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JOHN WARD

Head of Finance and Governance Services

Contact: Katherine Davis kdavis@chichester.gov.uk

East Pallant House 1 East Pallant Chichester West Sussex PO19 1TY Tel: 01243 785166



Tel: 01243 785166 www.chichester.gov.uk

A meeting of **Alcohol and Entertainment Licensing Sub-Committee** will be held in Virtual on **Thursday 13 May 2021** at **9.30 am**

MEMBERS: Mrs T Bangert, Mr G McAra 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 - 64)

East Walls Hotel, 3 East Row, Chichester, West Sussex, PO19 1PD Application for VARIATION OF A PREMISES LICENCE (Application Number - 21/00209/LAPRE1)

- (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- (c) Notice of any representations withdrawn.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 100l 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 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

The Sub-Committee may, at its discretion, require a person to leave the (i) 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.

В. **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.
 - Members to ask any relevant questions of those parties making (vi) 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.
 - Parties that made representations to ask any relevant questions of the (x) 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 13th May 2021 at 09:30 Venue: Online via 'Zoom' platform Application for VARIATION OF A PREMISES LICENCE (Application Number - 21/00209/LAPRE1)

East Walls Hotel, 3 East Row, Chichester, West Sussex, PO19 1PD

1. RECOMMENDATIONS

- 1.1 That the sub-committee consider and determine an application made by East Walls Hotel Ltd seeking to vary an existing Premises Licence.
- 1.2 If the determination is to grant the Premises Licence variation, 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 variation application submitted by East Walls Hotel Ltd of 3 East Row, Chichester, West Sussex, PO19 1PD has been the subject of 6 (six) relevant representations, all in opposition to the application. Of the representations received, 5 are from local residents with the remaining representation from Sussex Police.

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 A plan 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 variation application (Attachment B).
- 3.4 Copy of all relevant representations (Attachment C).

3.5 Copy of the existing Premises Licence (No. 3815/21/00036/LAPRED) granted in respect of the premises (Attachment D).

4 <u>SUMMARY OF THE PREMISES LICENCE VARIATION APPLICATION</u>

- 4.1 A copy of the complete application is reproduced in full at Attachment B.
- 4.2 Mrs Iris Kelly as the sole Director of East Walls Hotel Ltd submitted a valid application on 8th March 2021. 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 11th March 2021 and 8th April 2021 inclusive. In addition, a copy of the public notice was also published in the Chichester Observer on Thursday 18th March 2021.
- 4.3 The applicant states the following within the application form which provides a general description of the premises:

'12 Bedroom Boutique Hotel over three floors with dining facilities and bar. Restaurant has 20 seats and bar area has five seats.'

- 4.4 The application seeks to vary the existing Premises Licence as follows:
- (a) To amend Condition 2 of Annex 2 as follows:

Current:

'Alcohol may only be sold and/or served to non-guests and non-residents between the hours of 11:00 and 18:00'.

Proposed:

'Alcohol may only be sold and/or served to non-guests and non-residents between the hours of 11:00 and 23:00'.

4.5 As a result of submitting the proposed variation, the applicant has outlined within Section M of the application form a number of steps it intends to take in order to promote the four licensing objectives. Ordinarily these steps would be translated into conditions attached to any licence granted. Much of what has been stated at Section M relates to matters already featuring as conditions attached to the current Premises Licence. However, the applicant has stated that 'Alcohol will only be served to those with restaurant reservations.'. This would mean that beyond the existing hour of 18:00, that non-guests and non-residents would only be sold/supplied with alcohol where it was associated with a restaurant reservation.

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, this Licensing Authority must also have regard to its current Statement of Licensing Policy 2020-2022, 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 6 (six) relevant representations, all of which are in opposition. All representations are reproduced in full at Attachment C.
- 6.2 As outlined at paragraph 2.1, representations were received from members of the public along with Sussex Police as a Responsible Authority under the Licensing Act 2003.
- 6.3 Whilst all representations have been reproduced at Attachment C, extracts from a selection of the representations submitted by local residents in opposition to the application are summarised below along with a reference to the relevant licensing objective(s):

The Prevention of Public Nuisance

"We have a very particular concern about noise. The quadrant where the hotel is situated is a quiet residential neighbourhood – and no one wants the busy noise of a commercial establishment after 1800, other than one that caters specifically for the hotel's guests – which seems a reasonable position/compromise (as a resident)."

"The other particular concern is whether drinks are licensed for OUTDOORS. Clearly noise can be contained if the tables/consumption is indoors. If outdoors after 1800 that becomes a real problem as noise really does carry - and, in a quiet evening in this neighbourhood it carries a long way."

"If (the hotel) they are to expand their services and are relying on the garden to provide their main space for serving food and alcohol, this could be very noisy for local residents."

"The additional condition suggested by the police is inadequate. It does not specify that that non-guests and non-residents have to be seated at tables within the hotel building. There would need to be a new condition which clearly avoids the potential for excess noise from the garden of the hotel after 18.00 hours. Without an adequate additional condition, I therefore continue to object to the sale of alcohol to non-guests and non-residents after 1800 hours."

".....Please, please adhere to the status quo and help us to maintain this lovely and peaceful residential area of our city."

The Prevention of Crime & Disorder

"The deviation of the current licence which will be updated to include members of the public to buy and consume alcohol along with a dinner reservation seems quite logical to me. I cannot see how a restaurant could operate in any other way. As a direct neighbour with shared wall I would expect the landlord to monitor any excessive noise if guests are in the garden area."

7. MEDIATION

7.1 Whilst Sussex Police determined to submit a representation in respect of the application, discussions were held between the applicant and Sussex Police regarding their concerns. The outcome of these discussions was that the applicant agreed to the following condition should it be proposed to grant this variation application. This condition would in effect replace that referred to at paragraph 4.5 above:

'Between the hours of 18:00 and 23:00 alcohol may only be supplied to non-guests and non-residents with a restaurant reservation and seated at tables, with the supply of alcohol ancillary to a table meal only.'

- 7.2 At the end of the representation period, the applicant was made aware of the number and nature of outstanding representations. Having considered their content, the applicant consequently offered as a compromise to close the terrace to non-residents at 22:00.
- 7.3 Following receipt of the proposed mediation, this Licensing Authority made all parties (those who had submitted a relevant representation) aware via email of the proposed change offered by the applicant (Attachment E). Written confirmation was requested from all representors asking that once they had considered the mediation being offered, that they respond confirming whether in principle they would be prepared to withdraw their representation, or not, on the basis of the mediation being offered. No responses were subsequently received from representors and therefore, no parties indicated that they would be prepared to withdraw their representation.
- 7.4 In view of five representations remaining unresolved following unsuccessful mediation, it was necessary to convene a formal hearing.
- 7.5 All parties 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.

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 variation as applied for:
 - (b) Grant the Premises Licence variation 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 variation but reduce the hours being sought during which the licensable activities may take place; or
 - (d) Reject the whole or part of the Premises Licence variation application.

10 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 2020-2022

11 ATTACHMENTS

Attachment A: 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 variation application.

Attachment C: Copy of all relevant representations.

Attachment D: Copy of current Premises Licence No. 3815/21/00036/LAPRED

Attachment E: Correspondence sent by the Licensing Authority to all

representors summarising proposed change to application.

