

Public Document Pack

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A meeting of **Alcohol and Entertainment Licensing Sub-Committee** will be held in **Committee Room 1**, East Pallant House on **Monday 19 September 2022 at 9.30 am**

MEMBERS: Mr J Elliott, Mr H Potter and Mr A Sutton

AGENDA

Part 1

- 1 **To elect a Chairman for this Hearing**
- 2 **Declarations of Interests**
Members and officers are reminded to make any declarations of disclosable pecuniary, personal and/or prejudicial interests they may have in respect of matters on the agenda for this meeting.
- 3 **Licensing Hearings (Pages 1 - 90)**
Luckes At No 40, 40 North Street, Chichester, West Sussex, PO19 1LX
Application for a Premises Licence
 - (a) Chair opens the Hearing.
 - (b) Items arising from Regulation 6 Notice (Notice of Hearing).
 - (c) Notice of any representations withdrawn.
 - (d) The procedure will then follow the Sub-Committee protocol and procedure note attached
- 4 **Consideration of any late items as follows:**
 - (a) items added to the agenda papers and made available for public inspection;
 - (b) items which the chairman has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting.

NOTES

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

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

CHICHESTER DISTRICT COUNCIL

THE LICENSING ACT 2003 (THE 'ACT')

THE LICENSING ACT 2003 HEARING REGULATIONS 2005

SUB-COMMITTEE PROTOCOL

PROTOCOL

1. The Notice of Meeting

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

2. Appearances and Submissions

(a) Constitution of the Sub Committee

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

(b) Parties entitled to appear

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

(c) **At the Hearing**

Any party shall be entitled to:

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

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

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

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

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

(f) **Conduct at the Hearing**

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

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

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

Alcohol and Entertainment Licensing Sub-committee

Date & Time: Monday 19th September 2022 at 09:30

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

**Application for a PREMISES LICENCE
(Application Number – 22/01401/LAPRE)**

Luckes At No 40
40 North Street
Chichester
West Sussex
PO19 1LX

1. RECOMMENDATIONS

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

2. REASONS FOR HEARING

- 2.1 The Premises Licence application submitted by Luckes Ltd of 69 North Street, Chichester, West Sussex, PO19 1LP (Company Number 10163604) has been the subject of ten relevant representations, all in opposition to the application. Of the representations received, eight were from members of the public with the two remaining representations received from Sussex Police and the Environmental Protection Team in their statutory roles as Responsible Authorities under the Licensing Act 2003.

3. BACKGROUND

Included in this report are the following attachments:

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

- 3.3 Copy of the complete Premises Licence application (**Attachment B**).
- 3.4 Copy of all relevant representations (**Attachment C**).
- 3.5 Copy of successful mediation between the applicant and Sussex Police and unsuccessful mediation with Environmental Protection Team (**Attachment D**).

4 SUMMARY OF THE PREMISES LICENCE APPLICATION

- 4.1 A copy of the complete application is reproduced in full at Attachment B.
- 4.2 Luckes Ltd submitted a valid application on 28th July 2022. 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 28th July 2022 and 25th August 2022 inclusive. In addition, a copy of the statutory public notice was published in the Chichester Observer on 4th August 2022.
- 4.3 The following are a selection of extracts taken from the application form in which the applicant provides a general description of the site and intended use:

‘Georgian town house set back from the road. The premises consists of a front garden, a basement, ground, first and second floor’.

‘Luckes at No.40 will be a high-quality Brasserie serving the very best seasonal and local ingredients....’.

‘At Luckes at No.40 we will offer top quality wines, spirits, cocktails and craft beers as well as an extensive menu of non-alcoholic, frit and herb based drinks.’

‘We will also facilitate private functions such as weddings, wakes and events’.

- 4.4 The application seeks a permanent Premises Licence, with a variety of licensable activities being sought, this includes regulated entertainment in the form of both live and recorded music, along with the provision of late night refreshment and the retail sale of alcohol for consumption both on and off of the premises.
- 4.5 The table below specifies the standard and non-standard days and times for each of the forms of licensable activity being sought, along with the associated opening hours:

Licensable Activity	Hours proposed by the applicant within the application	Location
Live Music	Every Day - 23:00 - 01:00 New Year’s Eve - 23:00 - 04:00	Indoors only
Recorded Music	Every Day - 23:00 - 01:00 New Year’s Eve - 23:00 - 04:00	Indoors only

Late Night Refreshment	Every Day - 23:00 - 01:00 New Year's Eve - 23:00 - 04:00	Indoors Only
Supply of Alcohol (for consumption both on and off the premises)	Every Day - 09:00 - 01:00 New Year's Eve - 09:00 - 04:00	Indoors and Outdoors
Hours premises are open to the public	Every Day 08:00 – 01:30 New Year's Eve - 08:00 - 04:30	N/A

4.6 The applicant has provided information within Box M of the application form stating the steps that they intend to take to promote all four of the licensing objectives; the application form is included at Attachment B. Following receipt of the representation submitted by Sussex Police, the applicant subsequently agreed in principle to an additional condition being included should it have been possible to proceed to grant a Premises Licence. The agreement in principle between Sussex Police with respect to the additional condition is shown at Attachment D.

4.7 In view of the retail sale of alcohol being applied for as a licensable activity, Luckes Ltd have nominated Ms Melanie Ann Luckes as the proposed Designated Premises Supervisor (DPS). Ms Luckes holds a current Personal Licence (No. 3815/21/01654/LAPER) granted by this Licensing Authority and there are currently no reported incidents known to this Licensing Authority associated with Ms Luckes.

5 THE PROCESS AND PROMOTION OF LICENSING OBJECTIVES

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

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

5.2 In carrying out its licensing functions, the Licensing Authority must also have regard to its current Statement of Licensing Policy 2022-2027, statutory guidance published by the Home Office (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 ten 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 eight members of the public along with Sussex Police and the Environmental Protection Team as Responsible Authorities.
- 6.3 Whilst the various representations make reference to a number of matters, it is evident that the main areas of concern particularly relate to the likely effect on the promotion of the Public Nuisance and Protection of Children from Harm licensing objectives should the application be granted as originally applied.

7 MEDIATION

- 7.1 Whilst Sussex Police determined to submit a representation in respect of the application, discussions have been held between the applicant and Sussex Police during the representation period. The applicant subsequently agreed to an additional condition proposed by Sussex Police and consequently they were in principle prepared to withdraw their representation should it have been possible to grant a Premises Licence at the end of the representation period. The successful mediation is shown in full at Attachment D, however for ease the following is the condition that has been agreed:

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

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

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

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

- 7.2 With respect to the Environmental Protection Team representation, discussions have been had between the applicant and the Environmental Protection Team. However, whilst the applicant has offered several additional conditions, it has unfortunately not been possible to reach an agreed position and consequently the concerns and representation remain. The mediation between the two parties is shown at Attachment D and includes the conditions that have been offered by the applicant.

8 CONSIDERATION

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

- 8.2 It is very important to note that these are the only matters to be addressed by the Licensing Authority when considering this application. The licensing objectives are the only grounds on which representations can be made, and the only grounds on which the Licensing Authority will be able to refuse an application or impose appropriate conditions in addition to mandatory conditions and those proposed by the applicant in their operating schedule.
- 8.3 Human Rights considerations must be taken into account fully in balancing licensing issues, in particular, article 1 of the first protocol and articles 6 and 8. Article 1 relates to the protection of property and the peaceful enjoyment of possessions and property (holding a licence would be considered a possession). Article 8 relates to the right to respect for private and family life, home and correspondence. Article 6 relates to the right to a fair trial. These are however qualified rights and can be deprived of "in the public interest". Interference is permissible if what is done: -
- Has its basis in law;
 - Is necessary in a democratic society to fulfil a pressing need or pursue a legitimate aim,
 - Is proportionate to the aims being pursued; and,
 - Is related to the prevention of crime or, the protection of public order or health or the protection of the rights and freedoms of others.
- 8.4 The Sub-Committee must consider each application on its own merits, and in accordance with the principles of natural justice, as well as the provisions of the Licensing Act 2003. All relevant factors must be taken into account, and all irrelevant factors must be disregarded.
- 8.5 All applications before the Sub-Committee must be considered against the backdrop of anti-discriminatory legislation including the Equality Act 2010 and in accordance with the Council's current Equality Strategy.
- 8.6 In accordance with Section 17 of the Crime and Disorder Act 1998 the Council is under a duty to exercise its functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent, crime and disorder in its areas. The possible crime and disorder implications are clearly relevant factors in the consideration of all applications and this is re-emphasised by the Licensing Act 2003 itself. In giving "due regard" to these possible implications members will consider and weigh up all the information available and representations made, including those from Responsible Authorities and any other person(s).
- 8.7 The Sub-Committee are required to give reasons for their decision.

9. OPTIONS OPEN TO THE SUB-COMMITTEE

- 9.1 When considering this application, the following options are available to the Sub-Committee:
- (a) Grant the Premises Licence as applied for;
 - (b) Grant the Premises Licence as applied for along with any additional conditions considered appropriate to promote one or more of the licensing objectives on which relevant representations have been received.

- (c) Grant the Premises Licence but exclude certain licensable activities from the licence or reduce the hours being sought during which the licensable activities may take place; or
- (d) Reject the whole or part of the Premises Licence application.

10 BACKGROUND PAPERS

- Licensing Act 2003 (as amended)
- Home Office Guidance issued under section 182 of the Licensing Act 2003 (April 2018)
- Chichester District Council's Statement of Licensing Policy 2022-2027

11 ATTACHMENTS

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

Attachment B: Copy of the complete Premises Licence application.

