

Public Document Pack

JOHN WARD

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A meeting of **Alcohol and Entertainment Licensing Sub-Committee** will be held in virtual on **Thursday 5 August 2021 at 9.30 am**

MEMBERS: Mrs T Bangert, Mr A Moss 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)**
The Community Hall, Donegall Avenue, Chichester, PO19 1TY
Application for a New 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 - (c) Notice of any representations withdrawn.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 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**

- (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.

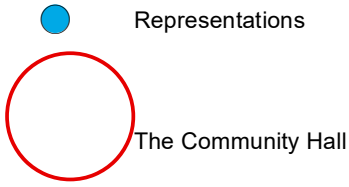
21/00301/LAPRE – The Community Hall, Donegall Avenue, Chichester – Relevant Representations Received

Responsible Authority	Chief Officer of Sussex Police
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Public	Name of Representor	Address	Stance
1	Mr Graham Parr	5 Whistler Avenue, Chichester, PO19 6DL	OBJECT
2	Mr Kenneth Jones	25 Carter Road, Chichester, PO19 6DN	OBJECT

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The Community Hall,
 Donegall Avenue,
 Chichester, PO19 6DF
 21/00301/LAPRE

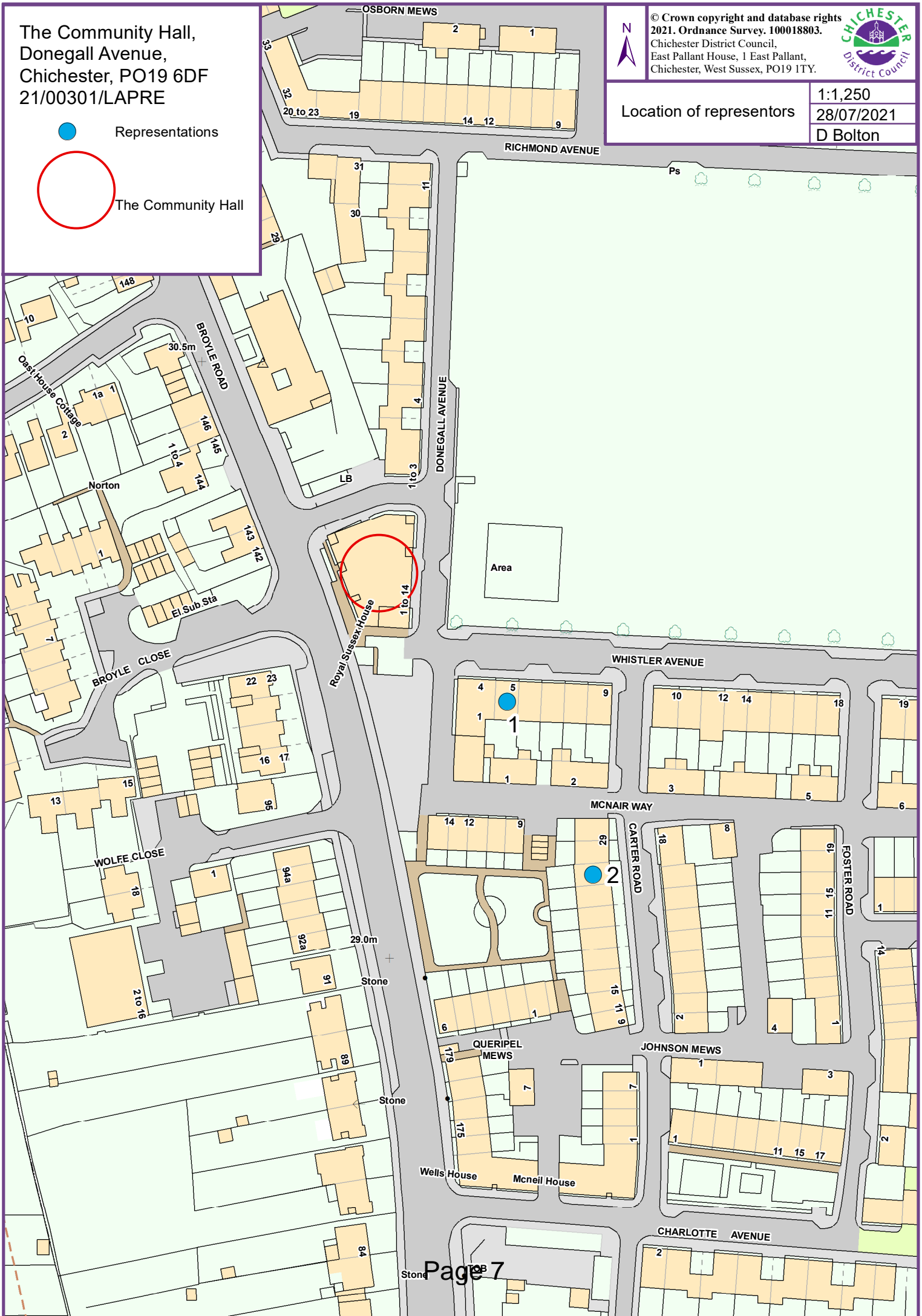


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 2021. Ordnance Survey. 100018803.
 Chichester District Council,
 East Pallant House, 1 East Pallant,
 Chichester, West Sussex, PO19 1TY.



Location of representors

1:1,250
 28/07/2021
 D Bolton



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FORM: L09

Case Reference Number:
(office use only)

LICENSING AUTHORITY

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

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 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) CHICHESTER COMMUNITY DEVELOPMENT TRUST 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
THE COMMUNITY HALL
DONEGAL AVENUE
ROUSSEAU PARK
Post town CHICHESTER Postcode PO19 6DF

Telephone number at premises (if any)

Non domestic rateable value of premises £ 3,800.00

Part 2 - Applicant Details

Please state whether you are applying for a Premises Licence as:

- a) an individual or individuals*
b) a person other than an individual*
i. as a limited company/limited liability partnership
ii. as a partnership (other than limited liability)
iii. as an unincorporated association or
iv. other (for example a statutory corporation)

- 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 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:

- Please tick
- 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)

N/A

Mr Mrs Miss Ms Other title (for example, Rev)

Surname First names

I am 18 years old or over Please tick if yes

Date of Birth Nationality

Current residential address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Where applicable (if demonstrating a right to work via the Home Office online via 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 Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick if yes

Date of Birth

Nationality

Current residential address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

Where applicable (if demonstrating a right to work via the Home Office online via right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

N/A

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	CHICHESTER COMMUNITY DEVELOPMENT TRUST
Address	The Water Tower Blanchfield Drive Graylingwell Park Chichester, PO19 6BZ
Registered number (where applicable)	1140014
Description of applicant (for example, partnership, company, unincorporated association etc.)	CHARITY
Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

Part 3 - Operating Schedule

When do you want the Premises Licence to start?

Day	Month	Year
01	05	2021

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

Day	Month	Year

Please give a general description of the premises (please read guidance note 1)

The Community Hall is a venue for community events and bookings, managed by the Chichester COT Team.

These events consist of exercise classes, birthday parties, small conferences, meetings and community meetings.

If 5000 or more people are expected to attend the premises at any one time, please state the number expected to attend

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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	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the sale of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 8)	On the premises	✓
Day	Start	Finish		Off the premises	
Mon	09.00	22.00	State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	
Tue	09.00	22.00			
Wed	09.00	22.00			
Thur	09.00	22.00	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. (please read guidance note 6)		
Fri	09.00	22.00			
Sat	09.00	22.00			
Sun	09.00	22.00			

State the name and details of the individual whom you wish to specify on the licence as Designated Premises Supervisor (please see declaration about the entitlement to work in the checklist at the end of the form):

Name

Date of Birth

Address

N/A. as

'COMMUNITY VENUE'

Postcode

Managed by
Chichester Community Development

Personal Licence number (if known)

Trust - registered charity no.

Issuing Licensing Authority (if known)

1140014.