Contact: Mr L Foord

Divisional Manager Licensing Team

Ifoord@chicehster.gov.uk

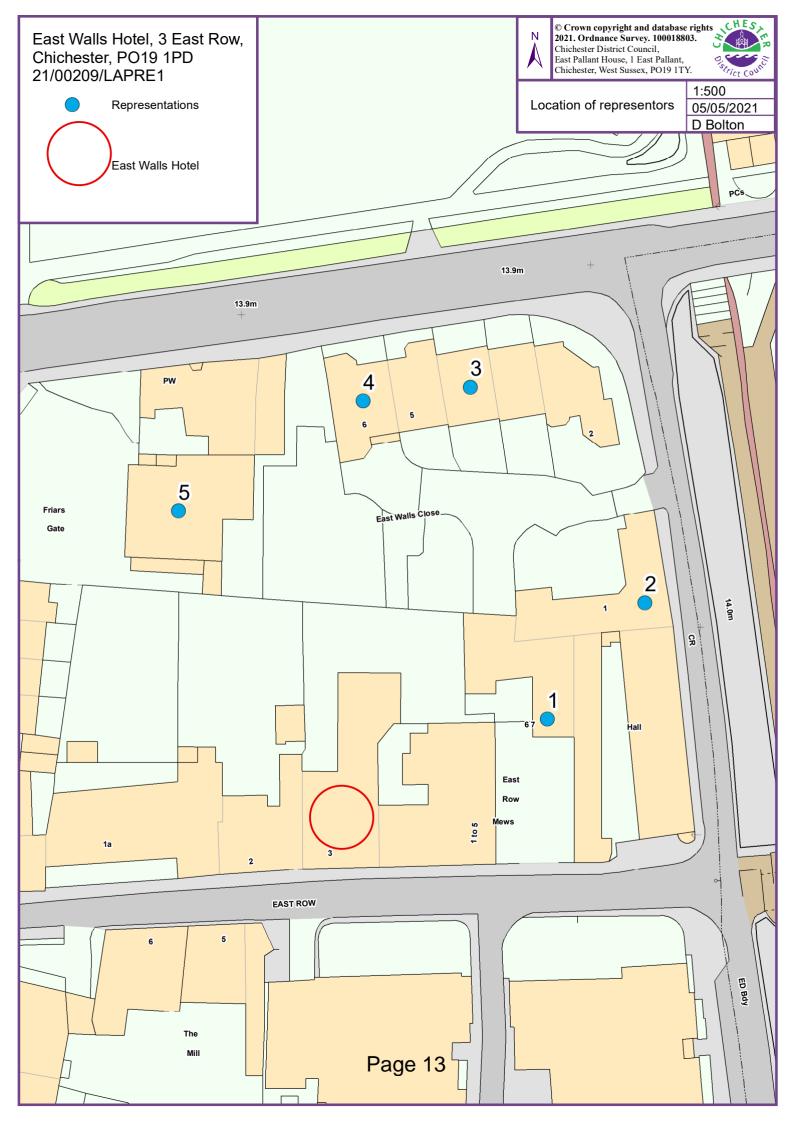
01243 534742

<u>21/00209/LAPRE1 – East Walls Hotel, 3 East Row, Chichester, PO19 1PD – Relevant Representations Received</u>

Responsible Authority	Chief Officer Of Sussex Police
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Public	Name of Representor	Address	Stance
1	Mr Geoffrey Barber	6 East Row Mews, East Row, Chichester, PO19 1PD	OBJECT
2	Ms Jeanette G Moon	1 East Walls Close, Chichester, PO19 1UL	OBJECT
3	Ms Joanna Lewis	4 East Walls Close, Chichester, PO19 1UL	OBJECT
4	Mr Brian Dean	6 East Walls Close, Chichester, PO19 1UL	OBJECT
5	Mr Charles Cameron	Friars Gate House, 1 Priory Road, Chichester, PO19 1NX	OBJECT









FORM: L11

Case Reference Number:

(office use only)

LICENSING AUTHORITY

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

Application to vary a Premises Licence 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 (insert name(s) of applicant)Iris Kelly								
Premises Licence number	3815/21/0036/LAPRED							
Part 1 – Premises Details								
Postal address of premises or, if none, ordnance s	survey map reference or description							
East Walls Hotel 3 East Row								
Post town Chichester	Postcode PO19 1PD							
Telephone number at premises (if any)								
Non-domestic rateable value of premises	£Not Known							
Part 2 – Applicant Details								
Daytime contact telephone number								
Email address (optional)								
Current postal address if different from premises address								
Post Town	Postcode [

L11 (v5) 06/04/17 Page 1 of 17

Part 3 - Variation

	Plea <u>se</u>	tick as ap	opropr <u>iate</u>
	,	/	
Do you want the proposed variation to have effect as soon as possible? Yes			No
If not, from what date do you want the variation to take effect?	Month	Year	
Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (please see guidance note 1)	Yes		No V

L11 (v5) 06/04/17 Page 2 of 17

Please describe briefly the nature of the proposed variation (please read guidance note 2)
12 Bedroom Boutique Hotel over three floors with dining facilities and bar. Restaurant has 20 seats and bar area has five seats.
Currently the licence permits the retail sale of alcohol $00:00-00:00$ (24 hours a day) for residents only. It is permitted between the hours of $11:00-23:00$ for guests of residents and between the hours of $11:00-18:00$ for non-guests and non-residents.
I would like to extend the hours of 11:00 - 18:00 for non-guests and non-residents to 11.00 - 23.00.
If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

L11 (v5) 06/04/17

Page 3 of 17

Part 4 – Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (please see guidance note 3) 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) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in h) 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

L11 (v5) 06/04/17 Page 4 of 17

Α

Standa	Plays Standard days and timings (please read guidance note 8)		Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors Outdoors		
Day	Start	Finish	1	Both		
Mon			Please give further details here (please read guidance note 5)			
Tue						
Wed			State any seasonal variations for performing play (please read guidance note 6)			
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 7)			
Sat						
Sun						

В

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors Outdoors		
Day	Start	Finish		Both		
Mon			Please give further details here (please read guidance note 5)			
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)			
Thur			- - -			
Fri			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 (please read guidance note 7)			
Sat						
Sun						

Page 5 of 17

С

Standa	Indoor sporting events Standard days and timings (please read guidance note 8)		Please give further details (please read guidance note 5)
Day	Start	Finish	1
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			
Fri			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 (please read guidance note 7)
Sat			1
Sun			1 -

D

enter Standa	Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)		Will the boxing or wrestlingentertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 5)		
Tue			- -		
Wed			State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the pren wrestling entertainment at different times to those listed please list (please read guidance note 7)		left,
Sat			,		
Sun					

Ε

Standa	Live music Standard days and timings (please read guidance note 8)		Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur					
Fri			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		
Sat			(please read guidance note 7)		
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)		timings	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors Outdoors			
Day	Start	Finish		Both			
Mon			Please give further details here (please read guidance note Background music in bar and restaurant only	e 5)			
Tue			Background music in barand restaurant only				
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 6)				
Thur			N/A				
Fri			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 (please read quidance note 7)				
Sat			list (please read guidance note 7) N/A				
Sun							

G

Standa	Performances of dance Standard days and timings (please read guidance note 8)		Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 5)		
Tue			- -		
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			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		
Sat			(please read guidance note 7)		
Sun					