Attachment C: Copy of all relevant representations.

Attachment D: Copy of all mediation.

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

Luckes At No 40, 40 North Street, Chichester, West Sussex, PO19 1LX

RELEVANT REPRESENTATIONS


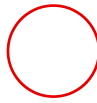
Responsible Authority	Name and address	Stance
1	Environmental Protection Team <i>Planning & The Environment, Chichester District Council, East Pallant House, 1 East Pallant, Chichester, West Sussex, PO19 1TY</i>	OBJECT
2	Chief Officer of Sussex Police <i>c/o Licensing Officer, Centenary House, Durrington Lane, Worthing, West Sussex, BN13 2QB</i>	OBJECT
Public	Name and address	Stance
3	Cllr Martyn Bell <i>11 Whistler Avenue, Chichester, West Sussex, PO19 6DL</i>	OBJECT
4	Elfrida Fallowfield <i>41 North Street, Chichester, West Sussex, PO19 1NF</i>	OBJECT
5	Mr Cedric Wake <i>43 North Street, Chichester, West Sussex, PO19 1NF</i>	OBJECT
6	Dr Fiona Bell <i>Northgate House, 38 North Street, Chichester, West Sussex, PO19 1LX</i>	OBJECT
7	Stephen Bishop	OBJECT
8	Drs M J And L Shaw <i>42 North Street, Chichester, West Sussex, PO19 1NF</i>	OBJECT
9	Kate Fletcher	OBJECT
10	Mrs Sophie Powell <i>Lion Place, 6 Lion Street, Chichester, West Sussex, PO19 1LW</i>	OBJECT

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ATTACHMENT A

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**22/01401/LAPRE
Luckes At No 40,
40 North Street,
Chichester,
PO19 1LX**

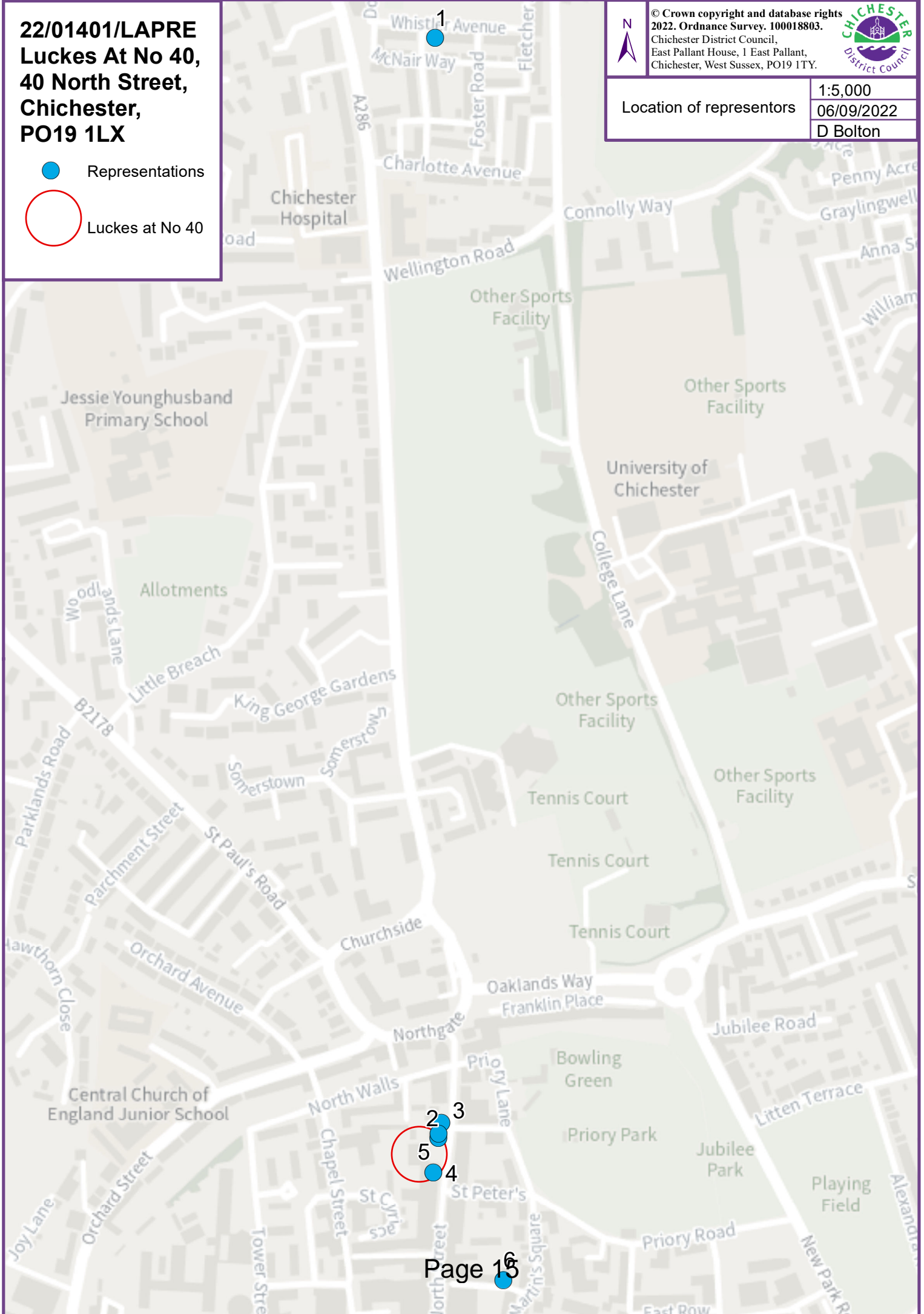
-  Representations
-  Luckes at No 40



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2022. Ordnance Survey. 100018803.
Chichester District Council,
East Pallant House, 1 East Pallant,
Chichester, West Sussex, PO19 1TY.



Location of representors	1:5,000
	06/09/2022
	D Bolton



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**22/01401/LAPRE
Luckes At No 40,
40 North Street,
Chichester,
PO19 1LX**

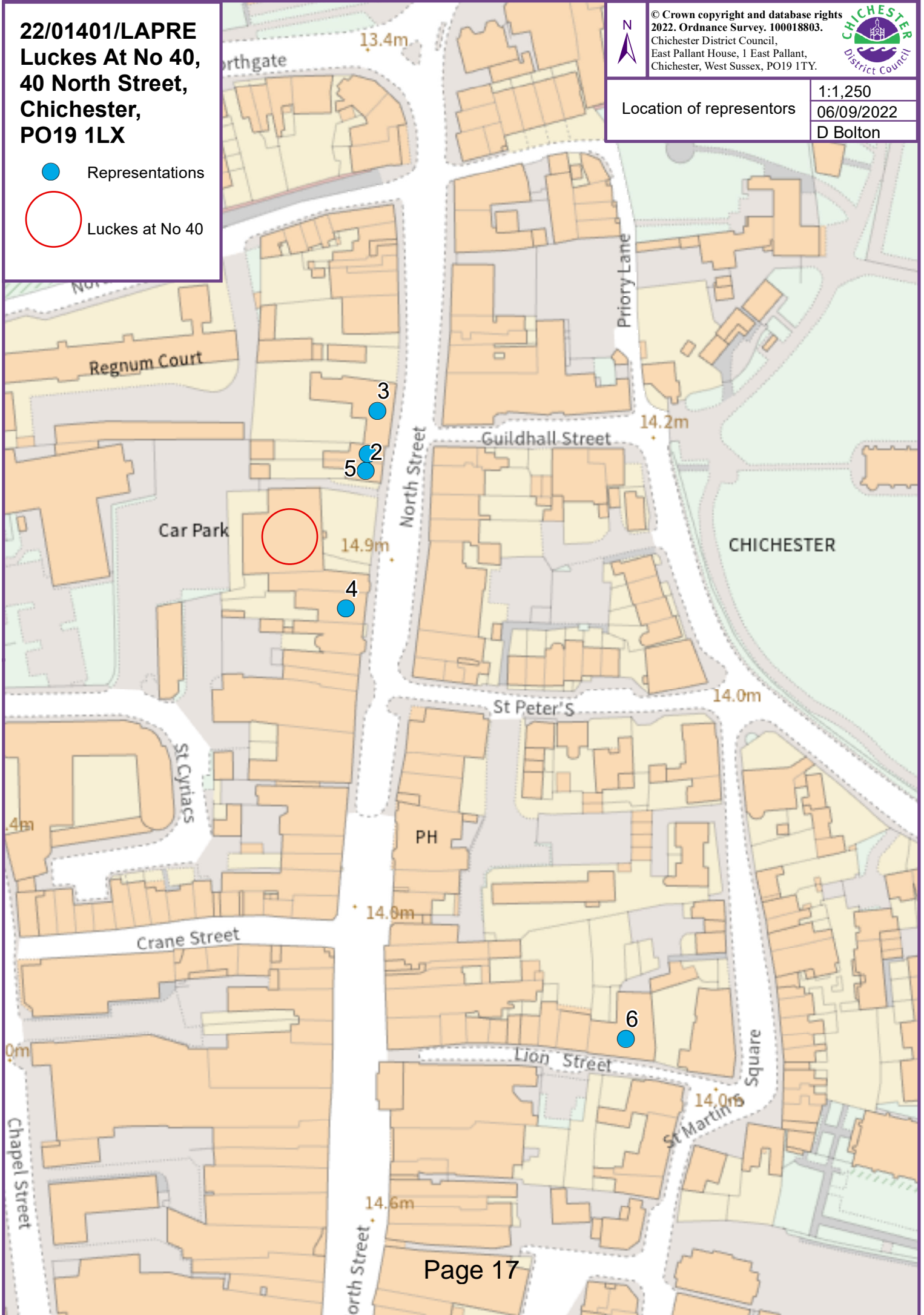
- Representations
- Luckes at No 40



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2022. Ordnance Survey. 100018803.
Chichester District Council,
East Pallant House, 1 East Pallant,
Chichester, West Sussex, PO19 1TY.



