

Licensing Unit,
Chichester District Council,
East Pallant House
1 East Pallant
Chichester
PO19 1TY



Neighbourhood Licensing Team West Sussex Division

clare.godfrey01@sussex.pnn.police.co.uk

18th October 2018

RE: APPLICATION FOR GRANT OF A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003 FOR PETWORTH TOWN

Dear Mr Foord,

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds of the licensing objective of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and the Protection of Children from Harm.

Sussex Police have considered this application and have concerns that granting this premises licence in its current form would undermine all four licensing objectives. Sussex Police feel that the information provided is insufficient to allow for proper consideration of the application. Given the apparent size of the licensable area, details of how the licence is to be operated need to be more specific for Sussex Police to be confident that the licensing objectives shall be promoted and that attendees will be safe. It is unclear how the licence will impact upon businesses in the town centre. Specifically those already holding a premises licence. It is noted that the licence includes a public park, it is unclear if this will be closed to members of the public and how the area will be managed.

Section 17(4) (g) of the Act requires an operating schedule to include a statement of the steps which are proposed to promote the licensing objectives. The operating schedule attached to the licence application lacks detail. Sussex Police are not satisfied as to the adequacy of the proposed measures and have concerns that the granting of the licence in its current form would place members of the public at risk. The application seeks a permanent licence for a large site for numerous licensable activities; including:

- Plays
- Films
- live music
- recorded music
- performance of dance and anything of a similar description
- late night refreshment
- the supply of alcohol (on sales),

Sussex Police, Neighbourhood Licensing Team
Centenary House, Durrington Lane, Worthing,
West Sussex. BN13 2PQ
Telephone: 01273 404030

The hours for these licensable activities are 10:00 – 23:00 seven days a week, excluding the sale of alcohol which is 11:00 – 22:30hrs.

While it is anticipated that the applicant would not in practice seek to use the licence to its full extent, it never the less allows the licence holder to conduct licensable activity throughout a large part of the town centre for 13 hours every day. It is unclear if this will involve road closures on each occasion it is used.

The applicant states in Section M 'All events over 500 people will have a full event safety and management plan, and if appropriate consult with the local Safety Advisory Group'. This is ambiguous particularly the term 'appropriate' as this is subjective.

Sussex Police would seek clarity on the intended use of the licence i.e. the number and frequency of occasions it is to be used, the type of events, the necessity for road closure, the use of plastic vessels in public spaces, how off licenced premises in or adjacent to the licensed area will operate and/or impact on this licence. There is no indication that responsible authorities will be informed of the scheduled events or the time frame for doing so if they are.

Further concerns relate to the protection of children from harm. In its current form the licence allows unaccompanied children on a licenced premises where alcohol is being supplied until 23:00 hours. There do not appear to be any measures to address this or to safe guard them.

Section E states 'The Town Council shall ensure that any activities for children under the age of 8 years comply with the provisions of The Children's Act', however under the licensing Act 2003 a child is any person under the age of 18 years.

Section B stipulates that 'stewards will carry walkie-talkies to communicate on any issues and request help' but it is not clear from the application who these stewards are? Will the applicant be using SIA registered door staff as well as stewards? By whom are the stewards employed? From whom will they be requesting assistance? Further information is required around the security of any events.

There is no indication that consideration has been given to the implementation of essential steps such as: staff training, a vulnerable person's policy, the use of an incident and refusals log, written risk assessments or the use of Challenge 25. Sussex Police consider these necessary to prevent crime and disorder, protect children from harm, to prevent public nuisance and to promote public safety.

Within Section E, the applicant states 'The hirer shall provide the management committee with a copy of their Child Protection Policy...' This indicates that the licence shall be used by a third party. This has further implications for the licence; as to the nature of the events and the licence holder/hirer's responsibility for conducting licensable activity in accordance with the Licensing Act 2003. What checks will be carried out by the licence holder regarding the number of patrons using the site, how this will be monitored and controlled; how each event/hirer would be individually assessed regarding the type of event, the location and its suitability for children and/or adults.

Sussex Police are also note the applicant has sought Late Night Refreshments (LNR). The application indicates that the licence is to cease at 23:00hrs therefore rendering LNR redundant?

It is considered that in its current form Sussex Police are unable to give a properly considered response to this application. The scope permitted by granting this licence is such that until further detail is provided, Sussex Police cannot be confident that the licensing objectives will be promoted or that members of the public will not be protected from harm and associated detrimental impact.

Please contact this office on the number below or via email to ws_licensing_wor@sussex.pnn.police.uk should you wish to discuss this representation.

Yours sincerely

Sussex Police, Neighbourhood Licensing Team
Centenary House, Durrington Lane, Worthing,
West Sussex. BN13 2PQ
Telephone: 01273 404030



K Ottery
Chief Inspector
District Commander

Sussex Police, Neighbourhood Licensing Team
Centenary House, Durrington Lane, Worthing,
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