Н

Anything of a similar description to that falling within (e), (f) or		that	Please give a description of the type of entertainment you will be providing			
	rd days and		Will the entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)			
(please	read guida	nce note 8)	or both – please tick (please read guidance note 4)	Outdoors		
Day	Start	Finish		Both		
Mon			Please give further details here (please read guidance note 5)			
Tue			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)			
Wed	Wed					
Thur						
Fri			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); times to those listed in the column on the left, please list (please read qu			
Sat			note 7)	- (pisaso i oda galdano	-	
Sun						

ı

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read quidance note 4)	Indoors Outdoors	
Day	Start	Finish	1	Both	
Mon			Please give further details here (please read guidance note	e 5)	
Tue			-		
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		se
Thur			-		
Fri			Non standard timings. Where you intend to use the premises for the provision late night refreshmentat different times to those listed in the column on the lease list (please read quidance note 7)		
Sat			please list (please read guidance note 7)		
Sun					

J

Supply of alcohol Standard days and timings			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	~
(please read guidance note 8)				Off the premises	
Day	Start	Finish	1	Both	
Mon	11.00	23.00	State any seasonal variations for the supply of alcohol (p	lease read guidance n	ote
Tue	11.00	23.00	- N/A		
Wed	11.00	23.00			
Thur	11.00	23.00	Non standard timings. Where you intend to use the prenalcohol at different times to those listed in the column or		of
Fri	11.00	23.00	(please read guidance note 7) N/A		
Sat	11.00	23.00	- -		
Sun	11.00	23.00			

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 10)
N/A No Entertainment provided

Hours premises are open to the public Standard days and timings (please read guidance note 8)		ıblic I timings	State any seasonal variations (please read guidance note 6) N/A
Day	Start	Finish	1
Mon	08.00	23.00	
Tue	08.00	23.00	
Wed	08.00	23.00	
			Non standard timings. Where you intend the premises to be open to the public at
Thur	08.00	23.00	different times from those listed in the column on the left, please list (please read guidance note 7)
			N/A
Fri	08.00	23.00	TVA
Sat	08.00	23.00	1
			1
Sun	08.00	23.00	1

L11 (v5) 06/04/17 Page 10 of 17

	Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking					
(24 hor guests	Current Conditions – Currently the licence permits the retail sale of alcohol 00:00 – 00:00 (24 hours a day) for residents only. It is permitted between the hours of 11:00 – 23:00 for guests of residents and between the hours of 11:00 – 18:00 for non-guests and non-residents.					
		on - I woul to 11.00	ld like to extend the hours of 11:00 – 18:00 for non-guests and - 23.00.			
			on of the above hours from 11.00 to 23.00 to enable the general public SONLY to consume alcohol on the premises			
	It is not economically viable to employ kitchen and restaurant staff for a maximum of 21 hotel guests.					
			Please tick as appropriate			

I have enclosed the Premises Licence



I have enclosed the relevant part of the Premises Licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

L11 (v5) 06/04/17 Page 11 of 17

Reasons why I have not enclosed the Premises Licence or relevant part of Premises Licence

	٠			
ı	١	ı	ı	ı
ı	٦	٧	ı	ı

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General - all four licensing objectives (b, c, d, e) (please read guidance note 11)

An age restriction (over 25 years) approach to the sale/supply of alcohol.
Alcohol will only be served to those with restaurant reservations.
b) The prevention of crime and disorder Digital CCTV Monitoring and recording is fully functioning including garden area.
Digital CCTV Monitoring and recording Islany functioning including garden area.
The premises will maintain an incident log regarding all refusals and incidents of crime and disorder.
a) Dublic cofets
c) Public safety
The premises will maintain an incident log regarding all refusals and incidents of crime and disorder.

d) The prevention of public nuisance

Government guidelines.

Signed escape routes.

3 hours safety lighting

Signs will be displayed in the Hotel reminding customers that the Hotel is in a Residential area and noise should be kept to a minimum.

Hand sanitisers installed throughout Hotel and Restaurant. Table distancing in line with current

Any outside lighting will be kept to a minimum wattage.

It is NOT our intention to hold large receptions or parties.

 e)	The protection of children from harm	
An	age restriction (25 years) approach to the sale/supply of alcohol.	
Sig	nage advertising the Challenge policy will be displayed in prominent locations.	
Ch	ecklist:	
Cne	ecklist: Please tick to indicate agreer	nent
•	I have made or enclosed payment of the fee; or	~
•	I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.	
•	I have sent copies of this application and the plan to Responsible Authorities and others where applicable.	~
•	I understand that I must now advertise my application.	~
•	I have enclosed the Premises Licence or relevant part of it or explanation.	~
	I understand that if I do not comply with the above requirements my application will be rejected.	~

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.

Part 5 - Signatures (please read guidance note 12)

Signature of applicant (the current Premises Licence holder) or applicant's Solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

L11 (v5) 06/04/17 Page 14 of 17

Signature			
Date08.03.2021			
CapacityDirector			
Licence holder) or 2 nd appl	ce is jointly held, signature of icant's Solicitor or other auth alf of the applicant, please sta	2 nd applicant (the current Premi orised agent (please read guidand te in what capacity.	ises ce
Signature			
Date			
Capacity			
Contact name (where not pre application (please read guid Iris Kelly 56 Shippam Street	viously given) and address for ance note 15)	correspondence associated with th	nis

Post townChichester
Telephone number (if any) 07932667887

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

Postcode PO19 1AG

iriskellyuk@hotmail.com

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

- You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy.
- 2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
- 3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display
 of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day,
 provided that the audience does not exceed 1000. Combined fighting sports defined as a
 contest, exhibition or display which combines boxing or wrestling with one or more martial
 arts are licensable as a boxing or wrestling entertainment rather than an indoor sporting
 event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

L11 (v5) 06/04/17 Page 16 of 17

- o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
- Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- For example (but not exclusively), where the activity will occur on additional days during the summer months.
- For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or seminudity, films for restricted age groups or the presence of gaming machines.
- Please list here steps you will take to promote all four licensing objectives together.
- 12. The application form must be signed.
- An applicant's agent (for example solicitor) may sign the form on their behalf provided that they
 have actual authority to do so.
- 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
- This is the address which we shall use to correspond with you about this application.





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

1st April 2021

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 VARIATION OF THE PREMISES LICENCE FOR EAST WALLS HOTEL, 3 EAST ROW, CHICHESTER, WEST SUSSEX, PO19 1PD. 21/00209/LAPRE1. 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 variation application on the grounds of the prevention of crime and disorder.

This variation is to extend the hours for the supply of alcohol to non-guests and non-residents to 11:00 to 23:00. There is currently a condition on the licence restricting the sale of alcohol to guests with a cut off of 18:00. On page eleven of the application it is stated that the intention in seeking the variation is to enable the general public with restaurant reservations only to consume alcohol on the premises.

Sussex police have no objection to this variation proposal, and anticipate that this will assist the business during the current Covid-19 situation. Following consultation with the applicant Ms Kelly, the following new condition has been agreed to go on the licence:

Between the hours of 18:00 and 23:00 alcohol may only be supplied to non-guests and non-residents with a restaurant reservation and seated at tables, with the supply of alcohol ancillary to a table meal only.

I attach an email confirmation from Ms Kelly confirming acceptance of the above new condition. Accordingly Sussex Police are able to withdraw their representation subject to the new agreed condition being added to the new varied licence.