Location of representors	1:1,250
	06/09/2022
	D Bolton



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ATTACHMENT B

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Luckes Ltd
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Luckes at No.40 40 North Street			
Post town	Chichester	Postcode	PO19 1LX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ Not Listed

Part 2 - Applicant details

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name LUCKES LTD
Address 69 North Street, Chichester, West Sussex, England, PO19 1LP
Registered number (where applicable) 10163604
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited Company

Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? ASAP

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

--	--	--	--	--	--	--	--

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

Georgian town house set back from the road. The premises consists of a front garden, a basement, ground, first and second floor.

The basement consists of a small cellar bar and WC.

The ground floor includes a bar / food servery, dining rooms and kitchen.

First floor will contain an Event Space, Event Service Kitchen & WC.

Second floor will not be used as part of the premises.

Luckes at No.40 will be a high-quality Brasserie serving the very best seasonal and local ingredients on a par with Goodwood’s restaurant Butcher, Farmer, Baker, Soho House and The Pig. We have developed LUCKES as a strong local brand in Chichester, with an excellent reputation for top quality cafe food and event catering.

At Luckes at No.40 we will offer top quality wines, spirits, cocktails and craft beers as well as an extensive menu of non-alcoholic, fruit and herb based drinks.

We will also facilitate private functions such as weddings, wakes and events.

The Priority Associates scheme will be similar to the membership scheme run by the Goodwood Estate for The Kennels and Soho House in London. Applicants will be carefully vetted by us and required to pay a high annual fee with an age limit of 21 and over.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- | | |
|--|----------------------------|
| Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |

- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>																																					
				Outdoors	<input type="checkbox"/>																																					
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>23:00</td> <td rowspan="2">01:00</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Tue</td> <td>23:00</td> <td rowspan="2">01:00</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Wed</td> <td>23:00</td> <td rowspan="2">01:00</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Thur</td> <td>23:00</td> <td rowspan="2">01:00</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Fri</td> <td>23:00</td> <td rowspan="2">01:00</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Sat</td> <td>23:00</td> <td rowspan="2">01:00</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Sun</td> <td>23:00</td> <td rowspan="2">01:00</td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>				Day	Start	Finish	Mon	23:00	01:00			Tue	23:00	01:00			Wed	23:00	01:00			Thur	23:00	01:00			Fri	23:00	01:00			Sat	23:00	01:00			Sun	23:00	01:00			Both
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			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) New Years Eve 23:00hrs to 04:00hrs																																							

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	23:00	01:00			
Tue	23:00	01:00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed	23:00	01:00			
Thur	23:00	01:00			
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) New Years Eve 23:00hrs to 04:00hrs		
Fri	23:00	01:00			
Sat	23:00	01:00			
Sun	23:00	01:00			

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Thur			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	01:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23:00	01:00			
Wed	23:00	01:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	01:00			
Fri	23:00	01:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) New Years Eve 23:00hrs to 04:00hrs		
Sat	23:00	01:00			
Sun	23:00	01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	09:00	01:00			
Tue	09:00	01:00			
Wed	09:00	01:00			
Thur	09:00	01:00			
Fri	09:00	01:00			
Sat	09:00	01:00			
Sun	09:00	01:00			

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 Melanie Luckes	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) Chichester District Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p>
Day	Start	Finish	
Mon	08:00	01:30	
Tue	08:00	01:30	
Wed	08:00	01:30	
Thur	08:00	01:30	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p> <p>New Years Eve 08:00hrs to 04:30hrs</p>
Fri	08:00	01:30	
Sat	08:00	01:30	
Sun	08:00	01:30	

M

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

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

The premises licence holder shall ensure that all staff are trained in the main principals of the Licensing Act (2003), notably of the four licensing objectives and the specific conditions of the licence.

All staff will receive refresher training every six months about their responsibilities under the Licensing Act (2003) and training records will be available to police and authorised officers on reasonable request.

Licensable activities Sunday to Wednesday shall terminate at 23:00hrs with the exception of special events, pre-booked private parties and Bank Holiday Sundays

b) The prevention of crime and disorder

Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally 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 GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.

Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.

The premises shall at all times maintain and operate a sales refusals log and an incident log will be kept recording 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 four (4) 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 (24) months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.

Where the premises is open to the general public and sells alcohol beyond midnight a Door Supervisor or an accredited Security Industry Authority Manager shall be in the front of the premises from 22:00hrs until 30 minutes after end of licensable activities.

All Door Supervisors must be licensed by the Security Industry Authority.

A documented risk assessment of one-off 'entertainment' events or private parties shall be conducted by the licence holder of the premises and such risk assessment shall be available upon request by an authorised officer of the Council or the Police.

There shall be no admittance or re-admittance to the premises after 23:30hrs.

Super-strength lagers, beers and/or ciders, i.e. those with an ABV of 6.5% or higher, shall not be sold at the premises.

No person shall be allowed to leave the premises whilst in the possession of any open drinking vessel or open glass bottle, whether empty or containing any beverage.

c) Public safety

All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.

The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.

Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorised officer of the licensing authority.

Empty glasses and bottles shall be removed from public areas quickly and efficiently.

An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

d) The prevention of public nuisance

Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.

Signage requesting customers to be respectful of others when entering or leaving the premises shall be installed in a prominent position by the premises' exit.

All guests using the Cellar Bar shall be required to leave the premises at the end of the evening via the side exit door and passageway leading onto St Cyriacs Car Park

Loudspeakers shall not be placed outside the premises building.

The outside front area of the premises shall not be available for use after 23:00hrs.

When regulated entertainment is taking place, all doors and windows of the premises will remain closed other than for access/egress at the front of the premises.

e) The protection of children from harm

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are the following recognised photographic identification cards: a driving licence, a passport, a military identification card or a Proof of Age card carrying a 'PASS' logo.

Notices advertising that the premises operates a "Challenge 25" scheme shall be displayed in a clear and prominent position at the premises entrance

All occasions when persons have been refused service shall be recorded in the premises daily register

All children under the age of 12 years shall be accompanied by an adult whilst on the premises after 7.00pm.

The premise licence holder or Designated Premises Supervisor to ensure that all management and staff who are not personal licence holders are fully trained and briefed on the four licensing objectives and Challenge 25 and they are adhered to.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.


- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<p>[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).</p> <p>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</p>
Signature	
Date	28/07/2022

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Innpacked Ltd 10 Whittle Road Ferndown Industrial Estate			
Post town	Wimborne	Postcode	BH21 7RU
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

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 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.
- 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.
- 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;
 - 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. 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'.
 9. 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 semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be

certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].

An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.

A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.

A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.

A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.

A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.

A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.

A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:

- evidence of the applicant's own identity – such as a passport,
- evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
- evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

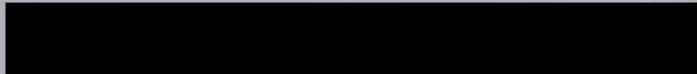
An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.



Consent of individual to being specified as premises supervisor

I, Melanic Luckes

of



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

made by Luckes Ltd

relating to a premises licence for

Luckes at No 40, Femleigh House, 40 North Street, Chichester, PO19 1LP

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

concerning the supply of alcohol at

Luckes at No 40, Femleigh House, 40 North Street, Chichester, PO19 1LP

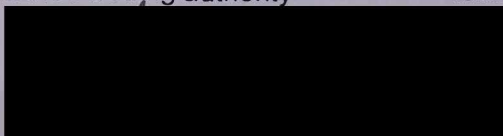
I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below