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)

N/A

COMMUNITY HALL

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	09.00	22.00	Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 6)
Tue	09.00	22.00	
Wed	09.00	22.00	
Thur	09.00	22.00	
Fri	09.00	22.00	
Sat	09.00	21.00	
Sun	09.00	22.00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 10)

The below steps have been taken to ensure objectives have been met.
As a community trust, the well being of the residents and community we work with is at the heart of what we do.

b) The prevention of crime and disorder

Communication links - phone lines - to team and staff.
Designated drinking area outside on terrace.
CCTV all in place.
Venue capacity limits.
Proof of age required. Clearly marked signage.

c) Public safety

Safety checks, (weekly + monthly) check list sheets.
Escape routes identified and displayed.
Disabled access

d) The prevention of public nuisance

Restricted opening hours in place.
Noise to be considered
Outside lighting, as agreed with planning.
Staff monitoring noise levels.

e) The protection of children from harm

Children need adult supervision.

Signage in place.

Areas with glassware - out of reach.

Suitable content at all events - family themed and work within our values.

Please tick ✓

- | | |
|---|-----|
| • I have made or enclosed payment of the fee. | ✓ |
| • I have enclosed a 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. | N/A |
| • I understand that I must now advertise my application. | ✓ |
| • I understand that if I do not comply with the above requirements my application will be rejected. | ✓ |
| • [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). | N/A |

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.

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)

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

Signature .. 

Date 5.3.21

Capacity EVENTS AND OPERATIONS CO-ORDINATOR

For joint applications, signature of 2nd applicant or 2nd applicant's Solicitor or other authorised agent (see guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature

Date

Capacity

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)	
Post town	Postcode
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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



FORM: L70

Case Reference Number:

(office use only)

LICENSING AUTHORITY

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

Application for the mandatory alcohol condition under the Licensing Act 2003 requiring a Designated Premises Supervisor in respect of a Premises Licence to be disapplied

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 in written black ink. Use additional sheets if necessary. Once completed please give your application to Chichester District Council. You may wish to keep a copy of the completed form for your records.

We ... CHICHESTER ... COMMUNITY ... DEVELOPMENT ... TRUST ... being a board or committee of individuals with responsibility for the management of the community premises described in Part 1 below, and being the applicant for a Premises Licence/Premises Licence holder [delete as applicable] in respect of those premises apply for the condition referred to in Section 19(4) of the Licensing Act 2003 to be included in the Licence instead of the conditions referred to in Section 19(2) and (3) of the said Act (see guidance note 2).

Part 1 – Community Premises Details

Form with fields for Name of premises (THE COMMUNITY HALL), Postal address (DONEGAR AVENUE, RONSILON PARK), Post town (CHICHESTER), Postcode (PO19 6DF), and Telephone number (—).

Premises Licence Number (if applicable)

Empty box for Premises Licence Number

Brief description of premises and the composition of the committee or board of individuals with responsibility for the management of the premises (see guidance note 3)

The Community Hall is a venue for community events and bookings, managed by the Chichester COT Team. These events consist of exercise classes, birthday parties, small conferences, meetings and community events, partnered events.

I have attached our staff structure and our charity number is 1140014.

Please describe how you will ensure that alcohol sales are properly supervised and what arrangements you have in place (if any) for hiring out the premises (see guidance note 4)

Contracts for hirers in place. (See attached).
 Venue co-ordinator / event manager checks.
 CCTV in place.
 Proof of age where required.
 Clearly marked signage.
 License displayed with contact details.
 Children always accompanied.

- Provision of water.
 - Safe alcohol consumption sign + cheets.
 Security for any larger event.
 All hirers for private events agree to T+Cs

Part 2 – Applicant Details

Please tick ✓ yes

We are the Premises Licence holder

Contact phone number in working hours (if any)	
[REDACTED]	
Current address (if different from premises address)	
The Water Tower Blomfield Drive Graylingwell Park	
Post town	Postcode
Chichester	PO19 6BZ
Telephone (if any) 01243 537526	

Please tick ✓ yes as appropriate

I have enclosed the Premises Licence

I have enclosed the relevant part of the Premises Licence

This form accompanies a new Premises Licence application

If you are varying an existing Licence and have not ticked one of the first two boxes above, please explain why in the box below.

Reasons why you have failed to enclose the Premises Licence or relevant parts

Any further information to support your application
 Venue is owned and managed by Chichester Community Development Trust
 Serving the community - Registered charity - 1140614 - www.chichestercdt.org.uk
 Staff structure attached.

Responsibility for all events will be designated to a member of staff and overseen by our promotional team + board of Trustees - reviewed on a regular basis.

Please tick ✓ yes

Checklist:

If applying to remove the mandatory requirements from an existing Premises Licence that already authorises alcohol sales

- I have made or enclosed payment of the fee
- I have included documents (if available) which identify the premises and how it is managed
- I have included copies of any hiring agreements
- I have sent a copy of this application to the Chief Officer of Police
- I understand that if I do not comply with the above requirements my application will be rejected

If applying alongside a new application or variation for a permission to allow alcohol sales

- This application accompanies a new Premises Licence application/this application accompanies an application to vary an existing Premises Licence *[delete as applicable]*
- I have enclosed the Premises Licence or relevant part of it or provided an 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 3 – Signatures (see guidance note 5)

Signature of applicants. Please provide two signatories of members of the management committee stating in what capacity they represent the premises licence holder.

First Signature ... [Redacted]

Date 22.3.21

Capacity Events and operations co-ordinator

Second Signature ... [Redacted]

Date 22.3.21

Capacity Trust Director

Contact name (where not previously given) and address for correspondence associated with this application

Notes for Guidance

1. This form may be used by a community premises seeking to replace the mandatory conditions in sections 19(2) and 19(3) of the 2003 Act which requires a personal licence holder and Designated Premises Supervisor where a premises allows the supply of alcohol, with the alternative mandatory condition (in section 19(4) of the Act) that the supply of alcohol is instead authorised by the premises licence holder through either:
 - applying to remove the mandatory conditions of an existing premise licence which allows the sale of alcohol;
 - applying to remove the mandatory conditions when applying for a new premises licence that includes the sale of alcohol; or
 - applying to remove the mandatory conditions when applying to vary an existing premises licence to allow the sale of alcohol.

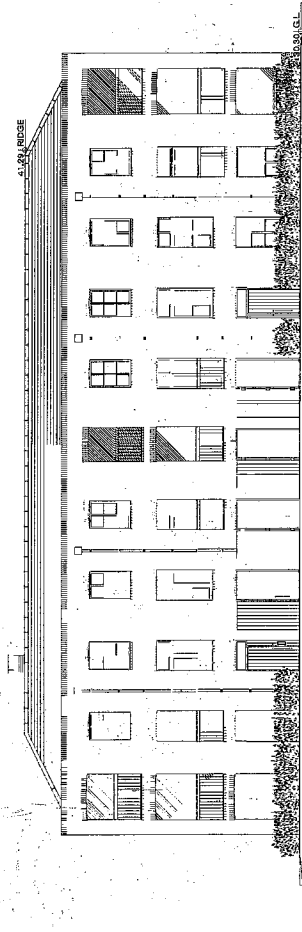
On applying for the removal of the requirement to have a Designated Premises Supervisor, the management committee should understand that if this is granted they will be responsible for all alcohol sales under the licence.

2. The applicant must be a committee or board of individuals with responsibility for the management of the premises – enter name of committee or board.
3. Describe the premises and the management structure. In particular, explain why you consider it to be a community premises i.e. is it available for community benefit most of the time and accessible by a broad range of persons and sectors of the local community for purposes beneficial to the community as a whole. If the community premises is a registered charity, please include its Charity Commission number. Set out how the premises is managed and the structure of the committee or board of individuals with responsibility for its management (including the names of the committee's or board's key officers, e.g. the chair, secretary, treasurer). Please include any documents e.g. a written constitution or other management documents that show the structure of the premises and how it is managed.
4. Describe how the supervision of alcohol sales is to be ensured in different situations (including e.g. when the community premises is hired to private parties, when the community premises is hired for large fundraising events and when the community premises is hired for short fundraising events by local voluntary organisations). Set out how responsibility for alcohol sales is to be determined in individual cases and discussed and reviewed within the committee's or board's procedure in the event of any issues arising. You should include copies of hiring agreements

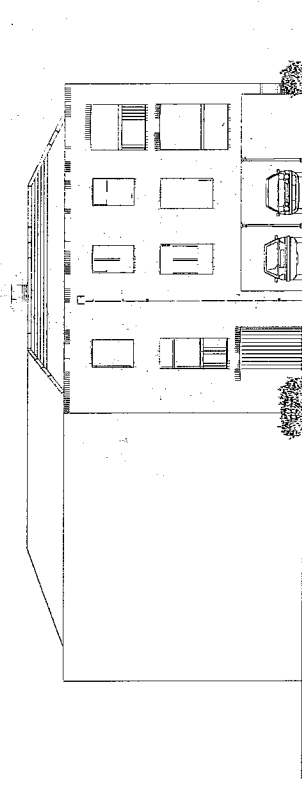
that describe the arrangement made between the community premises and the hiring party. You should note that sample hire agreements are available from e.g. ACRE and Community Matters. More information about these hire agreements is contained in the statutory Guidance.

