

From: Emma Burle
Sent: 27 Aug 2021 13:35:33 +0000
Bcc: [REDACTED]

Subject: 21/00939/LAPRE - Premises Licence Application
Importance: High

Dear Sir/Madam,

Licensing Act 2003 – Section 17
REDH Limited
REDH North Street Midhurst West Sussex GU29 9DH
Case Reference Number: 21/00939/LAPRE
Premises Licence Application

We are writing to all parties that submitted a representation in respect of the above new Premises Licence application. I can confirm that a total of 13 representations were received, 11 from members of the public with the remaining two from Sussex Police and the Environmental Protection Team as 'Responsible Authorities' under the Licensing Act 2003.

I can confirm that having carefully considered the representations that have been submitted in connection with their application, and following consultation with the Environmental Protection Team as the Responsible Authority for noise pollution, the applicant has consequently agreed to reduce the terminal hour for the external area as follows:

Licisable activities to cease externally at 23:00 with the area cleared of customers 23:30.

I can also confirm that in addition to the above, the applicant has also agreed a number of conditions with Sussex Police all aimed at promoting the four licensing objectives, these are as follows:

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 and externally to cover all public areas including the entrance to the premises and the outside tables and chairs area and/or smoking area. 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 and outside 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.

Security Industry Authority (SIA) door supervisors must be deployed at the premises at any time when the licence holder identifies by way of a suitable and sufficient written risk assessment that SIA door supervisors and other security measures are necessary. It must also consider busy periods such as Bank Holidays, Christmas and New Year, Seasonal Variations and other Town Centre Events along with any special events at the premises such as live music, discos, screening of sporting events and other similar functions or entertainment. The risk assessment will also cover any requirement for polycarbonate drinking vessels, ticket only events, entry restrictions and last entry times. The written risk assessment must be available on the premises for inspection by police and authorised officers of the Licensing Authority. This written risk assessment is to be reviewed and updated as necessary and at least annually and must take into account information or guidance offered by the police and the licensing authority.

Whenever SIA door supervisors are on duty, they must be provided in accordance with the following:

- *At a ratio of 1 per 100 customers or part thereof, although at all times with a minimum of two;*
- *On duty until the premises has closed to the public, licensable activities has ceased and the venue is completely clear of patrons and all customers have dispersed from the immediate area;*
- *One SIA registered door supervisor shall wear and operate a Body Worn Video camera with a recording facility which shall be activated when dealing with any incident of violence or public disorder. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings in a suitable format shall be made available upon the request of Police or authorised officer throughout the entire 31 day period;*
- *Must wear clearly marked reflective jacket or tabard in order that they can be readily identifiable;*
- *Must be equipped with clickers or other device(s) in order that they can accurately measure and ensure that the maximum capacity of the premises is complied with a written record being kept; and*
- *Must monitor/supervise any queue of customers waiting to gain access to the premises and ensure that so long as social distancing requirements are in place, that these are complied with both inside and outside the premises.*

- SIA door supervisors shall complete incident logs prior to the end of their shift. Records shall be maintained at the premises containing the full name, date of birth, and SIA badge number of every Door Supervisor. The record shall include all dates and times when a Door Supervisor is employed. If Staff are employed through an agency the name and address of the agency must be included. The Door Supervisor records will be kept at the premises and made immediately available to officers of any responsible authority upon request.

A premises incident book shall be kept at the premises. This book shall be maintained and kept for a rolling period of 12 months. The incident book shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints made to the premises alleging nuisance or anti-social behaviour by persons attending or leaving the premises and all refusals to sell alcohol, and any incident which involves an allegation of a criminal offence. The log book will be kept on the premises and be available for inspection at all times the premises are open by officers of any responsible authority.

Patrons will not be permitted to take drinks in open containers to consume outside on the pavement/public highway beyond the outside licensed area (or any permitted outside tables and chairs area) of the premises whilst smoking or otherwise congregating outside of the premises.

All of sales of alcohol will be in sealed containers.

For the Protection of Children from Harm:

The premises will operate a “Challenge 25” policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licenses with a photograph, photographic military ID or proof of age cards bearing the “PASS” mark hologram.

Suitable and sufficient signage advertising the “Challenge 25” policy will be displayed in prominent locations in the premises.

The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following 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.

Conditions for alcohol delivery service:

Alcohol deliveries will only be made to a residential or business address and not to a public place.

The age verification policy (including challenge 25) shall clearly be advertised at each stage of the order and on all advertising. 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. Customers will be reminded that it is a criminal offence for a person under 18 to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18.

*At the time the order is placed a declaration will be required from the person placing the order that that person is aged 18 years or over, and that **and** the intended recipient are over 18 years or over. This process will be documented, (tick box before proceeding, record of verbal acknowledgement or similar). These records must be retained for no less than twelve months and produced on request to an officer of a Responsible Authority.*

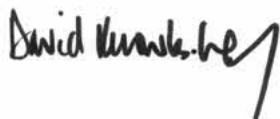
1. *For deliveries where the alcohol is delivered by a third party, the alcohol is concealed in a secure sealed package, and the DPS has no direct supervision or control over the delivery (such as an independent courier or Royal Mail), there cannot be an age verification challenge on delivery, but the above conditions will be followed.*
2. *For deliveries made directly by the DPS or their employees, staff or agent or persons instructed by the DPS/PLH, 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. No ID, no delivery.*
3. *Where the premises contracts a third party to deliver alcohol on their behalf and the person collecting the alcohol from the premises delivers it directly to the customer within a short timescale (such as Deliveroo, Just Eats), the premises will ensure that the third party:*
 - *only employs delivery employees or agents aged 18 and over;*
 - *is aware that alcohol is included in the delivery;*
 - *that the delivery person actively engages with the person receiving delivery and operates a challenge 25 policy rather than just handing the delivery over;*
 - *that in the event that the recipient of the alcohol is challenged for ID and does not provide appropriate and valid ID, the delivery person will retain the alcohol and return it to the premises.*

The applicant very much hopes that in view of offering to close the external area by 23:30 with licensable activities ceasing externally at 23:00, along with the additional conditions as outlined above, that the original concerns that have been expressed in the representations may now be resolved.

I would therefore ask that having considered the mediation offered by the applicant as outlined above, that you please confirm **in writing by no later than the end of Monday 6th September 2021 (if possible please reply by email)** whether you agree to the mediation offered by the applicant and would be prepared to withdraw your representation if all parties agree. Should it not be possible to resolve the matter by way of mediation, it will be necessary for the Licensing Authority to convene a hearing to which all parties would be invited.

Please don't hesitate to contact us should you have any questions regarding the above and we look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink, appearing to read "David Knowles-Ley".

David Knowles-Ley
Licensing Manager
Growth & Place