.police.uk)

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<https://www.sussex.police.uk/report-online>

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