Personal licence number



Personal licence issuing authority Chichester District Council

Signed

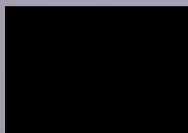


Print name MELANIE LUCKES

Date

6/7/2022

Date of birth



Place of birth

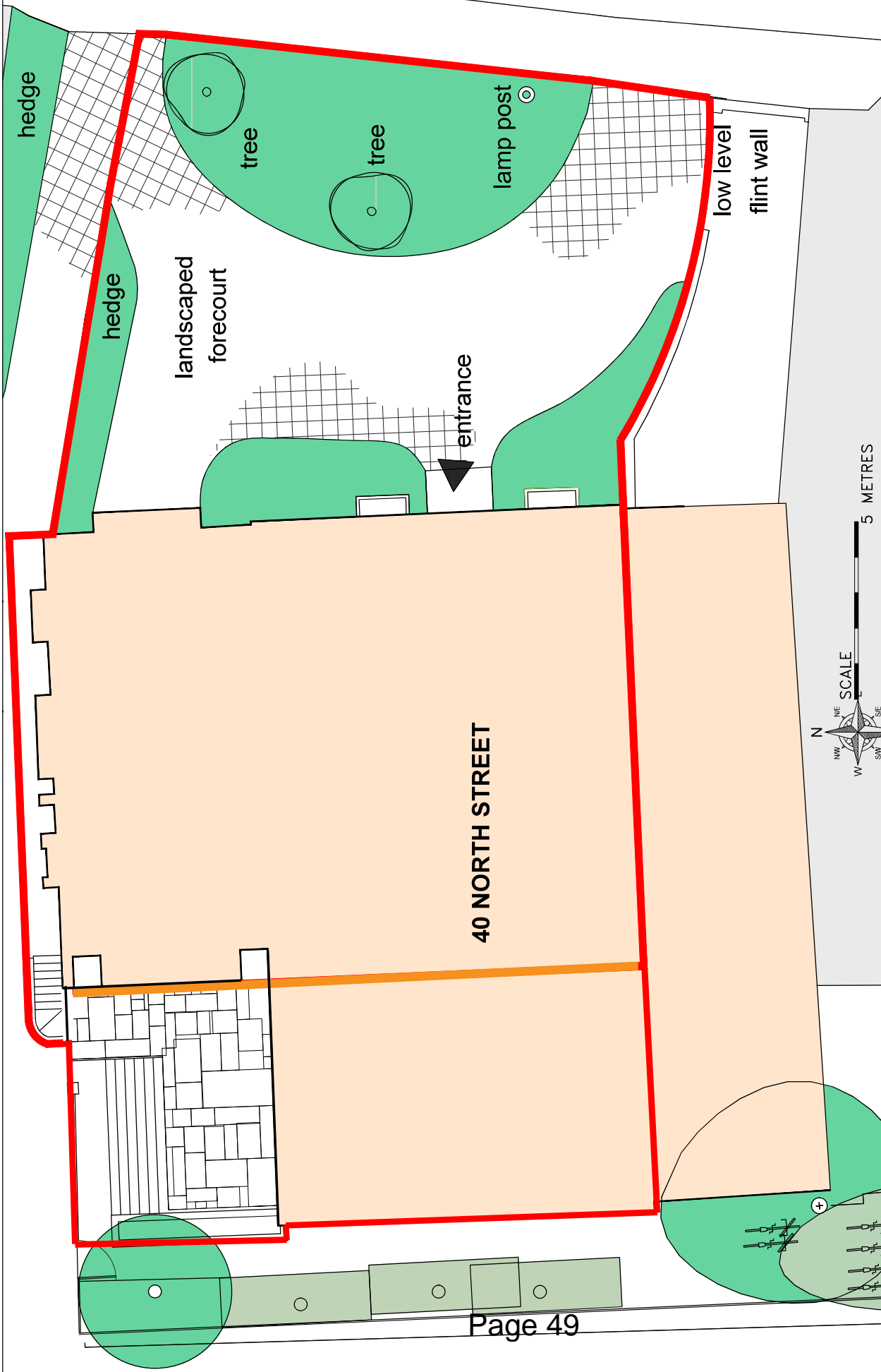
Nationality

British

Mobile no.



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PROJECT		CLIENT	
40, North Street, Chichester		Cottrell	
DRAWING TITLE		COMPUTER FILE NAME	DWG.DWG
Site Plan as Proposed		ORIGINAL SIZE OF THIS DRAWING IS A3	DRAWING NUMBER
DRAWN	CHECKED DATE	SCALE - AS SCALE RODS	PROJECT NUMBER
BD	MB Jan 2022	1:100	1766
		ACTUAL DRAWING NUMBER	REVISION
		SK	-
TRINITY, STRETTON, CHICHESTER, WEST SUSSEX, PO18 0LA, UNITED KINGDOM. TEL. 01243 771166			

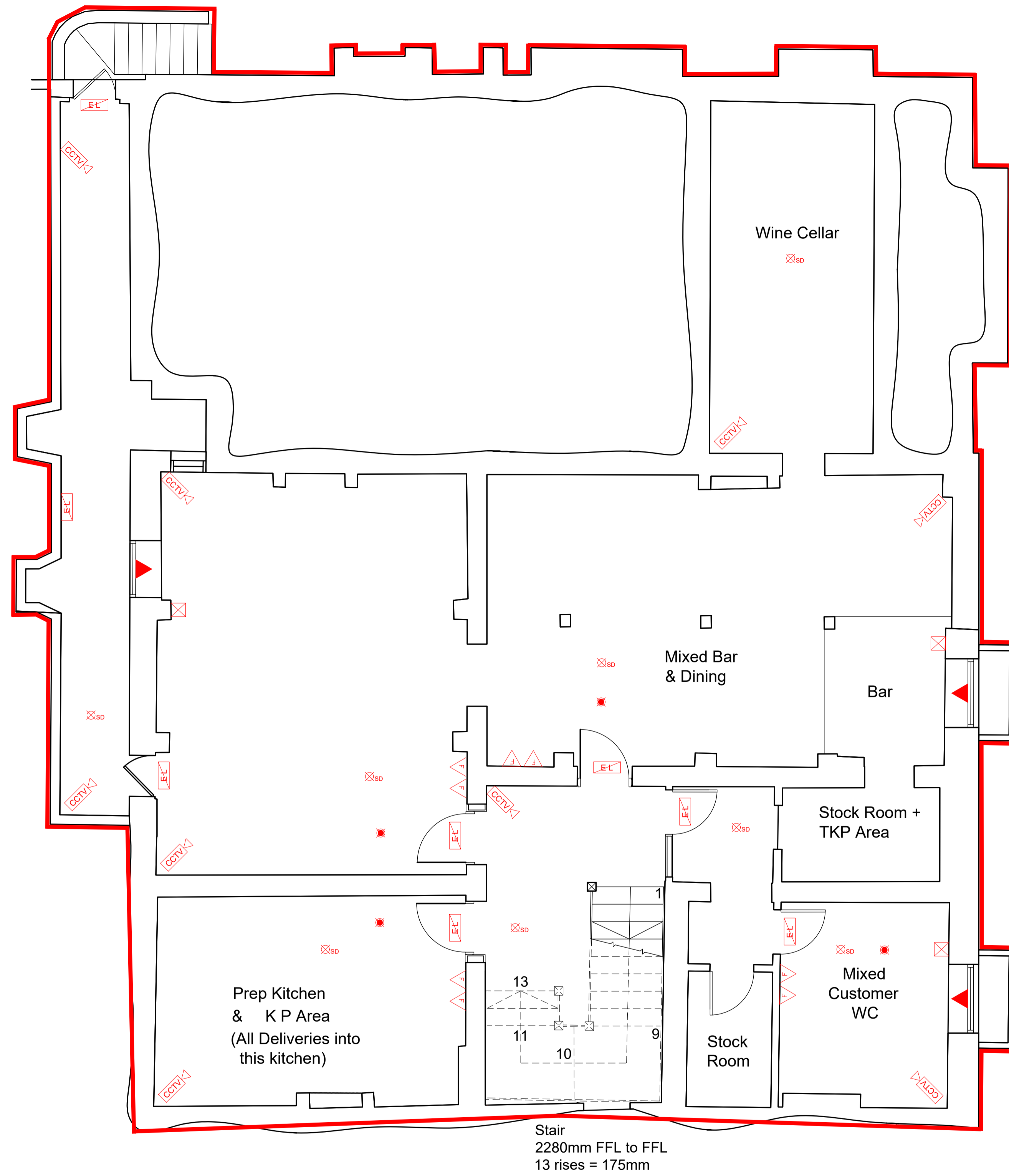
E-mail michael@admarchitects.co.uk
 web site www.admarchitects.co.uk

Luckes at No.40
40 North Street, Chichester, PO19 1LX

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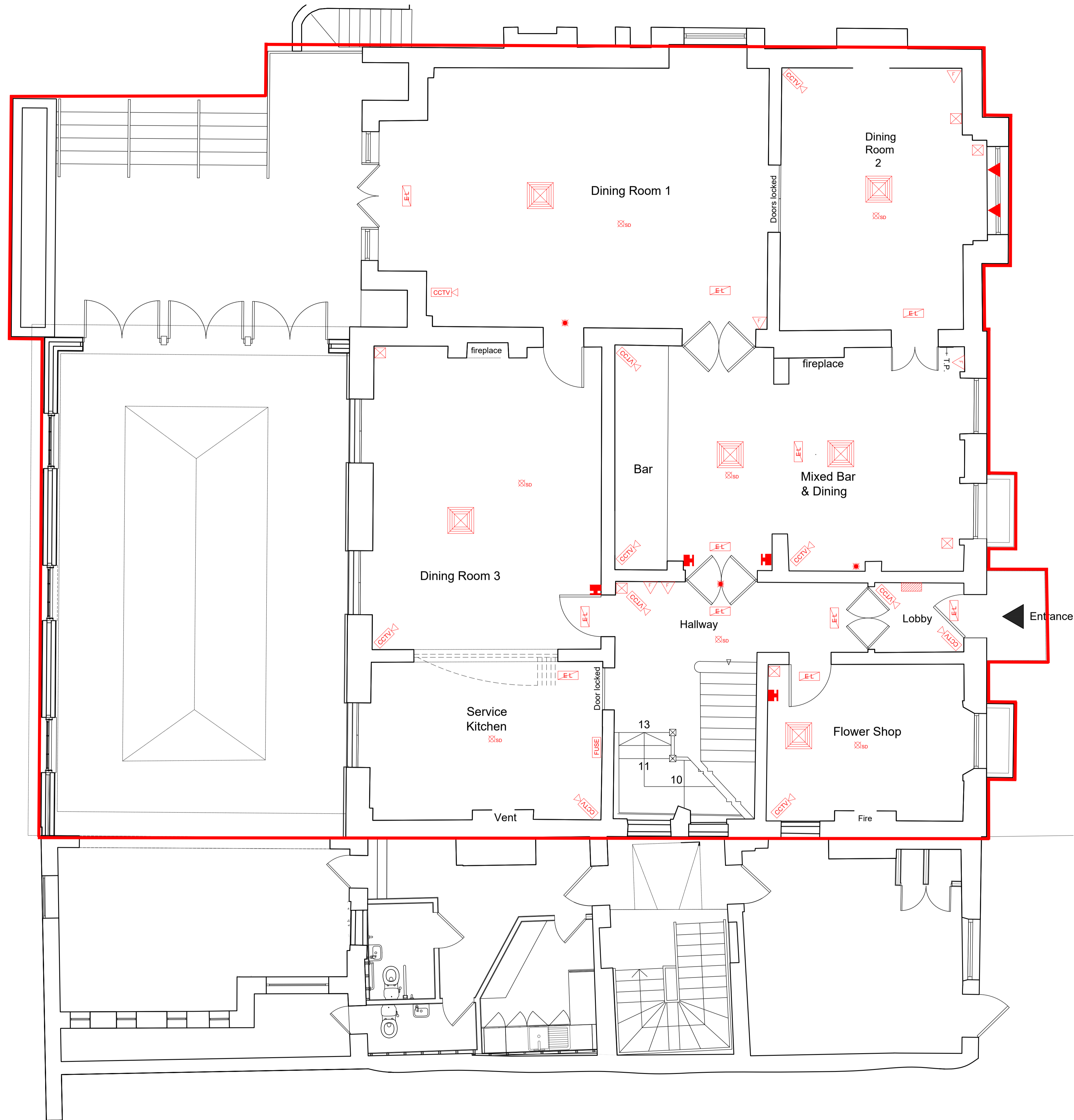
REVISIONS