5. Applications to substitute the section 19(4) mandatory condition must be made by a management committee or similar structure which holds or will be the holder of the premises licence for the community premises. Please state in what capacity you are signing the application (e.g. Committee Chair, committee member, Hall secretary etc).
6. Please send a copy of this form to the chief officer of police for your area.

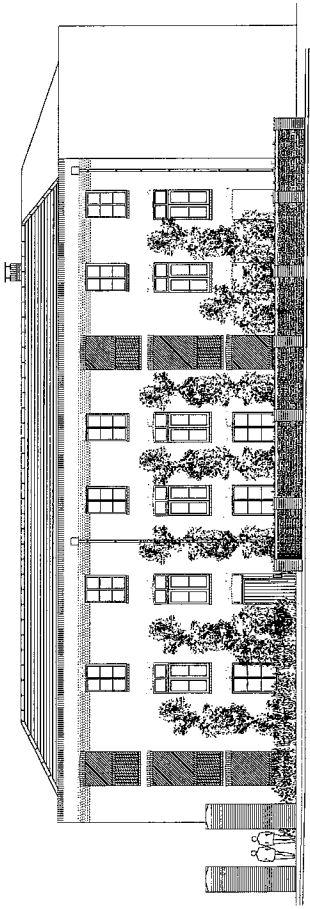
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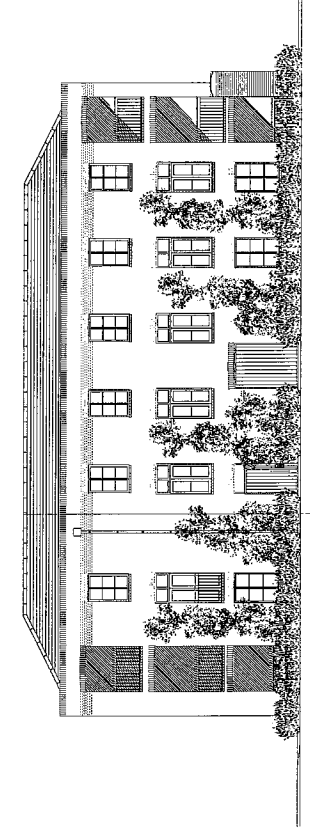
4-28
 ① Block 2.05: East Elevation Facing the Green



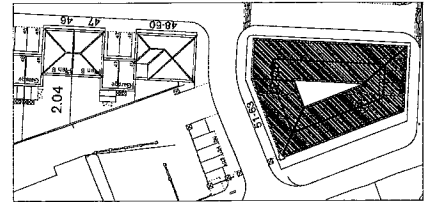
4-28
 ② Block 2.05: South Elevation



4-28
 ③ Block 2.05: West Elevation to Broyle Road



4-28
 ④ Block 2.05: North Elevation

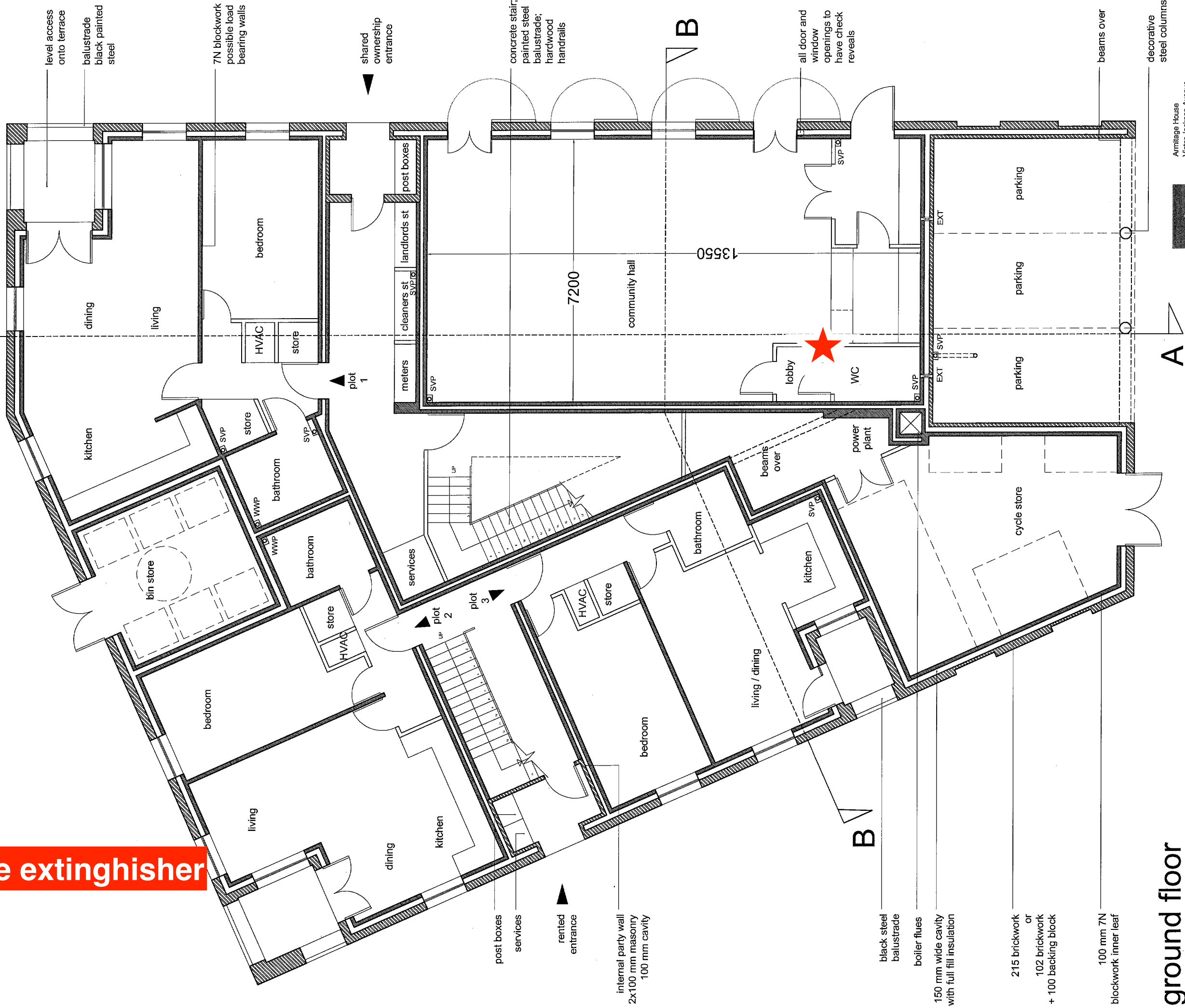


Materials:
 Walls in brick laid in four bond mortar to finish bond, same colour to be approved
 New roof/flat roof laid in lime based mortar, finish/finish to be approved
 Dark grey natural stone roof with black slip ridge tiles (where 20.5° pitch)
 Brown/red clay peg tile with half-round ridge tiles to match (where 20.5° pitch)
 Brick chimneys with natural stone chimney caps to coordinate detail
 Brickwork to be approved
 Branded steel door furniture to architect's specification
 Windows to be approved
 Windows to be finished with timber's detail, with natural oak handrails
 Accessory sheds and storage units to natural timber, vertical boarding with gutters
 Corrugated iron roof
 Painted cast metal rainwater goods

