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West Sussex Division
Neighbourhood Licensing Team

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

Tel: 01273 404 030

Email:
WS_Licensing_WOR@sussex.pnn.police.uk

17th April 2019

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

Dear Mr Knowles-Ley,

RE: APPLICATION FOR VARIATION OF THE PREMISES LICENCE FOR WOODIES BRASSERIE & BAR, 10 ST PANCRAS, CHICHESTER, CHICHESTER, PO19 7SJ. UNDER THE LICENSING ACT 2003. 19/00546/LAPRE1.

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

In annex 2 of the existing licence there are three important conditions as follows:

5. There will be no vertical drinking at the premises, save for persons waiting for a table to become available to a maximum of eight (8) persons at any one time.
6. The premises will operate as a restaurant and any promotions and advertising will refer to it as such.

8. When internet/telephone sales are placed, age verification must be obtained before the sale takes place. Acceptable forms of identification must be checked on point of delivery.

9. Alcohol sold for consumption off the premises will be in sealed containers and only as an ancillary to a take away meal.

The applicant in this variation application is seeking to remove all of the above conditions from the premises licence. The application seeks to add:

- live music [Friday and Saturday nights 21:00 to 24:00]
- amplified recorded music to the licence [Sunday to Thursday 10:00 to 24:00, Friday and Saturday 10:00 to 01:00].
- An additional half hour Friday and Saturday nights to the existing late night refreshment and opening hours, now finishing at 01:00
- An additional half hour Friday and Saturday nights to the existing supply of alcohol, now finishing at 00:45.

I note that on the floorplan accompanying the application that vertical drinking is proposed in the front half of the premises and in a small area at the rear, which I anticipate is the patio area. It is not clear if existing condition 5 above is intended to remain for the rear of the restaurant, or if it is intended that it will be removed completely from the licence?

Clearly the intention is to convert the front half of the premises into a pub, with recorded amplified music and live music on a Friday and Saturday night. There is nothing wrong with this in principal, and we note that the applicant has made specific reference to the provision of security on a Friday and Saturday evening. However it is noted that the applicant says they will provide security "if needed", so there is no definite commitment to provide security being offered.

I have read the representations from adjoining residential properties and the request that the patio area ceases to be used at 22:00. The point of concern then becomes where will smokers go then? Presumably the smoking area will then revert to the pavement outside the premises? The danger is then that the pavement outside the premises will effectively become an unofficial beer garden for the premises, with a crowd of people all standing, smoking and drinking on the pavement between 22:00 and closure of the premises. This in turn can then create issues with noise nuisance, obstruction of the pavement and potentially conflict with passing traffic.

Having taken all of these points into account our police licensing office has proposed the following new and revised conditions to Mr Wright the applicant:

The Prevention of Crime and Disorder

Security Industry Authority (SIA) licensed door supervisors shall be deployed at the premises from 21:00 hours until 30 minutes after closing time on Friday & Saturday evenings. Door staff will also be employed on other occasions when such a requirement is either identified by the licence holder's own risk assessment or is requested by Sussex Police. (A minimum of 48hrs written notice required from the police licensing team). There shall be a minimum of one door

supervisor to every 100 or part 100 customers starting with a minimum of two. Those performing the role of Door Supervisor will not perform any other role when engaged for the purpose of door supervision activities. Door staff shall be fully briefed prior to work, with clear written instructions regarding their specific duties. Door staff will be made aware of individuals banned by pub watch. These records will be kept at the premises and made available to officers of any responsible authority upon request. Such door supervisors shall wear suitably marked reflective jackets in order that they can be readily identifiable to customers, staff and the police.

A documented risk assessment must be written which identifies the activities undertaken at the premises and the controls necessary to promote the licensing objectives. It will include what considerations have been made for any additional special events which may arise during the year. This document will be kept at the premises and shall be made available for inspection upon request by officers of any responsible authority.

Off sales of alcohol will cease at 23:00.

The Licensees/DPS to maintain active membership and attend meetings of pub watch so long as that organisation is in existence.

Polycarbonate drinking vessels will be used when the need is identified through the risk assessment or notified in writing by Sussex Police a minimum of seven days before the event.

A personal licence holder shall be on the premises at all times after 21:00 hours on a Friday and Saturday evening until closure.

Patrons will not be permitted to take drinks in open containers to consume outside on the pavement or road whilst smoking or otherwise congregating outside of the premises. Patrons using the outside of the premises to smoke will be monitored by door staff or staff and will not be permitted to obstruct the pavement, road, or create a noise nuisance or other disturbance.

An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a month. The log book should be kept on the premises and be available for inspection at all times the premises are open by officers of any responsible authority. An incident will be defined as being one which involves an allegation of a criminal offence.

The last sentence of existing condition No. 2 under Annex 2 will be amended to read:

These records shall be kept for a minimum of twenty four (24) months and kept at the premises. These records shall be made available for inspection upon request by officers of any responsible authority.

Removal of condition 10 on the existing licence to be replaced with: Children under 18 will not be permitted on the premises after 21:00.

Conditions for alcohol delivery service:

Alcohol deliveries will only be made to a residential or business address.

The person accepting the delivery must be aged 18 years or over. Where the person accepting delivery appears to be under 25, a recognised photographic ID must be produced prior to delivery.

Customers ordering alcohol for delivery to a residential or business address must have their age verified. This process will be documented, the records of which must be retained for no less than twelve months and produced on request to an officer of a Responsible Authority.

For deliveries where the alcohol is delivered by a third party where the DPS has no direct supervision or control over the delivery (such as an independent courier or Royal Mail).

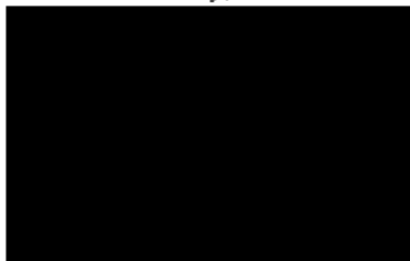
All forms of advertising and promotional literature detailing the delivery service (including internet sites and flyers/leaflets) will clearly state that alcohol should only be purchased for delivery to intended recipients (or persons who will accept delivery on behalf of the named recipient) who are aged over 18.

In the event that the person ordering and paying for the alcohol nominates another person as the recipient of the alcohol, as a gift etc, the person ordering and paying for the alcohol will be required to state as part of their order that the recipient is aged over 18.

The conditions for the alcohol delivery service have been requested in response to the request by the applicant to remove condition 8 on the existing licence with no alternative or back up condition being offered. We anticipate that the reason for the other new conditions will be self explanatory.

We did email these proposed new conditions to Mr Wright on Monday, but to date we have not have any reply. As the deadline for representations is tomorrow, we are now formally submitting our representation. We hope to hear from with Mr Wright on the new requested conditions above in due course.

Yours sincerely,



Kristian Ottery
Chief Inspector
District Commander