REV.	DATE	REVISIONS



KEY

	CCTV CAMERA		FIRE ALARM CONTROL PANEL
	EMERGENCY LIGHT		BREAK GLASS CALL POINT - LINKED TO FIRE ALARM AUDIBLE WARNING DEVICE
	RED ALARM LIGHT		WALL MOUNTED AIR CON UNIT
	SMOKE DETECTOR		SECURITY ALARM SET PANEL
	FIRE EXTINGUISHER		COMPUTER SERVER UNIT
	AIR CON UNIT CEILING MOUNTED		TELEPHONE POINT
	SECURITY DETECTOR		ELECTRICAL FUSE UNIT
	WINDOW SECURITY DETECTOR		
	MAGNETIC DOOR HOLD OPEN LINKED TO FIRE ALARM		



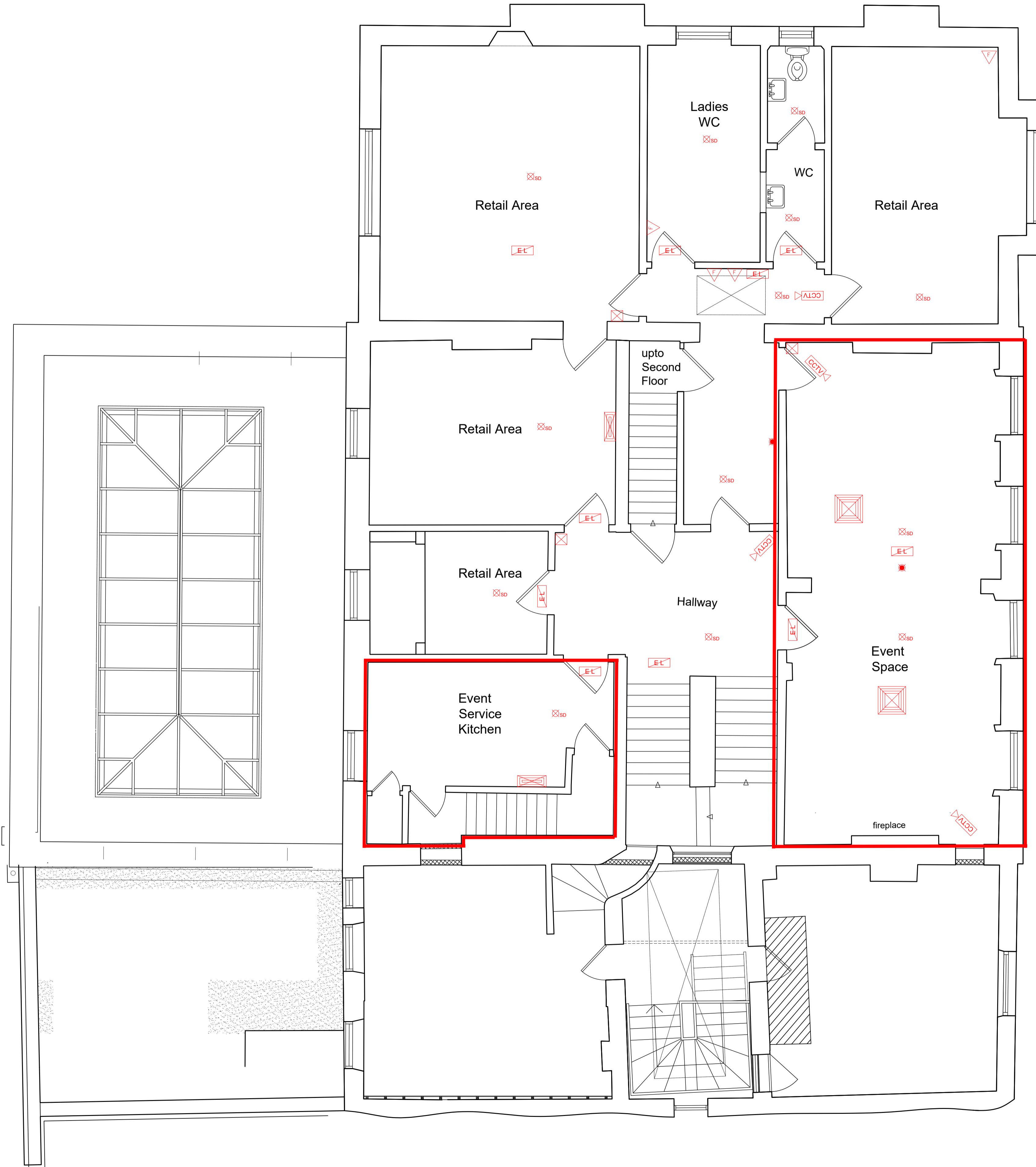
KEY			
	CCTV CAMERA		FIRE ALARM CONTROL PANEL
	EMERGENCY LIGHT		BREAK GLASS CALL POINT - LINKED TO FIRE ALARM AUDIBLE WARNING DEVICE
	RED ALARM LIGHT		WALL MOUNTED AIR CON UNIT
	SMOKE DETECTOR		SECURITY ALARM SET PANEL
	FIRE EXTINGUISHER		COMPUTER SERVER UNIT
	AIR CON UNIT CEILING MOUNTED		TELEPHONE POINT
	SECURITY DETECTOR		ELECTRICAL FUSE UNIT
	WINDOW SECURITY DETECTOR		
	MAGNETIC DOOR HOLD OPEN LINKED TO FIRE ALARM		

E-mail michael@admarchitects.co.uk
web site www.admarchitects.co.uk

PROJECT 40, North Street, Chichester				CLIENT Cottrell			
DRAWING TITLE Ground Floor Plan as Proposed				COMPUTER FILE NAME DWG.DWG			
DRAWING NUMBER				ORIGINAL SIZE OF THIS DRAWING IS A1			
DRAWN BD		CHECKED MB		DATE Jan' 2022		SCALE - AS SCALE R/O/S 1:50	
PROJECT NUMBER 1766		ACTUAL DRAWING NUMBER SK		REVISION -		ARCHITECTS DESIGN & MANAGEMENT	
TRINITY, STRETTON, CHICHESTER, WEST SUSSEX, PO18 0LA, UNITED KINGDOM.				TEL. 01243 771166			

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KEY

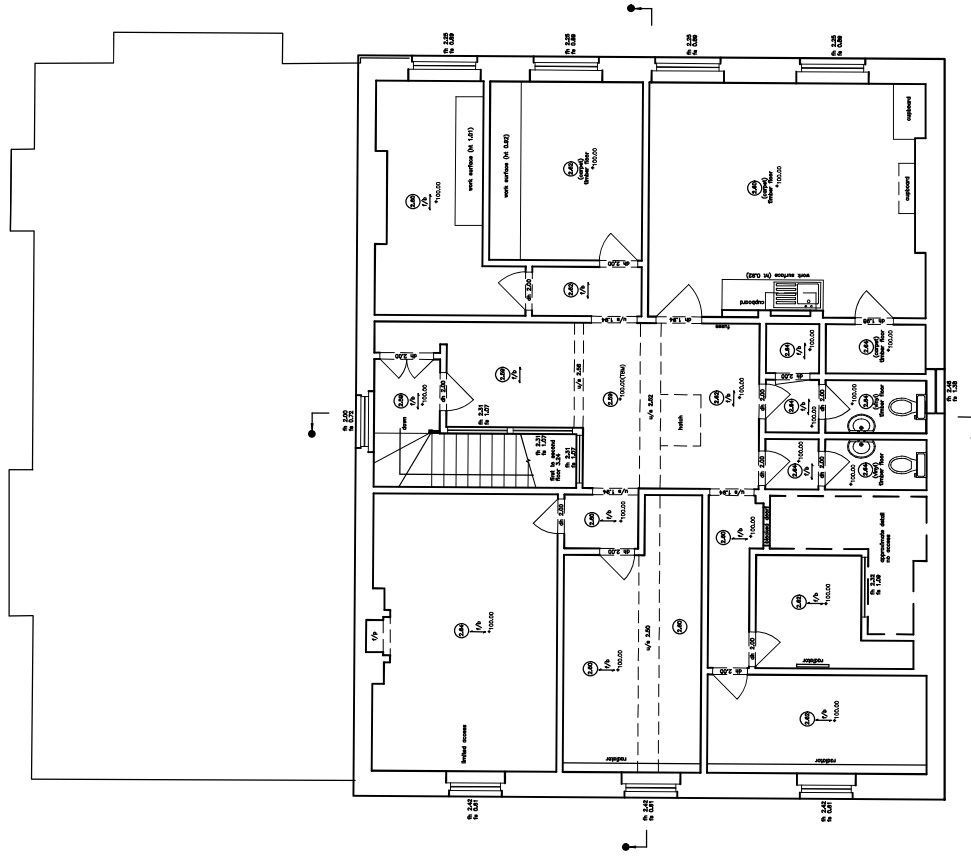
	CCTV CAMERA		FIRE ALARM CONTROL PANEL
	EMERGENCY LIGHT		BREAK GLASS CALL POINT - LINKED TO FIRE ALARM AUDIBLE WARNING DEVICE
	RED ALARM LIGHT		WALL MOUNTED AIR CON UNIT
	SMOKE DETECTOR		SECURITY ALARM SET PANEL
	FIRE EXTINGUISHER		COMPUTER SERVER UNIT
	AIR CON UNIT CEILING MOUNTED		TELEPHONE POINT
	SECURITY DETECTOR		ELECTRICAL FUSE UNIT
	WINDOW SECURITY DETECTOR		
	MAGNETIC DOOR HOLD OPEN LINKED TO FIRE ALARM		