Working Group 44 Lamb, Corsham, W. London, W20B 3NR phone 020 7330 2323 fax 020 7330 2294 www.workinggroup.co.uk email info@workinggroup.co.uk	
Project: Roussillon Park, Chichester	
Title: Apartment Building 2.05 Elevations	
Draw No.: A2.05-1	Rev. No.: X
Scale: 1:200(A3) / 1:100(A1)	Drawn by: WS
Date: 06.10	Checked by: BP
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= Fire extinguisher

A



ground floor

KEY

- facing brickwork
- 7N / 10N load bearing or acoustic blockwork
- SVP soil vent pipe (positions indicative)
- WWP waste water pipe (positions indicative)
- EXT mechanical extract
- HVAC whole house heat recovery

AREA SCHEDULE

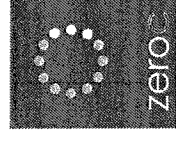
plot	gross internal area	bedrooms	shared ownership	rented
1	71.5 sqm	1	y	
2	60.3 sqm	1		y
3	54 sqm	1		y

0m

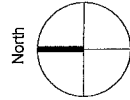
5m

10m

scale at 1:100



Armitage House
Victor Jackson Avenue
Poundbury
Dorchester
DT1 3GY
T: 01305 250 427
F: 01305 250 054
W: www.zeroholdings.co.uk



Option 2
Roussillon Park, Chichester
client / job name

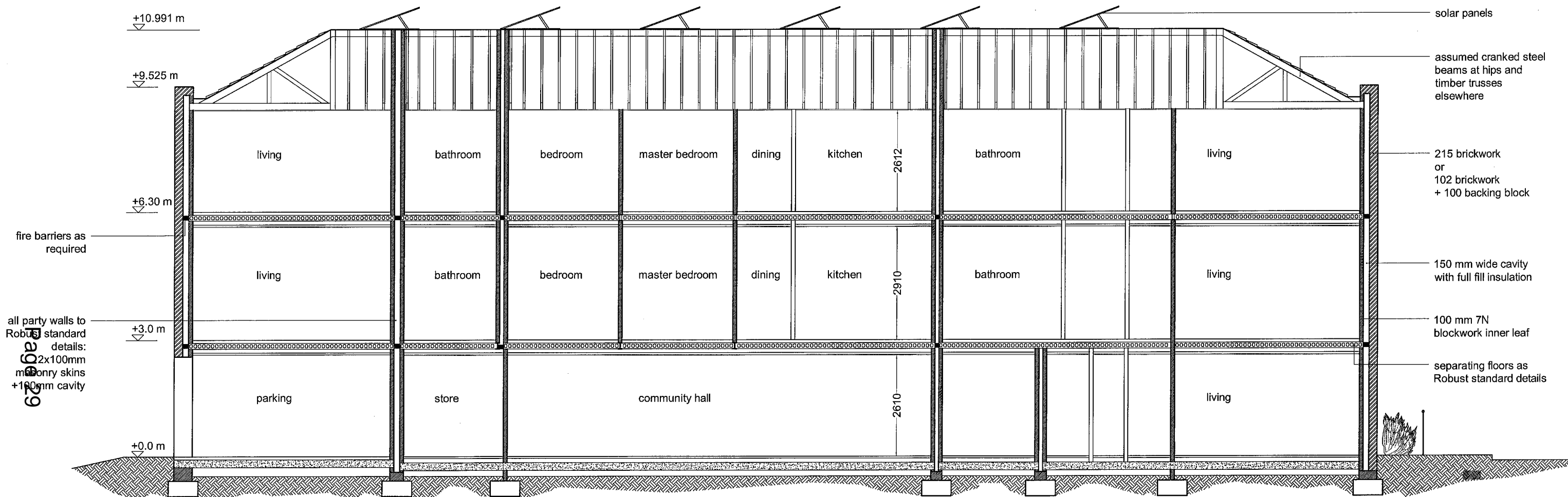
plots 51-63

drawing title ground floor plan

scale: 1:100 @ A3

date: 21.05.12

drawn: AH



section A-A

KEY

- facing brickwork
- 7N / 10N load bearing or acoustic blockwork
- SVP soil vent pipe (positions indicative)
- WWP waste water pipe (positions indicative)
- EXT mechanical extract
- HVAC whole house heat recovery

0m 5m 10m

scale at 1:100



Armitage House
 Victor Jackson Avenue
 Poundbury
 Dorchester
 DT1 3GY
 T: 01305 250 427
 F: 01305 250 054
 W: www.zeroholdings.co.uk

Roussillon Park, Chichester
 client / job name

51-63

drawing title section A

scale: 1:100 @ A3

date: May 2012

drawn: AH

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Sussex Police
Serving Sussex

www.sussex.police.uk

West Sussex Division
Neighbourhood Licensing Team

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

Tel: 01273 404 030

Email: WS_Licensing_WOR@sussex.pnn.police.uk

9th 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 A PREMISES LICENCE FOR THE COMMUNITY HALL,
DONEGALL AVENUE, CHICHESTER, WEST SUSSEX, PO19 6DF. 21/00301/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 application for a small village hall complex with the following:

- Opening hours 09:00 to 22:00, seven days a week.
- Supply of alcohol (on sales only) 09:00 to 22:00, seven days a week.

The conditions to promote the licensing objectives set out by the applicant in section M of the application consist of a brief list of one sentence bullet points. These include "CCTV all in place" and "restricted opening hours in place". There is the sentence "areas with glassware – out of reach"..... what does this mean? We would expect more detail and information on all of

these points, together with actual meaningful and enforceable wording of actual proposed conditions being offered. Licence conditions need to be clear, concise and enforceable.

A further point of concern is that accompanying this premises licence application is an application for the mandatory alcohol condition under the Licensing Act 2003 requiring a Designated Premises Supervisor in respect of a Premises Licence to be disapplied. Subsequently there will be no DPS on site. Instead the premises will ensure that all hirers of the premises sign a contract for hirers. The applicant encloses a copy of the proposed contract for hirers, which consists of a questionnaire with a number of tick boxes. We have some concerns about the question "Is alcohol to be provided at the event(s) – yes/no." This is followed by a statement which says "If yes, you will need to seek written permission for a licence – please provide a copy of this prior to hire". This statement is rather confusing and unclear. Is it saying that the hirer must apply for their own Temporary Event Notice in their own name? Is it saying the hirer must have a separate letter from the Premises giving the hirer express permission to use the Chichester Community Development Trust premises licence to sell alcohol? It is all very confusing and unclear.

If we then refer to the booking terms and conditions, and particularly paragraph 4 which says the hirer shall be responsible for obtaining such licenses as may be needed whether for the sale or supply of intoxicating liquor. So are we saying that the only time the premises licence being applied for will be utilized for the sale of alcohol is when the Chichester Community Development Trust are running their own events, as opposed to hiring the venue out? If so, then should there be a DPS and far greater and more detailed conditions being offered in part M of the application? If not, then why is this licence being applied for in the first place if all hirers are expressly being told to apply for their own licenses (presumably TENS) in their own name?

With reference to site plans, there is no red line to clearly delineate the proposed licensed area.

