

**Minutes of a Meeting of the
Licensing Committee of Adur District Council
Queen Elizabeth II Room, Shoreham Centre
19 July 2016**

Councillor Brian Coomber (Chairman)
Councillor David Simmons (Vice-Chairman)

*Councillor James Butcher	Councillor Peter Metcalfe
Councillor Stephen Chipp	*Councillor David Lambourne
Councillor Emma Evans	*Councillor Lyn Philips
*Councillor Liz Haywood	Councillor Ben Stride

* Absent

LC/16-17/01 Declarations of Interest

There were no declaration of interests

LC/16-17/02 Confirmation of Minutes

Resolved:

LC/16-17/03 Items Raised Under Urgency Provisions

There were no items.

LC/16-17/04 Questions and Statements by the Public

The Chairperson invited members of the public to ask questions or make statements about any matter for which the Council had a responsibility or which affected the District.

There were no questions or statements

Part B – Licensing Act 2003 Applications

**LC/16-17/05 Licensing Act 2003 – Determination of an Application for a
Variation of a Premises Licence at: Mulberrys, 38-46 South Street,
Lancing**

Before the Committee was a report by the Executive Head of Housing, Health and Community Safety, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 5. An application for a Variation to a Premises Licence (LN/200500242) had been made and it fell to members to determine the application.

The report before sub-committee members set out the details of the application including representations made. Two representations had been received, a representation from Sussex Police had been withdrawn following mediation. Mediation had been sought with a

local resident but had been unsuccessful and as a result the representation remained outstanding and thus it was for the Committee to consider the application. The local resident who had made the representation was not present at the hearing.

The licensing officer introduced the report to the Committee and confirmed with the applicant that it was an accurate outline of the application.

A member asked the licensing officer if there has been any current reports about anti-social behaviour surrounding operation of the existing licence. Members were told that the licensing officer did not have anything on file relating to anti-social behaviour on its systems, however the Police would usually be the authority that anti-social behaviour was reported to.

The applicant made a presentation to the Committee. He outlined the training scheme used by the company to train its staff and the company's commitment to taking its approach to licensing seriously.

A member asked about the demand that would require the company to need a 24 hour licence given the increased cost due to the need to employ SIA trained security staff. The applicant told members that opening times would be based on economic viability and would be assessed on an ongoing basis. He also explained that the company would identify increased risk such as the occurrence of big events like the Wildlife festival.

Summing up, the applicant reiterated that his company took its licences seriously and that it would be a responsible licence holder should the application to vary the licence be granted.

The meeting adjourned at 7:21pm so the Committee could retire to consider its decision

The meeting reconvened at 7.45pm

The meeting was told that in reaching its decision the Licensing Committee gave due regard to the relevant licensing legislation, the current Home Office guidance and the Council's own licensing policy. The Committee also took into account the Human Rights Act, the Equality Act, the Crime and Disorder Act and the rules of natural justice. The Committee had considered all the relevant issues that were raised and in discharging its functions the Committee did so with a view to promoting the four licensing objectives and in particular the prevention of crime and disorder and prevention of public nuisance. Due consideration was given to the representations made at the hearing and to all the written representations.

Resolved: that the conditions of the existing licence be modified to extend the hours for the sale of alcohol subject to the mediated conditions agreed between the applicant and Sussex Police and contained within section 4.3 of the Report and the modified conditions as offered by the applicant on pages 33/34 of the Report (6 bullet points).

Reasons for decision: The modified conditions reflect the concerns of the licensing objectives.

Advice to parties: A written copy of this decision will be sent to the applicant and all those who made relevant representation within five working days of the hearing.

The holder of the premises licence or any person who have made representations in connection with this application are reminded that they may appeal against this decision, within 21 days beginning on the date they are notified by the Licensing Authority of this decision by a Notice of Appeal to the Magistrates Court.

The Chairman closed the meeting at 7.48pm, it having commenced at 7.00pm.

Chairman