E-mail michael@admarchitects.co.uk
web site www.admarchitects.co.uk

PROJECT 40, North Street, Chichester				CLIENT Cottrell			
DRAWING TITLE First Floor Plan as Proposed				COMPUTER FILE NAME DWG.DWG			
DRAWING NUMBER				ORIGINAL SIZE OF THIS DRAWING IS A1			
DRWN	CHECKED	DATE	SCALE - AS SCALE R/O/S	PROJECT NUMBER	ACTUAL DRAWING NUMBER	REVISION	
BD	MB	Jan' 2022	1:50	1766	SK	-	
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ARCHITECTS
DESIGN
&
MANAGEMENT

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PROJECT		CLIENT	
40, North Street, Chichester		Cottrell	
DRAWING TITLE		COMPUTER FILE NAME	
Second Floor Plan as Existing		DWGLDWG	
DRAWN		ORIGINAL SIZE OF THIS DRAWING IS A3	
BD		DRAWING NUMBER	
MB		PROJECT NUMBER	
Jan' 2022		1766	
CHECKED DATE		ACTUAL DRAWING NUMBER	
SCALE - AS SCALE RDS		1:100	
SCALE		REVISION	
1:100		SK	
TRINITY, STRETTONING, CHICHESTER, WEST SUSSEX, PO18 0LA, UNITED KINGDOM.		TEL. 01243 771166	
ARCHITECTS DESIGN & MANAGEMENT			

E-mail michael@admarchitects.co.uk
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REV. | DATE | REVISIONS

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ATTACHMENT C

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From: Kate Simons
Sent: 23 Aug 2022 11:55:27 +0000
To: 'Premises Licence'
Cc: Licensing
Subject: RE: Luckes at No.40

Dear Ian

I have discussed the responses received regarding the above with my colleague and given the scale of the proposals it is requested that a noise impact assessment is provided with the application. There are a number of residents adjacent to the premises and given the proposed times of opening (until 0130 hours daily), noise from the following needs assessment to enable our team to comment fully on the application;

- Noise from heating/ventilation/extraction plant to be installed within bars/kitchens/restaurant areas
- Noise from patrons using the lawn to the east of the building and also late night noise from people accessing/egressing from the premises – plus potential vehicle noise in St Cyriacs car park affecting neighbouring residents.
- Music noise (live and recorded) including from special events.

It is noted that a number of noise control measures were listed in the application however a more detailed assessment is required in order to make informed comments on the application. Please contact me if you would like to discuss this further.

Our department is unable to be supportive of the application without this additional information. I have copied the licensing team to this response.
I look forward to hearing from you in due course.
Best regards
Kate



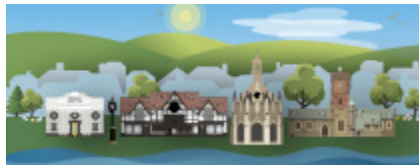
Kate Simons

Senior Environmental Protection Officer
Environmental Protection
Chichester District Council

Ext: 21160 | Tel: 01243521160 | ksimons@chichester.gov.uk | Fax: 01243776766 |

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

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



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From: Premises Licence <premiseslicence@innpacked.com>

Sent: 23 August 2022 12:02

To: Kate Simons <ksimons@chichester.gov.uk>

Subject: RE: Luckes at No.40

Hi Kate

I will ask my client for a response but as you will no doubt be aware planning and licensing are distinctly separate legislations but we do make clients aware that they may need planning permission and to ensure they have it.

All the best

Ian

Regards

Innpacked Premises Licensing Team

innpacked training consultants

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 Institute of Licensing

Tel: 08000 786 056

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~~~~~  
~~~~~  
~~~~~  
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**From:** Kate Simons <[ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk)>  
**Sent:** 23 August 2022 11:47  
**To:** Premises Licence <[premiseslicence@innpacked.com](mailto:premiseslicence@innpacked.com)>  
**Subject:** RE: Luckes at No.40

Dear Ian

I have been discussing the application with my planning colleagues and I thought it would be helpful to mention that given that the building is listed – there may be listed building consents and/or planning consents that will need to be applied for. I believe ventilation/extraction plant for kitchens or chillers within the bar that are to be sited externally to the building are likely to need planning permission. I presume the applicant has made enquiries in this regard or is planning to do so.

Could you confirm if such matters have also been considered with respect to this application please.

Many thanks  
Kate

**Kate Simons**

Senior Environmental Protection Officer  
Environmental Protection  
Chichester District Council

Ext: 21160 | Tel: 01243521160 | [ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk) | Fax: 01243776766 |  
<http://www.chichester.gov.uk>  
East Pallant House opening hours: 9am-4pm Monday to Friday

---

**From:** Premises Licence <[premiseslicence@innpacked.com](mailto:premiseslicence@innpacked.com)>  
**Sent:** 23 August 2022 09:07  
**To:** Kate Simons <[ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk)>  
**Subject:** Luckes at No.40

Hi Kate

Good to speak to you yesterday.

I have spoken to my client regarding your questions.

**Number of guests on site.**

Inside 97 covers maximum and exterior 30 maximum. It is worth mentioning that the business model is based on food sales so the front exterior of the premises would be used for dining during the day and pre-meal drinks in the evening, weather permitting!

**Wood burners**

There are three open fireplaces within the property which we propose to use in the winter.

Please let me know if you require any further information.

All the best

Ian

*Regards*

*Innpacked Premises Licensing Team*

**innpacked** training consultants  
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**Serving Sussex**

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

**West Sussex Division**  
Neighbourhood Licensing Team

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

Tel: 01273 404 030

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

18<sup>th</sup> August 2022

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

Dear Mr Knowles-Ley,

**RE: APPLICATION FOR A NEW PREMISES LICENCE FOR LUCKES AT NO. 40, 40 NORTH STREET, CHICHESTER, WEST SUSSEX. PO19 1LXJ. UNDER THE LICENSING ACT 2003. YOUR REF: 21/01401/LAPRE.**

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

This application is for a bar with supply of alcohol 09:00 to 01:00, seven days a week.

The application conditions offered are comprehensive, but following discussions between Innpacked Ltd, the applicant's agent and our office, the following additional conditions have been agreed to promote the licensing objectives.

### The Protection of Children from Harm:

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

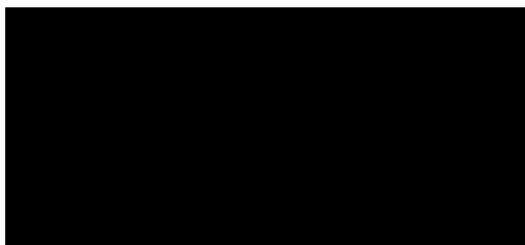
- the lawful selling of age restricted products
- refusing the sale of alcohol to a person who is drunk

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

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

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

Yours sincerely,



**West Sussex Licensing Inspector  
Sussex Police**

Enc



# New Premises Licence - Representation

Reference: 6378-2228-9069-7994

## Details of premises or club premises

|                               |                                                                               |
|-------------------------------|-------------------------------------------------------------------------------|
| Premises address              |                                                                               |
| Address / location            | 40 North Street, Chichester (Jack Wills building formerly the Fernley Centre) |
| Easting                       |                                                                               |
| Northing                      |                                                                               |
| Applicant name (if known)     |                                                                               |
| Application number (if known) | 22/01401/LAPRE                                                                |

## Details of person making representation

|                |                    |
|----------------|--------------------|
| Title          | Cllr               |
| First name     | Martyn             |
| Last name      | Bell               |
| Address        |                    |
| Address line 1 | 11 Whistler Avenue |
| Address line 2 | Whistler Avenue    |
| Street         | Chichester         |
| Locality       |                    |

|                                                                            |                         |
|----------------------------------------------------------------------------|-------------------------|
| Town                                                                       | Chichester              |
| County                                                                     | WEST SUSSEX             |
| Postcode                                                                   | PO19 6DL                |
| Telephone number                                                           | [REDACTED]              |
| Alternative telephone number                                               | [REDACTED]              |
| Email address                                                              | mbell@chichester.gov.uk |
| 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 following licensing objective(s) | The prevention of public nuisance                                                                                                                                                                                                                                                                                                                                                                                   |
| Please state the ground(s) for making the representation            |                                                                                                                                                                                                                                                                                                                                                                                                                     |
| The prevention of public nuisance                                   | The proposed restaurant/club if granted the hours applied for will result in noise nuisance in the early hours of the morning as customers exit at 1.30am with car park noises (slamming of doors, revving of engines in the St Cyriac's car park to the rear and North Street at the front. There will also be associated taxi movements. The premises is very close to many residential homes, blocks of flats on |

|                                                                          |                                                                                                              |
|--------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
|                                                                          | North Walls and Rose Court and Providence Place Sheltered Housing.                                           |
| Please provide any additional information to support this representation | There can be no guarantee that the music (live or recorded) can be confined to the interior of the premises. |

## Supporting evidence

## Declaration

|                                                                                                         |                  |
|---------------------------------------------------------------------------------------------------------|------------------|
| I/we certify that the information contained within this form is correct to the best of my/our knowledge | Confirmed        |
| Name                                                                                                    | Martyn John Bell |
| Date                                                                                                    | 10/08/2022       |

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**From:** Elfrida Fallowfield  
**Sent:** 14 Aug 2022 22:34:25 +0100  
**To:** Licensing  
**Subject:** Ferleigh House 40 North Street PO19 1LY

Regarding the planning application for the above property.....