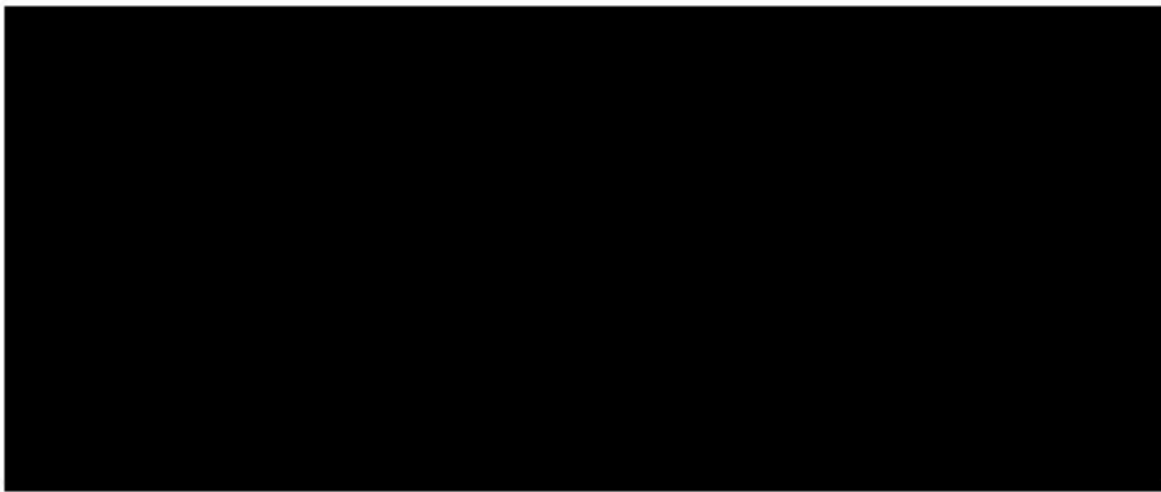
In summary Sussex police having viewed the application, have serious concerns that the operating schedule provided lacks significant detail preventing full & proper consideration.

The applicant has not provided sufficient information in the operating schedule pertaining to the use of the licence or of the precise measures in place to promote the licensing objectives. It appears that this is through a misunderstanding of the requirements of the application form and/or the Licensing Act 2003.

The premises hire form appears contradictory regarding the need for an alcohol licence. The sale of alcohol needs to cease prior to the closure of the premises to allow a reasonable time for the consumption of alcohol in an orderly and controlled manner.

Whilst we appreciate and acknowledge that the applicant is a charitable organization, we request that this application is withdrawn by the applicant, and a new application is submitted at a later date having taken proper legal advice. The contents of the application needs substantial modification and improvement to allow responsible authorities to give proper and informed decisions and feedback.

Yours sincerely,



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

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Subject: FW: Application for license for retail sale of alcohol by CCDT at Roussillon Park Community Hall

From: [REDACTED]
Sent: 12 April 2021 17:06
To: Licensing <Licensing@chichester.gov.uk>
Subject: Application for license for retail sale of alcohol by CCDT at Roussillon Park Community Hall

Dear Sir/Madam,

Licensing Act 2003
Statement of licensing policy 2020-22
Section 8 The prevention of public nuisance
With particular reference to the following extracts.
8.2 the location of premises and proximity to residential premises.
The design and layout of premises and in particular the presence of noise limiting features.
8.3 The installation of sound proofing; acoustic lobbies; acoustic curtains; rubber seals to doorways.
Identifying and monitoring noise levels, records of monitoring should be kept.

In my submission I intend to touch on the issues above and other matters.

I wish to object to the application by the CCDT. There has been no attempt to consult with or even the courtesy of informing the residents on this private estate. All of us pay £50 per year in our management charges to be members of the CCDT and we have a formal service level agreement. Furthermore, they did not consult with or inform the management company; the property manager; the residents association or the shadow manco made up of prospective resident directors. One member of the shadow manco and one member of R A committee sit on the management board of CCDT, even they were not informed. This cavalier approach to community relations is unacceptable. The organisation is staffed by paid professionals in part funded by our estate charges to the total sum of £12700.00 per annum.

Any competent organisation would understand the sensitivities around this issue and would have sought to explain to local residents in an attempt to reassure them. The community hall is situated on the ground floor of Sussex House which is a block of flats. Over the past four years the acoustics and lack of sound proofing has been a constant source of concern and complaints. Despite recommendations from an architect as to how to solve the problem, no action has been taken leaving the residents to suffer the noise.

The CCDT have a track record of ignoring or batting aside residents complaints. There have been numerous concerns about non-residents attending the community hall and parking in the estate. There are large signs at the entrances which clearly state PRIVATE-RESIDENTS ONLY PARKING. When the development was designed and granted planning permission it was agreed between the planners and the developers that there would be no parking spaces for the community hall. In fact, the estate only has

parking for 1.4 vehicles per household inclusive of personal garages attached to some houses. Thus parking presents a problem which needs to be balanced even before you add in non-residents arriving by car to attend commercial classes. The CCDT makes no attempt whatsoever to discourage this. At a meeting Clare de Bathe, the director said to a resident and I quote "If you buy a house near a community hall what do you expect". Their own aims state that they encourage the use of public transport, cycling and walking but this does not happen.

Set out below are extracts from the lease of the community hall :-
Not to use the property other than as a community room.
Not to do any act which maybe or grow to be a nuisance to the residents of any part of the estate.
Not to park any vehicle, motor cycle or caravan on the estate.
Not to park or allow any commercial or industrial vehicle to stand in any parking space within the estate.
To take all reasonable steps to abate any nuisance to the estate.

The CCDT, the commercial hirers and their clients have persistently breached these stipulations over the last four years. I believe that we are now coming to the position where it will be necessary to mount a legal challenge on behalf of the residents. We have had reassurances about parking information for hall users which turned out to be just rhetoric, those of us who questioned what had been done were simply lied to.

I have to draw the committee's attention to two extremely serious incidents.

1) A catastrophic accident was just avoided when a child came out of the door of the hall on to the pavement as another mum who was arriving to pick up her child decided to drive onto the pavement narrowly missing the child who fortunately had been called back into the lobby. Previously numerous complaints had been made about the parents of children attending the dance classes driving on to the pavement. The CCDT had taken no action to advise the class organiser and the parents prior to this incident. Additionally a proposal was made to have bollards installed to protect pedestrians and people leaving the hall. To date the CCDT have taken no action.

2) There were numerous complaints by residents about parking by users of the painting classes at the hall (3 times a week for 3-4 hours each time). This is a completely commercial enterprise attracting people from all over Chichester. Once again the CCDT were not interested and mostly responded by saying what can we do? Finally an argument ensued between the class organiser and a resident which resulted in an attempt to manhandle the resident. Thankfully no one was injured. The matter was reported to the CCDT who made no attempt to try to resolve the situation. Indeed it was left to the class organiser who proactively produced informative leaflets for his users and came to the residents house to explain what he had done. The problem was much reduced but only through his actions and not any action or concern by the CCDT.

The track record of the CCDT gives us no confidence that they would properly manage the sale of alcohol. This quiet residential area will continue to be disrupted and when alcohol is added into the mix the possibilities for confrontations and conflict will increase. I have no doubt the CCDT's hands off approach to complaints will prove to be divisive in this community.

Your faithfully,
Graham Parr

LEGAL DISCLAIMER

Communications on or through Chichester District Council's computer systems may be monitored or recorded to secure effective system operation and for other lawful purposes.

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From: Emma Burle on behalf of Licensing
Sent: 14 Apr 2021 08:20:05 +0000
To: Emma Burle
Subject: Fw: Application for alcohol licence by CCDT for Roussillon Park Community Hall 21/00301/LAPRE

From: Ken Jones [REDACTED]
Sent: 13 April 2021 13:35
To: Licensing <Licensing@chichester.gov.uk>
Subject: Application for alcohol licence by CCDT for Roussillon Park Community Hall 21/00301/LAPRE

Good afternoon,

I am writing as Chair of the Roussillon Park Residents' Association. We understand the need for the above licence and do not wish to make an official objection but rather point out some errors in the application. I have spoken with the CCDT rep who drafted the application but as yet have not heard that they will be addressed officially. I acknowledge that this application is one of five and handwriting them all was a bit of a drag but some points have been copied across and do not apply to the Hall.

Our main concerns are:

Para J The times for supply of alcohol do not exactly match the Hall hire conditions that apply today. That is: all activity (which in this case must include the sale of alcohol) should finish at 2130 with noise kept to a minimum thereafter while Hall is cleaned with Hall empty by 2200. This is what CCDT intended as confirmed in various calls with them. The application says alcohol sale ends at end at 2200.

Para L also refers to above.

Para M

b We are not aware of any CCTV at the Hall. There is no outside terrace. (CCDT know this is an error as it is a copy of another application).

d There is no outdoor space associated with the Hall so no lighting required.