Yours sincerely,



Inspector Dan Hiles
Local Policing Support Team
Criminal Justice and Custody Department

Enc



Chichester District Council

Variation Premises Licence - Representation

Reference: 9872-4133-7866-5827

Details of premises or club premises

Premises address

Address / location

East Walls Hotel 3 East Row Chichester West Sussex

PO19 1PD

Easting 486349

Northing 104946

Applicant name (if known)
Application number (if

known)

Details of person making representation

Title

First name Geoffrey

Last name Barber

Address

Address line 1 6 East Row Mews

Address line 2

Street East Roe

Locality

Town

County West Sussex

Postcode PO19 1PD

Telephone number

Alternative telephone number

Email address

Correspondence Address (if different to the above)

Address line 1

Address line 2

Street

Locality

Town

County

Postcode

If there are additional persons making representation please add them here

Representation details

This

representation

relates to the

Prevention of crime and disorder

following

licensing

The

objective(s)

crime and

disorder

Please state the ground(s) for making the representation

The deviation of the current licence which will be updated to include members of the public to buy and consume alcohol along with a prevention of dinner reservation seems quite logical to me. I cannot see how a restaurant could operate in any other way. As a direct neighbour with shared wall I would expect the landlord to monitor any

excessive noise if guests are in the garden area.

Please provide any additional information to support this representation

Supporting evidence

Declaration

I/we certify that the information contained within this form is correct to the best of my/our knowledge

Name

Geoffrey
Barber

Date

Follow us on Twitter | Join us on Facebook



yth april 2021

Dear Sirs,
Regarding the application by the East Row Hotel to amend the current alcohol licence to non residents up to

23.00 hours 24/T.

We as close neighbours (our gardens are immediately behind the hotel) have been here before and a couple of years ago complained that this would have a very detrimental effect on our lives. This situation has not altered in any way. Please, please adhere to the status quo & heep us to maintain this lovely & peaceful residential area of our city.

your faithfully

Pg. ->

This situation is made worse by the Current covid restrictions and if, is the police assert that non residents may be served alrohol with a meal I when seated at a table, these meals probably will be served in the garden which will indeed exacerbate the situation!

From: Emma Burle on behalf of Licensing

Sent: 8 Apr 2021 14:35:32 +0000

To: Emma Burle

Subject: Fw: Application reference 21/00209/LAPRE1 East Walls Hotel - request

to vary conditions of licence

From: Joanna Lewis

Sent: 08 April 2021 15:18

To: Licensing < Licensing @chichester.gov.uk >

Subject: Application reference 21/00209/LAPRE1 East Walls Hotel - request to vary conditions

of licence

Dear sir/madam,

I refer to the application reference 21/00209/LAPRE1 by the East Walls Hotel, Post Code PO19 1PD to vary the conditions of the existing alcohol license.

In October 2018, I [as chairman of East Walls Close Residents Ass] and other neighbouring properties objected to the granting of the existing licence. Our concern was, that as we are in a quiet residential area, noise from the Hotel and in particular the garden would create a noise disturbance. As all the houses in East Walls Close back on to the garden of the hotel, and one house actually abuts the wall, there is nothing that would stop noise from the garden causing disruption up to and beyond 23.00.

I understand that in this application, the Police have suggested that "Between the hours of 18.00 and 23.00, alcohol may only be supplied to non-guests and non-residents with a restaurant reservation and seated at tables, with the supply of alcohol ancillary to a table meal only." This condition does not go far enough. It does not specify that that non-guests and non-residents have to be seated at tables within the hotel building. According to the hotel's details they normally only serve breakfast. If they are to expand their services and are relying on the garden to provide their main space for serving food and alcohol, this could be very noisy for local residents.

We request a new condition which clearly avoids the potential for excess noise from the garden of the hotel after 18.00 hours and specifies that non-guests and non-residents have to be served at tables <u>inside</u> not in the garden. Without an adequate additional condition, we therefore continue to object to the sale of alcohol to non-guests and non-residents after 1800 hours.

Joanna Lewis 4 East Walls Close



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From: Emma Burle on behalf of Licensing

Sent: 8 Apr 2021 15:03:26 +0000

To: Emma Burle

Subject: Fw: License application 21/00209/LAPRE1 - East Walls Hotel PO19 1PD

From: Brian Dean

Sent: 08 April 2021 15:56

To: Licensing <Licensing@chichester.gov.uk>
Cc: Laurence Foord <LFoord@chichester.gov.uk>

Subject: Fwd: License application 21/00209/LAPRE1 - East Walls Hotel PO19 1PD

Dear sir/madam,

I refer to the application reference 21/00209/LAPRE1 by the East Walls Hotel, Post Code PO19 1PD to vary the conditions of the existing alcohol license.

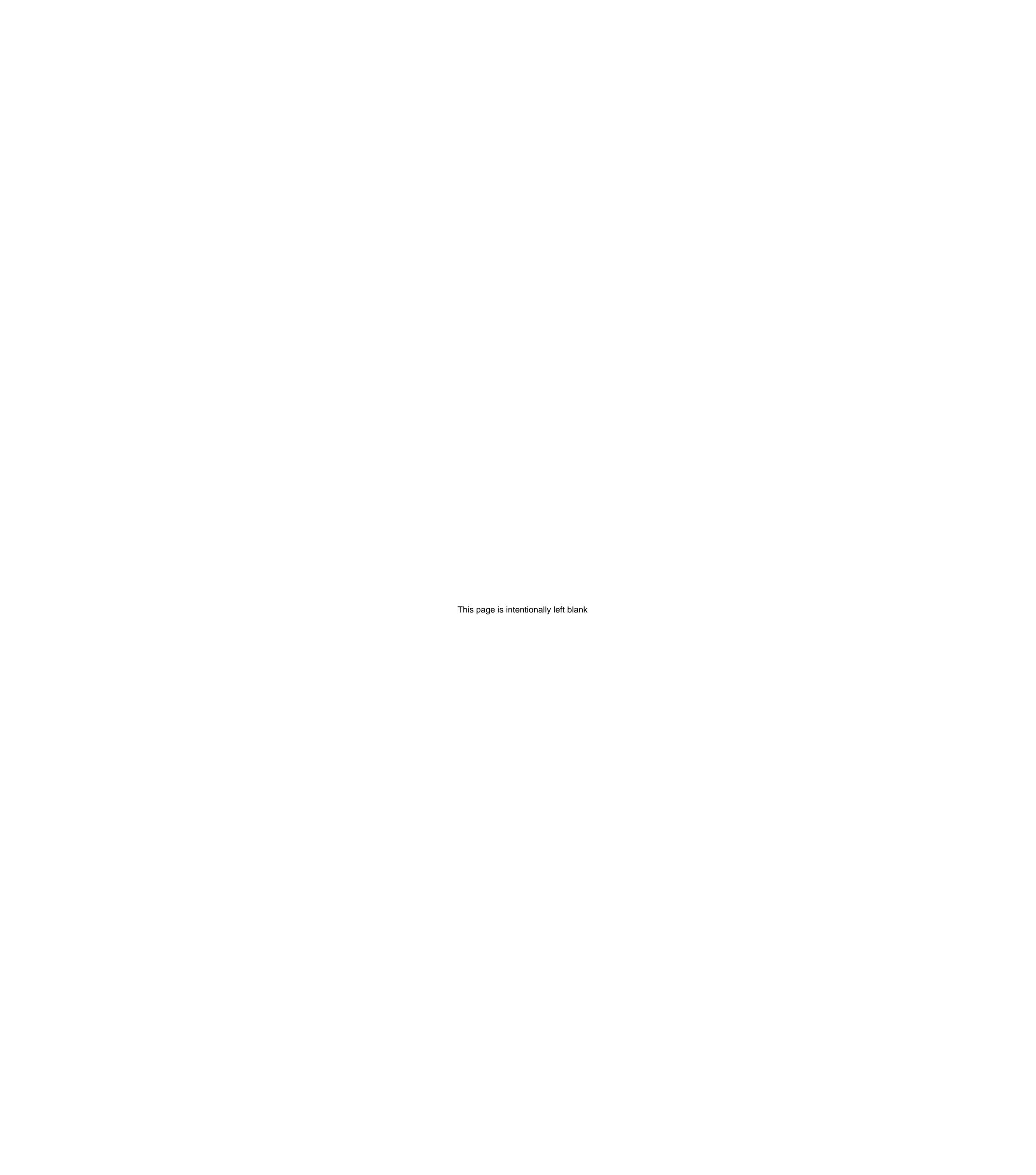
As you will be aware, the existing license was granted following a Hearing dated 3rd October 2018 at which I and other objectors attended. Objections were mainly from residents of neighbouring properties. The common concern was that customers in the hotel garden could potentially be the cause of noisy disturbances in the otherwise quiet residential area up to and beyond 23.00 hours.