I live at number 41 North Street, PO19 1NF and while I have no objection about the plans for a restaurant and bar I am concerned at the thought of live music every day of the week until 1 pm.

I am concerned about the amount of noise this will create not only from the bands but the clientele as well. Could the evenings for music be restricted to two nights a week, say Thursdays and Saturdays ? I especially don't like the thought of late music on Sundays, and worry that as a light sleeper, my sleep will be disturbed.

I don't want to stop people having a good time and I think it would be bearable on set days, but I do not want to have to listen to live music seven nights a week.

Thank you for your consideration.

Elfrida Fallowfield

Sent from my iPad

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# Comments for Licensing Application 22/01401/LAPRE

## Application Summary

Application Number: 22/01401/LAPRE

Address: Luckes At No 40 40 North Street Chichester West Sussex PO19 1LX

Proposal: New Premises Licence

Case Officer: David Knowles-Ley

## Customer Details

Name: Mr Cedric Wake

Address: 43 North Street, Chichester, West Sussex PO19 1NF

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:03/08/2022 12:01 PM We are the owner of 43 North Street which is a family home and available to paying guests on a B&B basis. We frequently have our children and grandchildren staying in the house.

We are aware that Luckes intends to use No. 40 North Street as a restaurant and it is therefore desirable for them to have a licence for the sale of alcohol. However, we object to this licence extending through to 1.00am as this is an unnecessarily long time for a restaurant to be open and serving. A limit of midnight should be set.

We also object to permission being granted for live and recorded music being played until 1.00am. A limit of 11.30pm should be set with a requirement to keep the volume of the music at a reasonable level so that it cannot be heard outside the building.

North Street is a mixed use area of commercial and residential occupants. We already suffer noise pollution from the Bar at 53 North Street whose licence for Disco music is, we believe, until 11.30 and recorded music until midnight. In addition, there is disturbance from music and guests weddings and parties in the Ship Hotel from time to time. The proposal from Luckes, if unrestricted, would add considerably to this disturbance to the detriment of the quality of life of residents and businesses in this area of Chichester. We believe that this would be in contravention of the 2003 Licensing Act for the prevention of public nuisance.

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# Comments for Licensing Application 22/01401/LAPRE

## Application Summary

Application Number: 22/01401/LAPRE

Address: Luckes At No 40 40 North Street Chichester West Sussex PO19 1LX

Proposal: New Premises Licence

Case Officer: David Knowles-Ley

## Customer Details

Name: Dr Fiona Bell

Address: Northgate House, 38 North Street, Chichester, West Sussex PO19 1LX

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:04/08/2022 6:46 PM We live at 38 North Street, our family home, where we often have our growing family staying. We live at the quieter end of North Street, beyond the pedestrian precinct, where there is a mixture of commercial buildings and houses, with a number of residential flats above the shops on the East side of the road, immediately opposite no. 40. We already experience considerable noise nuisance several nights a week, at around normal pub closing times as members of the public and large rowdy groups of students make their way homewards or to their cars in North Street carpark.

We are pleased that Luckes are going to open a restaurant at no. 40, and of course support their application to have an alcohol license during normal restaurant hours.

However, we strongly object to the license being given from 9 in the morning to 1 am seven days a week, as we feel sure that as people leave the building (which we understand will potentially be open until 1.30am every night) there will be the risk of public nuisance through noise. We would request that the license is not granted beyond normal pub times, or midnight for weddings and special events.

We also object to the license application to play live or recorded music until 1am for the same reason - public nuisance.

We note that the application (section J on the form) is to serve alcohol both on and off the premises and worry that this means drinks will be available in the front garden until 1am, where it cannot be anything other than a nuisance to anyone trying to sleep in their homes nearby, or the hotel opposite.

We note that the exit from the cellar will be via the precipitous stairs up into the narrow passage from North Street to St Cyriacs, from where members of the public will spill into St Cyriacs carpark, close to where a lot of elderly people live in Regnum Court, onto North St itself, and out of the car park past Rose Court, which is sheltered housing, potentially causing public nuisance.

From: stephen bishop  
Sent: 23 Aug 2022 13:40:45 +0100  
To: Licensing  
Subject: Licensing application 22/01401/LAPRE

Dear Sir/Madam,

I live at 

I have read the letters filed by Mr Wake, and Doctors Bell and Shaw, objecting to the above application and I concur with the views expressed in those letters.

I would ask that any licence granted for the sale of alcohol and the playing of live and recorded music be restricted to pub opening hours, and that a requirement be imposed that all music be kept to a volume where it will not cause a disturbance to nearby properties.

  
Stephen Bishop

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From: jeremy shaw  
Sent: 3 Aug 2022 09:20:27 +0000  
To: Licensing  
Subject: Re: Licensing application for 40 North Street

Dear Mr Woodworth,

I am sorry if the tone of my email was unclear, this is an objection to the application for a live music and recorded music venue late into the night together with a concern about the potential issue of waste disposal similar to other food outlets in Chichester where waste disposal from food outlets is an increasing problem for city residents.

Yours sincerely  
Drs M J and L Shaw

Sent from my iPad

On 3 Aug 2022, at 09:24, Licensing <Licensing@chichester.gov.uk> wrote:

Dear Drs M J and L Shaw,

Thank you for your email, please confirm if this is an objection/representation to the application.

Kind regards

**Nik Woodworth**

Licensing Assistant (Administration)

Licensing Team

Chichester District Coun

Ext: 24375 | Tel: 01243785166 | nwoodworth@chichester.gov.uk | Fax: 01243 776766

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**From:** jeremy shaw [REDACTED]  
**Sent:** 02 August 2022 11:43  
**To:** Licensing <Licensing@chichester.gov.uk>  
**Subject:** Licensing application for 40 North Street

Dear Sir,

We have become aware of the public notice placed outside 40 North Street Chichester concerning a premises licence application from Luckes for Fernleigh House , 40 North Street Chichester, PO19 1LX. The application is for a restaurant licence together with a licence for alcohol consumption 9.00 am until 1.00 am Monday until Sunday together with live and recorded music from 11.30 am until 1.00 am from Monday until Sunday. The notice indicates that the objectives stated in the Licensing Act 2003 should be followed in any comments made concerning this application.

This part of Chichester is of mixed use with both commercial and residential occupants. There are at least two properties that have paying guests, North Walls House and The Harbour Hotel in

addition multiple properties in use by residents including our own property, Tredgolde House, number 42 North Street PO19 1NF. It is currently one of the quieter parts of the city where the addition of a restaurant with live and recorded music will have a significant impact on the quality of life of residents and impact adversely upon business in the locality.

A key objective of the 2003 Licensing Act is the prevention of public nuisance. The agreement by Chichester District Council to this application would most certainly contravene this specific objective. In addition to the public nuisance objection, it is already clear that recent restaurant additions in East Street have created a significant problem in the timely removal of waste. The area adjacent to the 40 North Street property is particularly limiting in terms of waste storage, with St Cyriacs public car park at the rear and North Street at the front of the building. Luckes already has a problem with waste disposal in its current premises, it will be a greater public nuisance if it moves to Fernleigh House.

Yours faithfully

Drs M J and L Shaw

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**From:** kate Fletcher  
**Sent:** 5 Aug 2022 16:03:31 +0000  
**To:** Licensing  
**Subject:** 22/01401 Luckes requesting long opening hour's

Dear Chichester District Council,

I wish to object to the request from luckes to have a license to sell alcohol and play loud music till 0100 in the morning Monday-Sunday..

This is a selfish, thoughtless request in a beautiful, built up residential area.

The late night noise, from pub's turning out is enough to listen too, dustbin's thrown around the street, vandalism to shops.

I am sure Luckes will not be sound proofing the whole building!

Also the amount of smelly waste to be disposed of, will entice more rodents, seagulls.

I live opposite, I also wake to go to work at 0600 in the morning for the NHS , our local hospital.

Why is it, that the fees were so increased 9 years ago , to prevent dancing on a Tuesday night in the Assembly Hall. This dance was a positive to the local community.

No alcohol involved, just fun!

There is nothing for our young people to enjoy, only pub's, involving drink.

Only a fool would allow this to happen.

I await the outcome with baited breath..