We also have a more general question:

How does this license affect hirers of the Hall who supply alcohol for a private event?

Although these points have been acknowledged by CCDT, when current staff and residents move on, our successors need to be able to apply a corrected licence that reflects the needs and understanding of everyone.

Thank you,

Ken Jones

LEGAL DISCLAIMER

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M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 10)

The below steps have been taken to ensure objectives have been met
Childcare COT ensures the well being of Mansfield Park residents is a priority for all events.
This application is to help protect residents at our events and ensure best practice

b) The prevention of crime and disorder

Venue capacity limits in place.
Alcohol sold at CCOT events only with co-ordinator from CCOT present - eg. heritage talk or art therapy talk events
At least dinner events and all events, Think 25 training + procedures all in place. Staff training + hard hat as advised

c) Public safety

Safety checks all in place + staff training.
License at CCOT events only
Think 25 guidance and training in place - clearly marked signage
Venue capacity limits.
Fire + safety risk assessments in place.

d) The prevention of public nuisance

Safety and restriction-guidance signs in position.
Restricted opening hours in place - 30 mins left at end of night for clear up and event wind-down.
Noise / type of event always considered at this venue.
Staff monitoring at CCOT events + guidance for private hire.

e) The protection of children from harm

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	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the sale of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	
Mon	09.00	09 21.30	State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	
Tue	09.00	21.50			
Wed	09.00	21.30	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. (please read guidance note 6)		
Thur	09.00	21.30			
Fri	09.00	21.30			
Sat	09.00	21.50			
Sun	09.00	21.30			

From: Helena Giudici
Sent: 25 May 2021 14:37:41 +0000
Bcc: [REDACTED]
Subject: 21/00301/LAPRE - The Community Hall, Donegall Avenue - Mediation for Outstanding Representations
Attachments: Community Halls Chichester resolution rep 26.04.21.pdf
Importance: High

Dear Sir or Madam,

Licensing Act 2003
Chichester Community Development Trust
The Community Hall Donegall Avenue Chichester West Sussex PO19 6DF
Case Reference Number: 21/00301/LAPRE
Mediation

Thank you for your recent correspondence in relation to the above new Premises Licence application.

Having carefully considered the representations that have been submitted in connection with their application, the applicant has consequently decided by way of mediation to offer amend the application, and has agreed a number of conditions with Sussex Police Licensing, as a statutory Responsible Authority under the Licensing Act 2003.

I have attached the representation from Sussex Police Licensing that the applicant has agreed to for all five applications made (including The Community Hall), and therefore if granted the Premises Licence would be subject to the conditions shown in blue on the attached document. However, since this time the applicant has offered additional measures for the Community Hall that go beyond some of the conditions initially agreed with Sussex Police, which I have outlined below:

- *No outside area is now being applied for/ alcohol will not be served on the terrace – all alcohol sales and consumption will take place indoors only.*
- *The applicant is applying for the retail sale of alcohol for consumption **on the premises only.***
- *The license will not be extended to hirers of the Community Hall, but is solely for the use of CCDT at their own events held in the Hall, such as Fish & Chip quiz nights, Sunday lunch clubs and heritage talks, at which they may wish to serve alcohol.*

Therefore, the conditions agreed with Sussex Police regarding third party hirers and off sales will not be placed on any granted licence, and instead would include a condition prohibiting third parties from undertaking licensable activities at the premises and the licence would not permit off sales. All other conditions remain as agreed.

Having read and considered the contents of the representations, the applicant wished to confirm a number of additional points that I understand were raised at a meeting with the Roussillon Park Residents Association, which indeed you may have attended. I have provided below the information directly from the applicant. Please note that whilst a number of the points made below are not directly related to Licensing, the applicant wanted to ensure that all concerns are addressed.


- The reason the application was not more widely communicated to the RPRA and wider influencers was due to the fact that there will be no change of use, no increase in activity and the fact that this is simply formalising the paperwork on a long term basis to ensure the complete safeguarding and legality of all activities CCDT provide within the Community Hall and our other venues.
- The application is purely procedural, and does not reflect a planned change of use, or an intent to develop the scale or range of activities held in the hall.
- The wellbeing of local residents and those who live above the Hall have been; are; and will remain our key priority in the planning of classes and activities held in the Community Hall, always mindful of noise issues. Events that are anticipated to generate substantial noise will always be scheduled to other events.
- The act of applying for a permanent license is a matter of good housekeeping and good management, creating a greater sense of ownership of CCDT events and the license arrangements assigned to them.
- CCDT is able to apply for multiple TENS licenses (Temporary Events Licenses), and has done so to enable past events. This application for a permanent license allows us to provide a greater degree of safeguarding regarding the provision of alcohol at CCDT events, and is considered best practise by the relevant authorities. It encompasses the training of three staff members in the management of a license and as such will bring further skills to the team as to how to ensure the safe and lawful use of alcohol on the premises.
- We have consulted with other venues, such as Lavant and Boxgrove village Halls, with similar demographics and venues regarding their best practise and they have each secured permanent alcohol licenses in accordance with their relevant authorities recommendation.
- We have held the lease at the Community Hall for seven years and throughout that time have demonstrated continued restraint as to what events and activities are held within the venue, and will continue to do so. Where hirers choose to hire the Hall for their own events they are entitled to secure the services of freelance bar companies such as Bars4U, enabling them to serve alcohol under the bar's own personal license.
- For us to continue to manage the Community Hall we must be able to do so in a viable manner - it must be financially sustainable. That means for us to continue to provide services such as the locally requested Sunday Lunch Club we must be able to offer diners the opportunity to enjoy a drink with lunch, including a glass of wine, as it is otherwise not financially viable due to the loss of hiring income the event takes, with approximately 8 hours usage including set up, cooking, serving and clearing away.
- CCDT is entitled to sell alcohol and to serve it as part of our lease. The serving of alcohol at CCDT events is in no way in breach of our lease agreement.

We are encouraged that the applicant has considered all concerns raised, and has come up with proposals that they believe will result in the licensing objectives being adequately promoted. I would ask that having considered the three points above in red and agreed conditions with Sussex Police along with the contents of the original application, that you please confirm in writing by no later than Tuesday 1st June 2021, although an earlier response would be greatly appreciated, whether you are prepared to withdraw your representation.

Please be aware that should it not be possible to resolve the matter by way of mediation, it will be necessary for the Licensing Authority to convene a hearing to which all parties would be invited.

Please don't hesitate to contact me should you have any questions regarding the above.

Yours faithfully,



Helena Giudici
Licensing Assistant (Technical)
Licensing
Chichester District Council

Ext: 34745 | Tel: 01243534745 | hgiudici@chichester.gov.uk | Fax: 01243776766
<http://www.chichester.gov.uk>

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



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From: Ken Jones
Sent: 31 May 2021 14:52:53 +0100
To: Helena Giudici
Subject: Re: 21/00301/LAPRE - The Community Hall, Donegall Avenue -
Mediation for Outstanding Representations
Importance: High

Thank you for your email. I am happy that the correct application has now been made.
Regards
Ken Jones

On 25 May 2021, at 15:37, Helena Giudici <hgiudici@chichester.gov.uk> wrote:

Dear Sir or Madam,

Licensing Act 2003
Chichester Community Development Trust
The Community Hall Donegall Avenue Chichester West Sussex PO19
6DF
Case Reference Number: 21/00301/LAPRE
Mediation

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- *The applicant is applying for the retail sale of alcohol for consumption **on** the premises only.*
- *The license will not be extended to hirers of the Community Hall, but is solely for the use of CCDT at their own events held in the Hall, such as Fish & Chip quiz nights, Sunday lunch clubs and heritage talks, at which they may wish to serve alcohol.*

