

**Minutes of a Meeting of the
Joint Overview & Scrutiny Committee of
Adur District and Worthing Borough Councils**

Council Chamber, Civic Centre, Shoreham-by-Sea

18 June 2015

Councillor James Butcher (Chairman)
Councillor Stephen Chipp (Vice Chairman)

Adur District Council:

*Ken Bishop
Ann Bridges
*Liz Haywood
Rod Hotton
*Emily Hilditch
Liza McKinney

Worthing Borough Council:

Roy Barraclough
*Keith Bickers
*Charles James
*Mary Lermite
*Nigel Morgan
*Luke Proudfoot
Vino Vinojan
*Keith Sunderland

*Absent

Also present:

WBC Councillors: Dan Humphreys
ADC Councillors: Neil Parkin

The meeting began at 6:45pm following a 15 minute adjournment.

JOSC/14-15/01	Declarations of Interest/Substitutions
Councillor Lionel Harman declared his substitution for Councillor Mary Lermite Councillor Geoff Patmore declared his substitution for Councillor Ken Bishop Councillor Paul Graysmark declared his substitution for Councillor Liz Haywood	
JOSC/14-15/02	Minutes
Resolved that the Minutes of the Committee held on 12 March 2015 be approved as the correct record and be signed by the Chairman.	
JOSC/14-15/03	Public Question Time
There were no questions or statements by members of the public.	

JOSC/14-15/04	Items Raised Under Urgency Provisions
There were no urgent items.	
JOSC/14-15/05	Consideration of any matter referred to the Committee in relation to a call-in of a decision
There were no items.	
JOSC/14-15/06	Interviews with the Leaders (Neil Parkin ADC, Dan Humphreys WBC)
<p>Before the Committee was a report by the Chief Executive, a copy of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as item 6. As part of its work programme, the Joint Overview and Scrutiny Committee had determined to interview the Executive Members of Adur & Worthing Councils on their portfolio responsibilities and priorities for 2015-16.</p> <p>A Councillor had submitted a question prior to the meeting regarding the wildlife Festival a copy of which is attached to a signed copy of these minutes, the Adur Leader informed members that the matter was a matter for the Licensing Committee and that the Executive had no power to overturn or overrule a decision of the Licensing Committee. For information the Adur Leader read statement from the Senior Licensing Officer on the issue, a copy of which is attached to the signed copy of these minutes.</p> <p>The Adur Leader was asked a question regarding reputation management and whether the council could afford to invest in this area. The Leader responded that the council had limited resources although reputation management was very important. The new communications team were looking at ways to find cost-effective solutions and take a more proactive approach as opposed to a reactive approach.</p> <p>The Committee questioned the Leaders on the priorities for the council and the strategic direction of the council's contained within 'waves ahead' and 'surfs up'. Members were informed that the Joint Strategic Committee would be looking at a 'Surf's up' monitoring report at its next meeting in July, members were invited to come along and listen to the debate. The Worthing Leader commented that he was pleased to see the formation of the 'Southdown's leisure trust, a review of tier three managers and other such achievements and was generally happy with progress being made. The Chairman of the Committee informed members that an item on the progress of 'Surf's Up' would come before the Committee in September.</p> <p>A Member asked about member training and whether the Leader thought there was enough investment in the area. The Leader told Members that he would be looking at soon to be created member development plans very carefully bearing in mind the limited resources available to the council. He remarked that in the past training had been arranged but turn out was often low, the head of well-being added that the the</p>	

new member development plan was being put together and members were assured that more information would be coming forward on the issue in the near future.

The Leaders were also questioned on the format of the interviews and the status of the West Sussex Cooperative.

Resolved: that the interview with the Leaders be noted.

JOSC/14-15/07

Food Hygiene: Risk Management and Legal Obligations

Before the Committee was a report by the Director for Communities, a copy of which had been circulated to all Members and a copy of which is attached to a signed copy of these minutes as item 9. The report provided details of the food hygiene inspection regime across the Adur District and Worthing Borough to explain how consistency was achieved in scoring premises under the National Food Hygiene Rating Scheme.

Member questioned whether the food hygiene team had enough resources to carry out their allotted tasks and were told of a strategy that prioritised high risk areas. Members were told of the dedicated hard working nature of the team and were apprised of a wider structure review of the well-being department and how this may realise some increased capacity for the work of the team, as part of the review there would be an exploration of ways to generate income such as charging for advice.