The additional condition suggested by the police is inadequate. It does not specify that that non-guests and non-residents have to be seated at tables within the hotel building. There would need to be a new condition which clearly avoids the potential for excess noise from the garden of the hotel after 18.00 hours. Without an adequate additional condition, I therefore continue to object to the sale of alcohol to non-guests and non-residents after 1800 hours.

Your faithfully, Brian G Dean 6 East Walls Close Chichester PO19 1UL.

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From: Emma Burle on behalf of Licensing

Sent: 8 Apr 2021 12:36:53 +0000

To: Emma Burle
Cc: Helena Giudici

Subject: Fw: East Walls Hotel, 3 East Row

From: Charles Cameron

Sent: 08 April 2021 12:51

To: Licensing < Licensing @chichester.gov.uk >

Cc:

Subject: East Walls Hotel, 3 East Row

Dear Sir, Madam,

I write as a resident whose garden and house directly adjoin the East Walls Hotel (at the back - where the dining room/patio is).

I am deeply concerned by the application to vary the hotel's premises licence under Section 34 of the Licensing Act 2003.

- The licence was granted very recently after very specifically considering the merits/demerits of allowing non-guests and non-residents to consume alcohol after 1800 and after receiving representations from neighbours, so it feels odd to have to repeat all those so soon hopefully you can review the original representations as part of this consideration; otherwise it's a bit like being asked the same question repeatedly until you [might] receive a different answer.....
- There are sufficient pubs/drinking locations with drinking hours to 1100 for non-residents within Chichester and nearby to the hotel, so just adding another identical licence can only undermines the economics for other establishments and is clearly not needed by non hotel -residents/locals in the area;
- We have a very particular concern about noise. The quadrant where the hotel is situated is a quiet residential neighbourhood and no one wants the busy noise of a commercial establishment after 1800, other than one that caters specifically for the hotel's guests which seems a reasonable position/compromise (as a resident).
- The other particular concern is whether drinks are licensed for OUTDOORS. Clearly noise can be contained if the tables/consumption is indoors. If outdoors after 1800 that becomes a real problem as noise really does carry and, in a quiet evening in this neighbourhood it carries a long way.

I very much hope that you will take these concerns in to account.

I suspect that compared to the last time the licensing question was raised, you may receive fewer responses. If so, it's likely to be a direct function of Covid and that it is only by chance that residents see a notice....... Frankly, this feels a less than ideal way for Chichester to operate and discover its citizens views, when the mechanism operates for planning permissions..... I am only responding right before the deadline because I was unaware before.

With kind regards,

Charles Cameron

Friars Gate House, Priory Road, Chichester.



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From: Emma Burle on behalf of Licensing

Sent: 7 Apr 2021 17:06:39 +0000

To: Emma Burle

Subject: Fw: Premises variation application for East Walls Hotel

Attachments: East Walls Hotel police rep 01.04.21.doc

From: David.Bateup@sussex.pnn.police.uk < David.Bateup@sussex.pnn.police.uk >

Sent: 01 April 2021 12:56

To: Licensing <Licensing@chichester.gov.uk>

Cc: Helena Giudici <hgiudici@chichester.gov.uk>;

Subject: Premises variation application for East Walls Hotel

Dear Chichester Licensing,

Please find attached our representation in respect of the above variation application.

Acceptance of the new condition by Ms Kelly for the applicant business 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.pnn.police.uk

Neighbourhood Police Licensing Team West Sussex Division, Centenary House, Durrington Lane, Worthing, West Sussex, BN13 2PQ

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----Original Message-----

From:

Sent: 01 April 2021 11:37

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

Cc:

External Email - Think before you click. If you do not trust the sender, do not click on any links or open any attachments. Further information can be found at http://jointintranet.shdc.police.uk/OurForces/Teams/ICT/Pages/sussex-20190513-spam-emails.aspx

Hello again David,

Kind Regards

Thank you for your telephone call.

Yes, I can confirm that the condition (as stated in your email) is acceptable.

Many thanks for your time today.

```
Iris Kelly
Quoting David.Bateup@sussex.pnn.police.uk:
> 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.polic
> e.uk>
> Neighbourhood Police Licensing Team
> West Sussex Division, Centenary House, Durrington Lane, Worthing, West
> Sussex, BN13 2PQ
>
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> received by members of Sussex Police are not private and may be the
> subject of monitoring. If you have received this message in error,
> please contact the sender as soon as possible.>
> From: Bateup David 63941
> Sent: 11 March 2021 15:03
> To:
> Subject: Premises variation application for East Walls Hotel
> Ms Kelly,
> Hello. Sussex police are in receipt of your variation application for
> the hotel thank you. I don't think there will be a problem with this.
```

> I note on the application you state "We are seeking an extension of

```
> the above hours from 11:00 to 23:00 to enable the general public with
> restaurant reservations ONLY to consume alcohol on the premises".
> I note you have an existing condition on the licence which states
> "Alcohol may only be sold and/or served to non-guests and
> non-residents between the hours of 11:00 and 18:00".
> So taking both of the above into account, can we have a new condition
> which states:
> "between the hours of 18:00 and 23:00 alcohol may only be supplied to
> non-guests and non-residents with a restaurant reservation and seated
> at tables, with the supply of alcohol ancillary to a table meal
> only.".
> Then you get what you are seeking, and you are not needlessly
> surrendering your current licence permission to supply alcohol to
> customers between 11:00 and 18:00 without a meal.
> Please can you come back to me?
> Thanks.
> 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.polic
> e.uk>
> Neighbourhood Police Licensing Team
> West Sussex Division, Centenary House, Durrington Lane, Worthing, West
> Sussex, BN13 2PQ
> < The information contained in this communication is intended solely
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> subject of monitoring. If you have received this message in error,
> please contact the sender as soon as possible.>
>
> You can report crime and incidents online at
> https://www.sussex.police.uk/report-online
```

>

- > We want to know your views see what's new and give us your feedback
- > and suggestions at <u>www.sussex.police.uk</u> If you have received this
- > message in error, please contact the sender as soon as possible you
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- > sent and received by Sussex Police are not private and may be the
- > subject of monitoring.