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- The application is purely procedural, and does not reflect a planned change of use, or an intent to develop the scale or range of activities held in the hall.
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- The act of applying for a permanent license is a matter of good housekeeping and good management, creating a greater sense of ownership of CCDT events and the license arrangements assigned to them.
- CCDT is able to apply for multiple TENS licenses (Temporary Events Licenses), and has done so to enable past events. This application for a permanent license allows us to provide a greater degree of safeguarding regarding the provision of alcohol at CCDT events, and is considered best practise by the relevant authorities. It encompasses the training of three staff members in the management of a license and as such will bring further skills to the team as to how to ensure the safe and lawful use of alcohol on the premises.
- We have consulted with other venues, such as Lavant and Boxgrove village Halls, with similar demographics and venues regarding their best practise and they have each secured permanent alcohol licenses in accordance with their relevant authorities recommendation.
- We have held the lease at the Community Hall for seven years and throughout that time have demonstrated continued restraint as to what events and activities are held within the venue, and will continue to do so. Where hirers choose to hire the Hall for their own events they are entitled to secure the services of freelance bar companies such as Bars4U, enabling them to serve alcohol under the bar's own personal license.
- For us to continue to manage the Community Hall we must be able to do so in a viable manner - it must be financially sustainable. That means for us to continue to provide services such as the locally requested Sunday Lunch Club we must be able to offer diners the opportunity to enjoy a drink with lunch, including a glass of wine, as it is otherwise not financially viable due to the loss of hiring income the event takes, with approximately 8 hours usage including set up, cooking, serving and clearing away.
- CCDT is entitled to sell alcohol and to serve it as part of our lease. The serving of alcohol at CCDT events is in no way in breach of our lease agreement.

We are encouraged that the applicant has considered all concerns raised, and has come up with proposals that they believe will result in the licensing objectives being adequately promoted. I would ask that having considered the three points above in red and agreed conditions with Sussex Police along with the contents of the original application, that you please confirm in writing by no later than Tuesday 1st June 2021, although an earlier response would be greatly appreciated, whether you are prepared to withdraw your representation.

Please be aware that should it not be possible to resolve the matter by way of mediation, it will be necessary for the Licensing Authority to convene a hearing to which all parties would be invited.

Please don't hesitate to contact me should you have any questions regarding the above.

Yours faithfully,

Helena Giudici

<image001.gif> Licensing Assistant (Technical)
Licensing
Chichester District Council

Ext: 34745 | Tel: 01243534745 | hgiudici@chichester.gov.uk | Fax: 01243776766
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From: Email
Sent: 23 Jun 2021 21:18:22 +0100
To: David Knowles-Ley
Subject: Re: 21/00301/LAPRE - The Community Hall, Donegall Avenue - Mediation for Outstanding Representations

Dear David,

Thank you for your time on the telephone this morning.

I do not accept the assurances given by the CCDT. Since 2016 my experience with this organisation is that they promise to do things but unfortunately their rhetoric does not translate into action.

The final point in their revised submission is simply not the case, their lease contains no reference to the sale of alcohol.

I am unwilling to withdraw my representation and I am content to attend a committee meeting on the issue. Beforehand I would be willing to meet with the CCDT in respect of mediation should they wish.

Yours sincerely,

Graham Parr

Sent from my iPad

On 18 Jun 2021, at 15:00, David Knowles-Ley <Dknowles-Ley@chichester.gov.uk> wrote:

Dear Mr Parr,

Licensing Act 2003 – Section 17

Chichester Community Development Trust

The Community Hall Donegall Avenue Chichester West Sussex PO19 6DF

Case Reference Number: 21/00301/LAPRE

Premises Licence Application - Mediation

Thank you for your email of the 28th May 2021 in response to the email from my colleague, Miss Helena Giudici, Licensing Assistant (Technical). The contents of your email have been duly noted.

I would respectfully stress that your email simply comments upon the additional information provided at the request of the applicant. Unfortunately you do not appear to have responded to us as to whether you are in agreement to a Premises Licence now being granted on the basis of the additional conditions that have been proposed by the applicant in order to promote the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm).

In addition to your representation, we received two others, the first from Sussex Police and the other from Mr Kenneth Jones. I can confirm that both Sussex Police and Mr Jones are in principle prepared to withdraw their representations on the basis of the additional conditions proposed by the applicant which were summarised by Miss Giudici in her email of the 25th May 2021.

It might also be helpful to know that under the Licensing Act 2003, there is the ability for any person to request a formal review of a Premises Licence by the Licensing Authority. This is where it is believed and supported by evidence, that a licensed premises is being operated in such a manner that the four licensing objectives are not being promoted. Upon reviewing a Premises Licence, the Licensing Authority may take whatever action it deems appropriate which can include removing a form of licensable activity, adding conditions, reducing licensed hours and even the complete revocation of an Premises Licence.

I am hopeful that perhaps your original concerns may have been alleviated by the additional conditions now being offered. With this in mind, I would ask that you please confirm whether you would be prepared to withdraw your representation in light of the additional conditions which have in principle been agreed with the other representors.

Please be aware that should you not be willing to withdraw your representation, then a meeting of the Alcohol and Entertainment Licensing Sub-committee will need to be convened at which the application will be considered and determined.

Naturally you would be a party to the hearing and would be able to address the sub-committee in order to assist them in determining the application.

It would be extremely helpful if you could please reply to this email as soon as possible and of course should you have any questions in relation to the above, please do not hesitate to contact me.

I look forward to hearing from you.

Yours sincerely,

David Knowles-Ley

<image001.gif> Licensing Manager
Licensing Team
Chichester District Council

Ext: 34743 | Tel: 01243534743 | dknowles-ley@chichester.gov.uk | Fax: 01243 776766

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From: Email [REDACTED]

Sent: 28 May 2021 11:56

To: Helena Giudici

Subject: Re: 21/00301/LAPRE - The Community Hall, Donegall Avenue - Mediation for Outstanding Representations

Dear Helena Giudici,

Point 1

I view this as just the usual form of excuse from the CCDT which emanates from what I perceive to be a lack of concern for any possible sensitivities of local residents. They did not communicate let alone try to reassure. This is part of a pattern of not giving any thought to the concerns of local people.

Point 2

As above

Point 3

This statement is economical with the actuality. On many occasions we have been given assurances which have not been acted upon. We believe that the CCDT has breached our trust.

The sound proofing of the community hall is a long-standing problem which has not been solved despite a local architect giving his advice and guidance for free.

Additionally, even following a very strident letter from the chairman of the shadow Manco no action has been taken on safety bollards outside the hall.

Please note in point 3 the final sentence should read - "To other locations"

Point 6

Boxgrove and Lavant Halls are not situated in a block of flats. Indeed Lavant Hall is in no way close to residential properties.

Point 7

Once again we believe this point to be economical with the actuality.

The words - "Demonstrated continued restraint" - appears to imply a threat that things could have been much more of a problem and that we should be grateful for the CCDT restraining themselves.

The reference to freelance bar companies is extremely alarming and again as local residents something we were completely unaware of. The use of the words - "entitled to secure" - rather suggests that any complaints about inappropriate use of the local community hall by a commercial bar company would be fruitless.

Point 8

This has no bearing on the process of mediation but simply relates to the CCDT's commercial viability. It is worthy of note that the hall is leased at a peppercorn rent.

Point 9

Nowhere in the lease is there a reference to an entitlement to sell and serve alcohol. I believe that this statement could be open to legal challenge. (I could forward a copy of the lease to the committee if required)

Yours sincerely,

Graham Parr

Sent from my iPad

On 25 May 2021, at 15:37, Helena Giudici <hgiudici@chichester.gov.uk> wrote:

Dear Sir or Madam,

Licensing Act 2003

Chichester Community Development Trust

The Community Hall Donegall Avenue Chichester West Sussex

PO19 6DF

Case Reference Number: 21/00301/LAPRE

Mediation

Thank you for your recent correspondence in relation to the above new Premises Licence application.

Having carefully considered the representations that have been submitted in connection with their application, the applicant has consequently decided by way of mediation to offer amend the application, and has agreed a number of conditions with Sussex Police Licensing, as a statutory Responsible Authority under the Licensing Act 2003.

