

**Minutes of a Meeting of the
Licensing Committee of Adur District Council
Queen Elizabeth II Room, Shoreham Centre
17 September 2017**

Councillor Kevin Boram (Chairman)
Councillor David Simmons (Vice-Chairman)

*Councillor Ann Bridges	Councillor Dave Collins
Councillor David Balfe	Councillor Brian Coomber
Councillor Pat Beresford	*Councillor Peter Metcalfe
Councillor Clive Burghard	Councillor Lavinia O'Connor

* Absent

LC/18-19/01 Declarations of Interest

There were no declaration of interests

LC/18-19/02 Confirmation of Minutes

Resolved: that the minutes of the Licensing Committee meeting of held on 11 December 2017 and the Licensing Regulatory Sub-Committee held on the 11 December 2017 be confirmed as the correct record.

LC/18-19/03 Questions and Statements by the Public

There were no questions from the public

LC/18-19/04 Items Raised Under Urgency Provisions

There were no items.

**LC/18-19/05 Determination of an Application for a new Premises Licence at:
'Tides', 21 Ferry Road, Shoreham-by-Sea, BN43 5RA**

Before the Committee was a report by the Director for Communities, 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. The report before members detailed an application for for the grant of a new premises licence at a premises situated at 21 Ferry Road, Shoreham-by-Sea for a small café/bar/takeaway with outside area. The application was for authorisation for the sale of alcohol for the consumption on and off the premise. The application had been subject to representations from four members of the public. Following mediation three of those representations had been withdrawn leaving one representation (Appendix 3C of the report). The member of the public making the representation was not present at the meeting.

The licensing officer presented the report to the Committee and confirmed with the applicant the presentation was an accurate outline of the application aside from a typographical error within the report.

Members asked questions of the officer including references to the sound insulation in the roof of the property. Members were shown photographic evidence of the insulation going into the ceiling space above the premises.

The representative for the applicant made a representation to the Committee which is summarised below.

- In preparation for the application the applicant had done the correct thing by contacting responsible authorities in advance of submitting an application;
- As a result of pre-consultation, conditions had been agreed with the Police in advance;
- The applicant had made a change to the hours of operation following representation from Members of the public and had met with them to attempt to mediate. Unfortunately the applicant had not been able to meet with the the person whose representation was still outstanding
- There was a large paved area outside the premises which would be suitable for tables;
- There was a comprehensive CCTV system installed in conjunction with the wishes of the Police this covered the outside and interior of the building;

A Member asked about signage in the event of a fire and was told that the premises had carried out a fire risk assessment and had put in place what was required for the premises.

A Member asked about the premises getting necessary permits for having tables on the street outside of the premises and was told that this would be done if the licence was granted.

In summing up the representative for the applicant asked the Committee to grant the application. He told the Committee that the applicant had consulted with responsible authorities and local residents. The application promoted the licensing objectives and was in conjunction with the statement of licensing policy. The premises had a HD CCTV system installed. The applicant had made every effort to consult with local residents and responsible authorities had made no representation on the application.

The meeting adjourned at 7.26pm for the Committee to consider the decision

The meeting reconvened at 8.05pm

The Chairman of the Committee told the meeting that in making its decision In reaching its decision the Licensing Committee gave due regard to the statutory licensing objectives, Adur Borough Councils Statement of Licensing Policy, Guidance under section 182 by the Home Secretary and Licensing Act 2003, Human Rights legislation and the rules of natural justice. The application consisted of written representations from four members of the public who raised objections. In discharging its functions the Committee did so with a view

to promoting the Licensing objectives, the relevant objectives here were the prevention of public nuisance and noise.

Resolved: The decision of the Committee is that this premises licence be granted as requested with the following modifications to conditions of licence.

- i) The amendments are to accept the mediated agreement located on page 50 of the agenda:
 - Late night refreshment is to be removed;
 - That Clause 2.2 is to be replaced with the following insertions:- Alcohol Sales to be restricted between the hours of: 10:00 hrs to 22:30 hrs daily Monday to Sunday, Opening times to the Public between the hours of: 09:00hrs to 22:30hrs Monday to Sunday
- ii) In addition to the mediated conditions, to reduce noise, the licence holder is required to place signs at the exits from the building encouraging patrons (as this is a residential area) to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.

Reasons for decision: The Committee has taken into account the concerns raised by members of the public and have concluded that the mediated conditions entered into to reduce opening and trading hours will satisfy the public nuisance objective.

This is proportionate to control the licensed premises and to ensure the licensing objectives are maintained and promoted and a balance is struck in reducing noise levels on the community. The hours of opening and nature of the activities to be provided have been carefully considered and West Sussex Police and Fire Authority have been consulted during this process and no objections have been raised by those statutory bodies.

The meeting ended at 8.08pm it having commenced at 7.00pm

Chairman