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We want to know your views - see what's new and give us your feedback and suggestions at www.sussex.police.uk

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Licensing Act 2003 **Premises Licence - Part A**

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

Premises Licence Number - 3815/21/00036/LAPRED Issued in substitution for licence 3815/20/01471/LAPRES previously granted

Part 1 – Premises details

Postal address of premises, or if nor	e, ordnance survey map reference or description
including post town, post code	

East Walls Hotel 3 East Row Chichester West Sussex PO19 1PD

Telephone number Not Available

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence	
Activity	Location
Sale by Retail of Alcohol	Indoors and Outdoors

The times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol

Standard Days and Timings Every Day 00:00 - 00:00

The opening hours of the premises

Standard Days and Timings

Every Day 00:00 - 00:00

Mr L Foord, Divisional Manager, Growth & Place 51

Seasonal variation

None



No: 3815/21/00036/LAPRED Granted: 2nd February 2021

> By: EMBU Page 1 of 7

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption on the premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of Premises Licence

East Walls Hotel Ltd 3 East Row Chichester England PO19 1PD

Email

Contact Phone Number



Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 12852011

Name, address and telephone number of Designated Premises Supervisor where the Premises Licence authorises the supply of alcohol

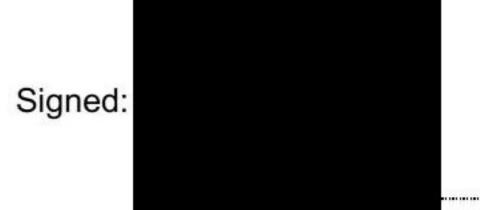
Mrs Iris Ada Kelly

Personal Licence number and issuing authority of Personal Licence held by Designated Premises Supervisor where the Premises Licence authorises the supply of alcohol

Personal Licence Number – 3815/21/00016/LAPER Licensing Authority – Chichester District Council

Annex 1 - Mandatory conditions

- 1 (1) Where a Premises Licence authorises the supply of alcohol, the licence must include the following conditions.
 - (2) The first condition is that no supply of alcohol may be made under the Premises Licence -



- (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence, or
- (b) at a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
- (3) The second condition is that every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
- 2 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 3 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 4 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - (a) a holographic mark, or



- (b) an ultraviolet feature.
- 5 The responsible person must ensure that-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - 2. For the purposes of the condition set out in paragraph 1-
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.



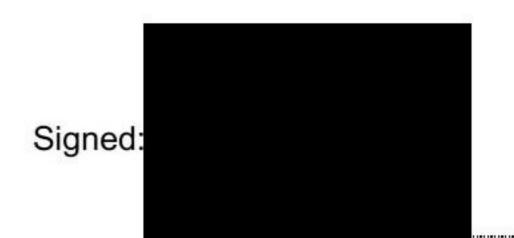
- Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating schedule

- Alcohol may only be sold and/or served to guests of residents between the hours of 11:00 and 23:00.
- Alcohol may only be sold and/or served to non-guests and non-residents between the hours of 11:00 and 18:00.

Annex 3 – Conditions attached after a hearing by the Licensing Authority

- All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. Refresher training for all staff shall be conducted thereafter at no more than twelve weeks for the first year of employment and subsequently at six monthly intervals. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the Designated Premises Supervisor. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
- The premises shall at all times maintain and operate a sales refusals log and an incident log will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than eight weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty four months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
- Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises.
 - The system shall be on and recording at all times the premises licence is in operation
 - The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
 - CCTV footage will be stored for a minimum of 31 days.



- The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
- The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
- Subject to Data Protection 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 for the police without difficulty or delay and
 without charge to Sussex Police.
- Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
- All staff will be trained in essential public safety, ensuring fire exits are kept clear, fire extinguishers in their correct positions, and CCTV switched on and in full working order at all times. Any slipping or tripping hazards identified will be reported to the duty manager and rectified as expediently as possible. A comprehensive public safety check will be completed by an employee trained and designated to do so at least every 24 hours.
- All windows and external doors to the rear of the premises on the ground floor leading to the garden will be closed at 23.00 hours other than when used for access and egress to and from the premises.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 7 The number of persons permitted in the garden area at any one time shall not exceed 40 persons.
- Premises staff on duty shall ensure that any guests drinking and/or smoking in the garden area do so in an orderly manner so as not to cause any disturbance to local residents.
- Other than providing suitable external lighting for safe access and egress to and from the premises, all other external lighting in the garden area will be switched off no later than 23.00.
- No fumes, steam or odours shall be emitted from the premises so as to cause a nuisance to any persons living or carrying on business in the area.
- All waste shall be properly presented and placed out for collection on appointed collection days/times only.
- The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum. The recommended forms of ID that will be accepted are passports, driving licences with a photograph or Citizen Card or validated proof of age cards bearing the "PASS" mark hologram.

Annex 4 – Plan(s)

The attached plans show the areas licensed for the purposes of the Licensing Act 2003:

- (a) Titled 'Site & Block Plan', Drg No. '7577/02' dated 'July 2018';
- (b) 'Existing Ground Floor Plan', 'P01-03-14/E04' dated 'Apr-16';
- (c) 'Existing 1st Floor Plan', 'P01-03-14/E04' dated 'Apr-16'; and