I have attached the representation from Sussex Police Licensing that the applicant has agreed to for all five applications made (including The Community Hall), and therefore if granted the Premises Licence would be subject to the conditions shown in blue on the attached document. However, since this time the applicant has offered additional measures for the Community Hall that go beyond some of the conditions initially agreed with Sussex Police, which I have outlined below:

- *No outside area is now being applied for/ alcohol will not be served on the terrace – all alcohol sales and consumption will take place indoors only.*
- *The applicant is applying for the retail sale of alcohol for consumption on the premises only.*
- *The license will not be extended to hirers of the Community Hall, but is solely for the use of CCDT at their own events held in the Hall, such as Fish & Chip quiz nights, Sunday lunch clubs and heritage talks, at which they may wish to serve alcohol.*

Therefore, the conditions agreed with Sussex Police regarding third party hirers and off sales will not be placed on any granted licence, and instead would include a condition prohibiting third parties from undertaking licensable activities at the premises and the licence would not permit off sales. All other conditions remain as agreed.

Having read and considered the contents of the representations, the applicant wished to confirm a number of additional points that I understand were raised at a meeting with the Roussillon Park Residents Association, which indeed you may have attended. I have provided below the information directly from the applicant. Please note that whilst a number of the points made below are not directly related to Licensing, the applicant wanted to ensure that all concerns are addressed.

- The reason the application was not more widely communicated to the RPRA and wider influencers was due to the fact that there will be no change of use, no increase in activity and the fact that this is simply formalising the paperwork on a long term basis to ensure the complete safeguarding and legality of all activities CCDT provide within the Community Hall and our other venues.
- The application is purely procedural, and does not reflect a planned change of use, or an intent to develop the scale or range of activities held in the hall.
- The wellbeing of local residents and those who live above the Hall have been; are; and will remain our key priority in the planning of classes and activities held in the Community Hall, always mindful of noise issues. Events that are anticipated to generate substantial noise will always be scheduled to other events.
- The act of applying for a permanent license is a matter of good housekeeping and good management, creating a greater sense of ownership of CCDT events and the license arrangements assigned to them.
- CCDT is able to apply for multiple TENS licenses (Temporary Events Licenses), and has done so to enable past events. This application for a permanent license allows us to provide a greater degree of safeguarding regarding the provision of alcohol at CCDT events, and is considered best practise by the relevant authorities. It encompasses the training of three staff members in the management of a license and as such will bring further skills to the team as to how to ensure the safe and lawful use of alcohol on the premises.

- We have consulted with other venues, such as Lavant and Boxgrove village Halls, with similar demographics and venues regarding their best practise and they have each secured permanent alcohol licenses in accordance with their relevant authorities recommendation.
- We have held the lease at the Community Hall for seven years and throughout that time have demonstrated continued restraint as to what events and activities are held within the venue, and will continue to do so. Where hirers choose to hire the Hall for their own events they are entitled to secure the services of freelance bar companies such as Bars4U, enabling them to serve alcohol under the bar's own personal license.
- For us to continue to manage the Community Hall we must be able to do so in a viable manner - it must be financially sustainable. That means for us to continue to provide services such as the locally requested Sunday Lunch Club we must be able to offer diners the opportunity to enjoy a drink with lunch, including a glass of wine, as it is otherwise not financially viable due to the loss of hiring income the event takes, with approximately 8 hours usage including set up, cooking, serving and clearing away.
- CCDT is entitled to sell alcohol and to serve it as part of our lease. The serving of alcohol at CCDT events is in no way in breach of our lease agreement.

We are encouraged that the applicant has considered all concerns raised, and has come up with proposals that they believe will result in the licensing objectives being adequately promoted. I would ask that having considered the three points above in red and agreed conditions with Sussex Police along with the contents of the original application, that you please confirm in writing by no later than Tuesday 1st June 2021, although an earlier response would be greatly appreciated, whether you are prepared to withdraw your representation. Please be aware that should it not be possible to resolve the matter by way of mediation, it will be necessary for the Licensing Authority to convene a hearing to which all parties would be invited. Please don't hesitate to contact me should you have any questions regarding the above.

Yours faithfully,

Helena Giudici

<image001.gif> Licensing Assistant (Technical)
Licensing
Chichester District Council

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From: David.Bateup@sussex.pnn.police.uk
Sent: 25 May 2021 09:38:12 +0000
To: Helena Giudici
Subject: RE: 21/00301/LAPRE - The Community Hall - Chichester Community Development Trust

Helena,

As the below obviously comes with Chichester Council approval, then I am happy to confirm our acceptance of the amendments below.

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

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

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From: Helena Giudici [mailto:hgiudici@chichester.gov.uk]
Sent: 25 May 2021 10:35
To: Bateup David 63941 <David.Bateup@sussex.pnn.police.uk>
Subject: 21/00301/LAPRE - The Community Hall - Chichester Community Development Trust
Importance: High

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Dear David,

I am emailing regarding the Premises Licence application submitted by Chichester Community Development Trust for The Community Hall -**21/00301/LAPRE** (one of the five applications to which you submitted a representation).

In addition to the representation submitted by Sussex Police, two representations from members of the public were also received. As a result of ongoing mediation with the remaining representors, the applicant has offered to now amend their application as follows:

- *No outside area is now being applied for/ alcohol will not be served on the terrace – all alcohol sales and consumption will take place indoors only.*
- *The applicant is applying for the retail sale of alcohol for consumption **on** the premises only.*
- *The license will not be extended to hirers of the Community Hall, but is solely for the use of CCDT at our own events held in the Hall, such as Fish & Chip quiz nights, Sunday lunch clubs and heritage talks, at which we may wish to serve alcohol.*

Therefore, as a result of this mediation which as I am sure you appreciate goes beyond some of the conditions initially agreed by Sussex Police, it would no longer be appropriate or necessary to attach the following conditions to the Community Hall Licence only:

- *Where the hire of the hall is to a 3rd party it remains the responsibility of the management committee to ensure the sale of alcohol is conducted in accordance with the premises licence and the Licensing Act 2003. Any person hiring the premises must sign to confirm that they understand the responsibilities under the Licensing Act 2003 and the conditions of the premises licence.*
- *In the event that the premises are sub contracted or hired out to third party, a specifically nominated responsible adult, who shall be present for the entirety of the event, shall supervise the sale/supply of alcohol and shall be responsible for ensuring that they shall adhere to the conditions on the current premises licence.*
- *A copy of each booking/hire application must be retained for a period of not less than 28 days after the event, and provided for inspection if requested to do so by an authorised officer of any responsible authority.*
- *Any person hiring the hall with a view to undertaking the Retail Sale of Alcohol must complete a 'Supplementary Hire (Alcohol Licence) Form'. This document will require the hirer to identify at least one person who is attending the event to act as the 'Nominated Responsible Adult' (NRA) and will outline to the hirer and NRA the main statutory requirements of the Licensing Act 2003 and include a copy of Part A of the Premises Licence.*
- *When a 'Supplementary Hire (Alcohol Licence) Form' is completed it must be checked and authorised by a member of the Premises Management Committee. If there are any concerns regarding the application then the matter must be brought before the Committee for their consideration.*
- *The hirer must be advised as to what noise levels are permissible, so that any event held at the premises does not give rise to noise nuisance.*
- *The hirer must state their age when applying, and any hirer aged under 25 will have their hire application carefully scrutinised by the Premises Management Committee if alcohol is to be sold during the hire period.*
- *The hirer must state the nature/purpose of the function for which the booking is being made. In the event of a booking for a 16th, 18th or 21st birthday party, this application will be scrutinised by the Premises Management Committee, and the hire must state and commit to a suitable ratio of responsible adults to under 18s*

to be present throughout the hire period to ensure the event is properly managed and controlled.

- *Alcohol sold for consumption off of the premises must be sold in sealed containers only.*

Whilst I suspect that Sussex Police won't have an issue with the above, for completeness I would ask that you please confirm. If you are, then it is our intention to liaise with the remaining representors to establish whether, in light of the changes now being proposed by the applicant, that they agreeable to and would withdraw their current representations . Clearly if the remaining representors agree, then we would be in a position to grant a Premises Licence with terms and conditions that reflect the most recent agreement reached with the applicant. This would include clearly include a condition prohibiting third parties from undertaking licensable activities at the premises.

I hope that the above is acceptable and I look forward to hearing from you.

Kind regards,



Helena Giudici

Licensing Assistant (Technical)
Licensing
Chichester District Council

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

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