A Member asked if all food safety inspection visits were made in surprise. The Committee was informed that this was the case, although in a proprietor would be aware if there was a follow up repeat visit but they wouldn't know the date and time that this would occur. It was confirmed to Members that inspectors could visit a proprietor during the busiest period of the day because that period of the day presented the highest risk.

Members sought information on how the team managed to ensure that proprietors could expect consistency of inspections. It was explained to the Committee that visits were standardised and that inspectors followed the 'Brand Standard' code of practice carefully. Members were informed of an inter-authority standardisation exercise and plans for a future audit.

Resolved: That the report be noted

JOSC/14-15/08

JOSC Work Programme update

Before the Committee was a report by the Director for Digital and Resources, a copy of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as item 08. The report outlined progress on the work contained in the 2015/16 Work Programme.

Members noted the inclusion of a 'Surf's Up' monitoring report within the work programme and agreed it was an important addition.

Members discussed a suggestion from the Adur Leader to review member training but it was not deemed appropriate.

Resolved: that the work programme be noted

The meeting was declared closed by the Chairman at 7.48pm it having commenced at 6.45pm.

Chairman

JOSC 18/06/15 annex - question to Adur Leader

Question asked of Adur Leader (answer to the question provided in the body of the minutes)

Given the outrage and suffering expressed about the relentless ,overwhelmingly loud noise for many hours over 2 consecutive days by thousands of residents around Shoreham Airport particularly in his own Ward St Nicholas and Marine, Widewater and other areas . Will Cllr Parkin provide a commitment that the ADC cabinet will overrule any future decision made to go ahead with another wildlife festival on the basis that Shoreham Airport is a totally unsuitable and inadequate venue .

Information provided by the Senior Licensing Officer in relation to the Licensing process

The event takes place on land owned by Brighton City Airport so Adur District Council is not ultimately in control of events at the airport. Adur District Council does have the regulatory role of licensing authority for the area. The powers ADC has as licensing authority are delegated to the Adur Licensing Committee. Cllr. Parkin and ADC Cabinet members have no direct power to affect the Licence that has been issued or power to overrule the decision of the licensing authority.

A premises licence was granted by the authority authorising the sale of alcohol, provision of regulated entertainment and sale of late night refreshment under the Licensing Act 2003. Under the act the presumption is that an application for a premises licence is granted unless representation provides evidence that the grant of the licence would undermine the licensing objectives. These being:

- The prevention of crime & disorder
- The prevention of public nuisance
- Public Safety
- Prevention of Harm to Children

These are the only matters that the Licensing Committee can consider. Adur's Licensing Committee considered SJM Ltd.'s application and the relevant representations opposing it. Members of the committee voted to approve an amended licence imposing numerous conditions and restrictions that they considered addressed the representations received.

The Premises Licence is for the life of the licence holder or the premise. The Licensing Authority does not have the legal option of granting a time limited licence, such as a one year licence, unless the application specifically requests such. SJM Ltd's application did not.

The council can only amend or revoke the licence if a 'review' of the licence is formally applied for and proves the event is seriously undermining the licensing objectives. Even then revocation of such a licence should be a last resort if the imposition of other

measures would not address the issues highlighted in the review application and supporting evidence. A review can be applied for by a responsible authority such as Sussex Police or the Environmental Protection Group, for example, or any other person such as a resident or a Councillor. But as stated in all cases evidence would need to be produced proving the event and the licensable activities authorised by the licence are seriously undermining the licensing objectives.

Any decision made by the licensing authority at the review can be appealed against by all parties to the hearing to the courts.

Attending the post event briefings with all the authorities and the event organisers the feedback from those attending has been overwhelmingly positive. The festival was considered an extremely well organised event causing the minimum of incidents and general disruption to the area. A public meeting is scheduled for 1 July for residents to give their feedback to the licence holders.

If the licence holder does seek to increase the capacity of the event, alter the timings, change the licensable activities authorised or change the conditions on the licence a variation application will need to be made to the licensing authority. This will involve the advertising of public and authority consultation and possibly a hearing if relevant representation is received as a result. However, it should be stressed that in such circumstance the Licensing Committee would only be considering the changes sought and would not be looking at the existing authorisations. Only a 'Review' application empowers the licensing authority to make changes to existing authorisations.