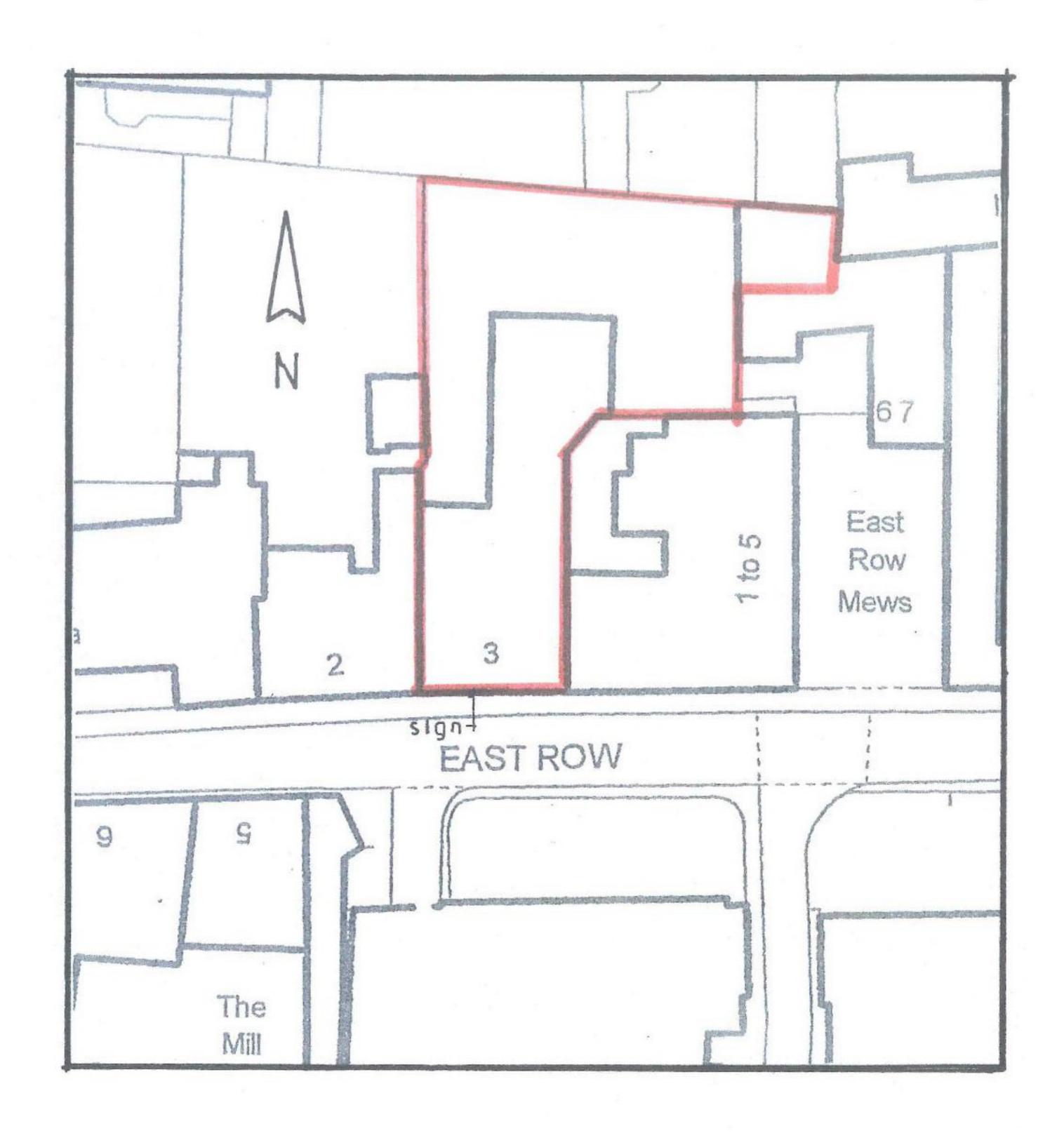


(d) 'Existing Top Floor Plan', 'P01-03-14/E04' dated 'Apr-16'.

NOTES

Please note that this Premises Licence may have been subject to exclusion of a licensable activity, modification of the conditions, removal of the Designated Premises Supervisor, suspension or revocation and also the name and address of the licence holder may not currently be valid. If you wish to verify the current status of the licence, you should contact Chichester District Council.

Signed:



Site and Block Plan

BOUNDARY OF PREMISES AND AREA IN WHICH LICENSABLE ACTIVITIES

CAN TAKE PLACE.

J P Tupper Associates 20 Sudley Road Bognor Regis West Sussex

East Walls Hotel, 3 East Row, Chichester,

West Sussex.

Scale: 1:500.

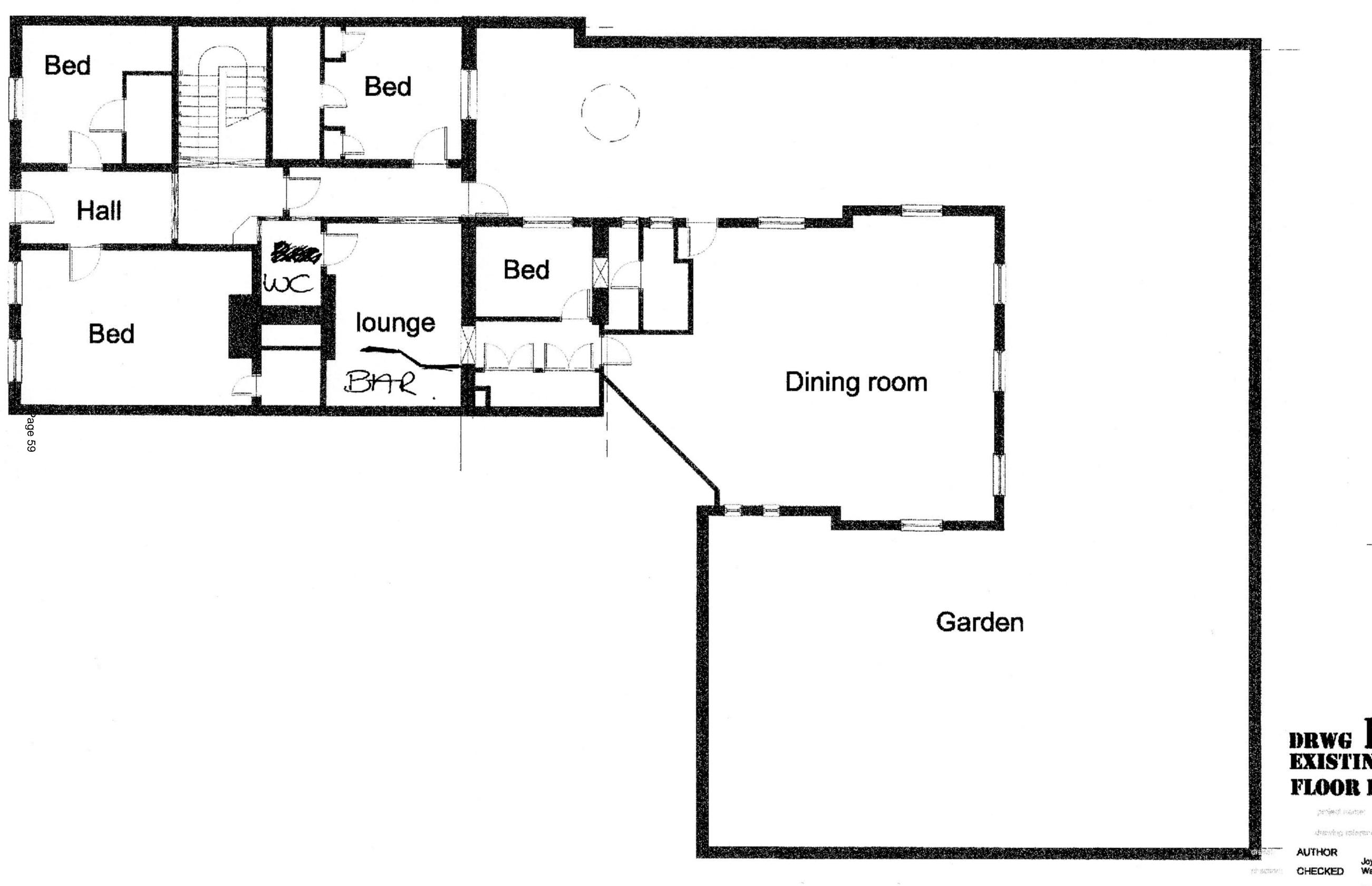
Proposed Sign. Site & Block Plan.

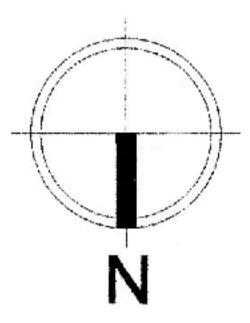
Drg No.: 7577/02

Date: July 2018

All dimensions to be checked on site.

Do not scale except for planning purposes.