Yours Sincerely

Kate Fletcher

Sent from my iPad

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# Comments for Licensing Application 22/01401/LAPRE

## Application Summary

Application Number: 22/01401/LAPRE

Address: Luckes At No 40 40 North Street Chichester West Sussex PO19 1LX

Proposal: New Premises Licence

Case Officer: David Knowles-Ley

## Customer Details

Name: Mrs Sophie Powell

Address: Lion Place, 6 Lion Street, Chichester, West Sussex PO19 1LW

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 17/08/2022 4:57 PM I object to this application because I would be adversely affected as my neighbours would be. There is already rowdy members of the public roaming the streets after hours which is primarily a RESIDENTIAL area. I am comfortable accepting a licence to 10.30. I strongly object to a licence from 9am to 1am as this would lead to a high risk of public nuisance. I also object to a licence to play live or recorded music on and off the premise. The packing of musicians always make a dreadful noise and the Assembly rooms require that music ceases at 9.30pm I think. The property is near St Cyrics and sheltered housing and I would hate elderly and possibly vulnerable people being frightened by unruly behaviour.

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# **ATTACHMENT D**

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**From:** Bateup, David 63941  
**Sent:** 18 Aug 2022 10:39:07 +0000  
**To:** Licensing  
**Subject:** FW: Premises licence application for Luckes at No.40, North Street, Chichester  
**Attachments:** Luckes at No. 40 police rep 18.08.22.doc

Dear Chichester Licensing,

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

Acceptance of the new and revised conditions by the applicant's agent is below on this page.

Thanks.

David

**David Bateup**  
**Police Licensing Officer**  
Direct Dial: 01273 470 101 ext 581 214  
Licensing office: 01273 40 40 30  
[david.bateup@sussex.police.uk](mailto:david.bateup@sussex.police.uk)

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

---

**From:** Premises Licence [mailto:premiseslicence@innpacked.com]  
**Sent:** 17 August 2022 09:49  
**To:** Bateup, David 63941 <David.Bateup@sussex.police.uk>  
**Subject:** RE: Premises licence application for Luckes at No.40, North Street, Chichester

Good Morning David

Hope you are well.

Client is happy to accept your proposed conditions and I have made them aware of your recommendations re body cams.

All the best

Ian

Regards

*Innpacked Premises Licensing Team*

# innpacked training consultants

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**From:** [David.Bateup@sussex.police.uk](mailto:David.Bateup@sussex.police.uk) <[David.Bateup@sussex.police.uk](mailto:David.Bateup@sussex.police.uk)>  
**Sent:** 15 August 2022 14:08  
**To:** Premises Licence <[premiseslicence@innpacked.com](mailto:premiseslicence@innpacked.com)>  
**Subject:** Premises licence application for Luckes at No.40, North Street, Chichester

Dear Ian,

Hello. Re the above application, I am quite happy with all the conditions offered in part M of the application, but would like to see the below please under the Protection of Children from Harm:

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

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

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

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

No doubt you will consult with your applicant come back to me.

I would also request that you recommend to your client that when they have SIA door staff, the door staff ALWAYS have Body Worn Video with sound (ideally with a continuous recording facility to negate the risk of door staff 'forgetting' to switch it on...) whenever they are on duty. This protects your client when there are unfounded or malicious claims of assault and alleged heavy handed ejections or assaults by door staff.

Thanks.

David



**David Bateup**  
**Police Licensing Officer**  
Direct Dial: 01273 470 101 ext 581 214  
Licensing office: 01273 40 40 30  
[david.bateup@sussex.police.uk](mailto:david.bateup@sussex.police.uk)

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

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**From:** Kate Simons  
**Sent:** 30 Aug 2022 15:03:23 +0000  
**To:** 'Premises Licence'  
**Cc:** Licensing  
**Subject:** RE: Luckes at No.40

Dear Ian

I hope you had a good weekend.

I have now had a chance to go through your email as below with my manager. Although the points below under 'Noise from music' are noted, without knowing the potential noise breakout from the proposed use of the building it is not possible for our department to be confident that the mitigation suggested is sufficient. The application should be accompanied by a noise impact assessment which will determine the potential for noise impacts at nearby noise sensitive receptors. Given that the applicant has applied for the premises to be open until 0100 hours there is potential for night time noise to be disturbing to neighbours (noted to be located close to the premises).

As we have discussed, there may be implications from a planning/listed building point of view relating to the application and it is likely that a noise impact assessment may be required to accompany any future planning application if found to be necessary.

We are therefore unable to withdraw our objection to the application based on the information submitted so far.

Best regards  
Kate



**Kate Simons**

Senior Environmental Protection Officer  
Environmental Protection  
Chichester District Council

Ext: 21160 | Tel: 01243521160 | [ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk) | Fax: 01243776766 |  
<http://www.chichester.gov.uk>

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**From:** Premises Licence <[premiseslicence@innpacked.com](mailto:premiseslicence@innpacked.com)>  
**Sent:** 25 August 2022 12:37  
**To:** Kate Simons <[ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk)>  
**Subject:** FW: Luckes at No.40

Hi Kate

Good to speak today.

As discussed I will make Melanie aware of planning's comments regarding the listed building status of the premises.

Regarding noise management .

**Extraction:**

We plan to use free standing commercial fridges and not have a cold room so no ventilation will be required.

We plan to use a mega vent over the oven which is attached to the free standing oven. We do not deep fat fry. If any further extraction is needed we plan to vent it up the existing open chimney stack in the kitchen area which would extract three stories up at the top of the chimney.

**Noise from music:**

I would suggest the following conditions could be added to the application

- A noise limiter must be fitted to any musical amplification system set at a agreed level, so as to ensure that no noise nuisance is caused to local residents or businesses.
- The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be affected without prior knowledge of an authorised Officer of the Environmental Health Service.
- No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

**Customer Noise**

- The premises licence holder shall ensure that any patrons using the outside area of the premises do so in an orderly manner and ensure that there is no public nuisance.
- Staff shall be trained to remind customers exiting the premises to respect the needs of local residents and businesses and leave the area quietly.

I hope these will allow your department to support the application. Please let me know if you require anything further

All the best

Ian

---

**From:** Kate Simons <[ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk)>  
**Sent:** 23 August 2022 12:55  
**To:** Premises Licence <[premiseslicence@innpacked.com](mailto:premiseslicence@innpacked.com)>  
**Cc:** Licensing <[Licensing@chichester.gov.uk](mailto:Licensing@chichester.gov.uk)>  
**Subject:** RE: Luckes at No.40

Dear Ian

I have discussed the responses received regarding the above with my colleague and given the scale of the proposals it is requested that a noise impact assessment is provided with the application. There are a number of residents adjacent to the premises and given the proposed times of opening (until 0130 hours daily), noise from the following needs assessment to enable our team to comment fully on the application;

- Noise from heating/ventilation/extraction plant to be installed within bars/kitchens/restaurant areas
- Noise from patrons using the lawn to the east of the building and also late night noise from people accessing/egressing from the premises – plus potential vehicle noise in St Cyriacs car park affecting neighbouring residents.
- Music noise (live and recorded) including from special events.

It is noted that a number of noise control measures were listed in the application however a more detailed assessment is required in order to make informed comments on the application. Please contact me if you would like to discuss this further.

Our department is unable to be supportive of the application without this additional information. I have copied the licensing team to this response.

I look forward to hearing from you in due course.

Best regards

Kate

**Kate Simons**

Senior Environmental Protection Officer  
Environmental Protection  
Chichester District Council

Ext: 21160 | Tel: 01243521160 | [ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk) | Fax: 01243776766 |

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**From:** Premises Licence <[premiseslicence@innpacked.com](mailto:premiseslicence@innpacked.com)>

**Sent:** 23 August 2022 12:02

**To:** Kate Simons <[ksimons@chichester.gov.uk](mailto:ksimons@chichester.gov.uk)>

**Subject:** RE: Luckes at No.40

Hi Kate

I will ask my client for a response but as you will no doubt be aware planning and licensing are distinctly separate legislations but we do make clients aware that they may need planning permission and to ensure they have it.

All the best

Ian

Regards

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From: Kate Simons <ksimons@chichester.gov.uk>
Sent: 23 August 2022 11:47
To: Premises Licence <premiseslicence@innpacked.com>
Subject: RE: Luckes at No.40

Dear Ian

I have been discussing the application with my planning colleagues and I thought it would be helpful to mention that given that the building is listed – there may be listed building consents and/or planning consents that will need to be applied for. I believe ventilation/extraction plant for kitchens or chillers within the bar that are to be sited externally to the building are likely to need planning permission. I presume the applicant has made enquiries in this regard or is planning to do so.

Could you confirm if such matters have also been considered with respect to this application please.

Many thanks
Kate

Kate Simons

Senior Environmental Protection Officer
Environmental Protection
Chichester District Council

Ext: 21160 | Tel: 01243521160 | ksimons@chichester.gov.uk | Fax: 01243776766 |
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From: Premises Licence <premiseslicence@innpacked.com>

Sent: 23 August 2022 09:07

To: Kate Simons <ksimons@chichester.gov.uk>

Subject: Luckes at No.40

Hi Kate

Good to speak to you yesterday.

I have spoken to my client regarding your questions.

Number of guests on site.

Inside 97 covers maximum and exterior 30 maximum. It is worth mentioning that the business model is based on food sales so the front exterior of the premises would be used for dining during the day and pre-meal drinks in the evening, weather permitting!

Wood burners

There are three open fireplaces within the property which we propose to use in the winter.

Please let me know if you require any further information.

All the best

Ian

Regards

Innpacked Premises Licensing Team

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