



ADUR DISTRICT COUNCIL

Licensing Act 2003 - Applications completed in 2024

Please find below a list of Licensing Act 2003 applications completed since 1 January 2024 by the Licensing Authority, Adur District Council, for new Premises Licences, Variations to existing Premises Licences and Review applications.

The terms of the Licensing Act 2003 dictate that all 'new' applications and 'variation' applications are publicised and consulted on. If no representations are received from 'Responsible Authorities' or any other persons such applications must be granted as applied for. If relevant representations are received and mediation between the parties is unsuccessful then the application has to be deliberated by the Licensing Committee following a hearing.

'Minor variations' are also consulted on but only by 'public notice' on the premise, details posted on this website and any responsible authorities the licensing authority selects as relevant. If relevant representations are received and considered by officers to have implications under the licensing objectives then the application is simply rejected and a full variation has to be applied for.

'Review' applications are consulted on by public notices being displayed on the premise and on the licensing authority's notice board situated at the Shoreham Centre. Details are posted on this website and copies of the application are served on the licence holder and responsible authorities. Review applications cannot be withdrawn unless a licence is surrendered and must be heard by the Licensing Committee whatever agreement mediation may produce.

Southwick Gifts

An application for a new premises licence for an established gift shop and post office known as 'Southwick Gifts'. The store is situated at 43 Southwick Square, Southwick, West Sussex, BN42 4GJ.

The application is sought authorisation for the sale of alcohol for consumption off the premises.

- Sale of alcohol:
 - 08:30hrs to 17:30hrs Monday - Friday
 - 08:30hrs to 16:00hrs Saturday
- Opening to the public:
 - 08:30hrs to 17:30hrs Monday - Friday
 - 08:30hrs to 16:00hrs Saturday

The applicant has offered a set of conditions in the operating schedule to address the licensing objectives.

Licence holder and applicant: Southwick Gifts Ltd.

Consultation closed: Monday 15 April 2024

Committee Hearing: Cancelled - not required.

The application received no relevant representations from members of the public, but one was received from a responsible authority - Sussex Police.

The Licensing Act encourages mediation and this was conducted with the applicant addressing the representor's concerns by volunteering a set of enforceable conditions onto the licence's operating schedule. As a result the representation was withdrawn and consequently, an amended application was granted as per the terms of the Licensing Act 2003.

Palate Bottle Shop

An application for a 'full variation' to the premises licence at 'Palate Bottle Shop'. The premises is situated at 26 Brunswick Road, Shoreham-by-Sea, West Sussex, BN43 5WB.

The licence authorises the sale of alcohol for consumption on & off the premises 09:00hrs to 22:00hrs Monday to Sunday incl.

The application sought to vary the existing licence to authorise the following:

- Alcohol sales:
 - 09:00hrs to 23:00hrs Sunday to Thursday
 - 09:00hrs to 00:00hrs Friday to Saturday
- Recorded music
 - 09:00hrs to 00:00hrs Friday to Saturday
- Opening to the public
 - 09:00hrs to 23:00hrs Sunday to Thursday
 - 09:00hrs to 00:00hrs Friday to Saturday
- Removal of the following conditions:
 - The premises will operate generally as an Off Licence.
 - However on no more than twice in a calendar month the premises will operate a ticket only event limited to no more than 15 customers who will be on the premises undergoing an alcohol tasting educational session and may be allowed to purchase glasses of alcohol after the tasting session is completed for consumption on the premises.
 - This will generally be wine but may include other specialist alcohols such as beer or cider. These sessions will run for no longer than 3 hours on any one occasion.
 - When the premises is operating its On Sales customers can remain on the premises until 22:30.

Licence holder and applicant: Mrs Verity Sessions

Consultation closed: Thursday 4 April 2024

Committee Hearing: Cancelled - not required.

The application received no relevant representation from members of the public, but one was received from a responsible authority - A&W Council's Environmental Health Food Team.

The Licensing Act encourages mediation and this was conducted with the applicant addressing the representors concern by volunteering an enforceable condition onto the licence's operating schedule. As a result the representation was withdrawn and consequently, an amended application was granted as per the terms of the Licensing Act 2003.

MacFarlanes

An application for a review of the premises licence at 'MacFarlanes' under section 51 of the Licensing Act 2003. The store is situated at 21 Southwick Square, Southwick, West Sussex, BN42 4FP.

The store's premises licence permits the sale of alcohol for consumption off the premises between 06:00hrs and 22:00hrs Monday to Sunday.

The application was submitted by WSCC Trading Standards Service and requested that the Licensing Authority considered:

- suspension of the Premises Licence
- a change to the Designated Premises Supervisor (DPS)
- adding additional conditions to the Premises Licence

The grounds for the review being the applicant contends the following licensing objectives have been undermined by the carrying on of licensable activities:

- the prevention of crime and disorder
- the protection of children from harm

Licence holder and applicant: Shiv Enterprise / WSCC Trading Standards Service

Consultation closed: Monday 15 January 2024

Committee Hearing: Held on Monday 26 February 2024

The application received no representations from the public but did receive two representations from responsible authorities supporting Trading Standards case. These were from Sussex Police and WSCC Public Health. Both authorities, as well as endorsing the application's contention that the licence should be suspended and the DPS replaced, recommended a number of conditions be imposed to promote the licensing objectives.

At the hearing the sub-committee considered all the written and oral representations from the applicant, representors and licence holder.

The sub-committee resolved that:

- the licence should be suspended for one week
- the DPS should be removed and replaced
- the conditions recommended by Sussex Police and offered by the applicant should be added to an amended licence to replace the current conditions in place

In reaching its decision the Licensing Sub-Committee gave due regard to the following:

- The statutory licensing objectives.
- Worthing Borough Councils Statement of Licensing Policy.
- Guidance under section 182 by the Home Secretary and Licensing Act 2003.
- The application, written/oral representations made at the hearing and in writing.
- Human rights legislation and the rules of natural justice.

In discharging its functions the Committee did so with a view to promoting the Licensing Objectives, the relevant objectives here were

- the Prevention of Crime & Disorder and
- the Protection of Children from Harm.

The Committee heard that between the May 2023 and June 2023 there had been complaints from parents in the local area that the premises were selling e-cigarettes to children under the age of 18, including one boy aged under 14. In addition that premises failed a WSCC Trading Standards test purchase by selling an e-cigarette without challenge to a 16-year-old volunteer. There were also numerous breaches of the premise licence reported which were corroborated by Sussex Police during their inspection of the premises

The Committee had regard to the fact warnings had already been issued to the licence holder & DPS prior to the test purchase failure and felt that because underage sales are classed as criminal activity they should be treated particularly seriously. Therefore, the Licencing Sub-Committee felt it proportionate and necessary to suspend the premise licence for one week to ensure that the licensing objectives are upheld and serve as a deterrent for other premises in the locality. Clearly showing that the Licensing Authority will not be tolerated this activity.

The sale of alcohol from the premises will be suspended from 20 March to 27 March 2024.