DRWG EO3REV **EXISTING GROUND** FLOOR PLAN

Suffolk House Holel

drawing stierance: P01-03-14 / E04

Joy Architects, 84 Orchard street West Sussex PO19 1DE

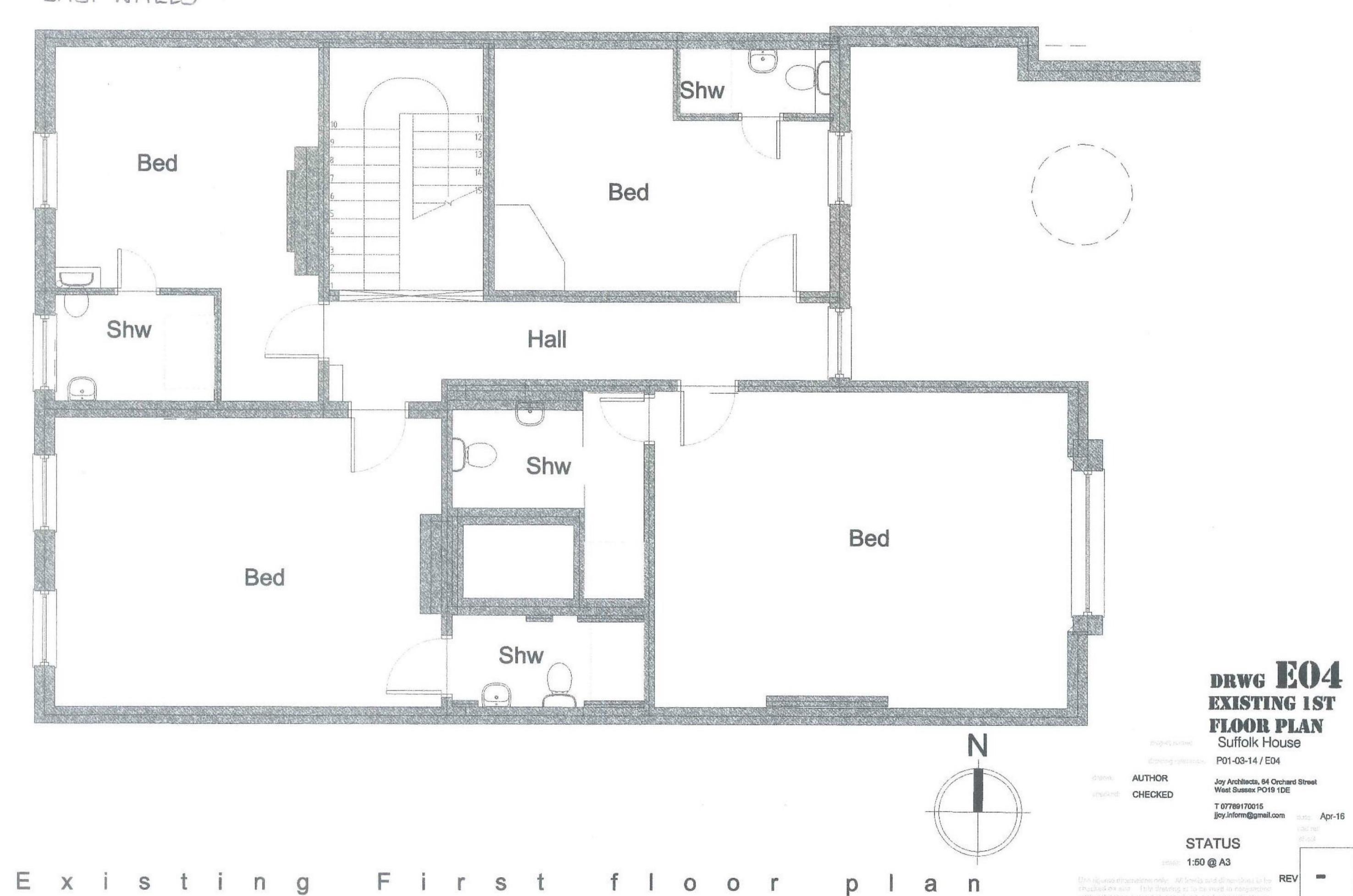
T 07789170015 jjoy.inform@gmail.com

STATUS

1:50 @ A3

Use righted dimensions only. All levels and dimensions in be checked on sits. This drawing is to be read in congention write all other relevant crawings and appointonitung

Suffolk House Hotel Chichester EAST WALLS





From: Helena Giudici

Sent: 27 Apr 2021 12:36:48 +0000

Bcc:

Subject: 21/00209/LAPRE1 - East Walls Hotel, Chichester - Notice of Hearing and

Mediation

Attachments: Sub-Committee Protocol and Procedure Note - 02.06.05.doc

Importance: High

Dear Sir or Madam

Licensing Act 2003

The Licensing Act 2003 (Hearings) Regulations 2005 (as amended)

East Walls Hotel Ltd

East Walls Hotel 3 East Row Chichester West Sussex PO19 1PD

Case Reference Number: 21/00209/LAPRE1

Notice of Hearing and Mediation - Application for Full Variation

The above matter needs to be determined at a hearing of the Alcohol and Entertainment Licensing Sub-Committee.

A hearing has been arranged for **09:30** on **Thursday 13th May 2021** - **Virtual Hearing to be held via Zoom (further details to follow)** under the authority of Chichester District Council as the Licensing Authority.

You are invited to attend the hearing and you may be assisted or represented by any person whether or not that person is legally qualified.

At the hearing you are entitled to:

- (a) In response to a point upon which the authority has given notice that it will want clarification under regulation 7(1)(d), give further information in support of the notice;
- (b) If given permission by the authority question any other party; and
- (c) Address the authority.

Please find attached a copy of this Authority's Sub-Committee Protocol and Procedure Note (02.06.05) for hearings. This provides you with important information concerning:

- 1. The rights of attendance;
- 2. The consequences if any party does not attend and is not represented; and
- 3. The procedure that will be followed.

The legislation requires that you now give to this Licensing Authority, in writing and no later than five working days before the day or the first day of the hearing a notice stating:

- 1. Whether you intend to attend, or be represented at the hearing;
- 2. Whether you consider the hearing to be unnecessary; and
- 3. If you wish any other person (other than a person who may represent you at the hearing), this notice shall contain a request for permission for that other person to attend. You must

also provide details of the name of that person and a brief description of the point, or points, which they may be able to assist the authority in relation to your application, representation or notice as the case may be.

A copy of the Notice of Meeting (Agenda) and Licensing Manager's report will be sent to you in due course.

To conclude, please find below a link to our 'Public Access' system through which you can view the current documentation in respect of this matter:

https://publicaccess.chichester.gov.uk/onlineapplications/licencingApplicationDetails.do?activeTab=summary&keyVal=Q PC8BMER0VV00

However, despite a hearing being arranged, the applicant has offered the following mediation having considered representations received:

'Having considered the representations concerning primarily the outside space I would like to suggest a compromise of closing the terrace to non-residents at 10pm.'

I would ask that having considered the proposed condition to close the terrace to non-residents at 22:00, that you please confirm in writing by no later than Tuesday 4th May 2021 (if possible please reply by email to licensing@chichester.gov.uk) whether you agree to the mediation offered by the applicant as outlined above and would be prepared to withdraw your representation if all parties agree. Should it not be possible to resolve the matter by way of mediation, the above hearing will take place as proposed on 13th May 2021.

I look forward to hearing from you.

Yours faithfully



Ext: 34745 | Tel: 01243534745 | hgiudici@chichester.gov.uk | Fax: 01243776766

http://www.chichester.gov.uk

For all the latest coronavirus and council news, sign up to our monthly email newsletter: http://www.chichester.gov.uk/newsalerts

