

Minutes of a meeting of the  
Adur Licensing Committee  
9 March 2022  
at 7.00 pm

Councillor Andy McGregor (Vice-Chairman)

Councillor Vee Barton  
Councillor Mandy Buxton  
Councillor Jim Funnell

Councillor Joss Loader  
Councillor Carol O'Neal

**Absent**

Councillor Paul Mansfield, Councillor Catherine Arnold, Councillor Steve Neocleous and Councillor Rob Wilkinson

**Substitutes**

**ADC - LC/7/21-22 Declaration of Interests / Substitute Members**

There were no declarations of interest or substitute members

**ADC - LC/8/21-22 Public Question Time**

There were no questions from the public

**ADC - LC/9/21-22 Minutes**

**Resolved:** that the minutes of the meeting of the 17 January be approved as the correct record

**ADC - LC/10/21-22 Items Raised Under Urgency Provisions**

There were no urgent items

**ADC - LC/11/21-22 Licensing Act 2003 - Application for a new premises licence at 'The Shoreham-by-Sea Vintage Festival'**

Before the Committee was a report by the interim Director for Communities, a copy of which had been circulated to all members a copy of which is attached to the signed copy of these minutes as item 4. The application before members had been subject to formal representation by Sussex Police (which has been mediated) and the Council's Public Health & Regulation Environmental Protection Team and it therefore fell to the Committee to determine.

**Introduction of the Licensing Officer**

The Licensing Officer introduced the report to the committee and outlined mediation to date. Members were told that mediation had been successful with the police following the acceptance of conditions that would be part of a licence if granted. Mediation had been unsuccessful between the applicant and the Public Health & Regulation Environmental Protection Team.

### **Questions for the Licensing Officers from Members**

There were no questions from members

### **Presentation of the applicant**

The applicant and representative made a representation which is summarised as follows:

- The festival was a unique and retro experience;
- The event would include features like cars, antiques and best dressed;
- There would be a bar, cinema and a marquee;
- The event was not a festival that would make a lot of loud raucous music;
- The arena was 50 x 50 metres;
- Music being played until 8:30pm would be retro in nature of 19:30s' – 1970s although this may end earlier than 8:30 to make way for setting up the cinema;
- The festival would appeal to a wide demographic including families, the event would be part of jubilee celebrations;
- At previous events elsewhere there had been no complaints of noise and disorder;
- It was a ticketed event with no more than 3.5- 4 thousand per day. Previous experience had shown that there would be no more than 1500 at any one time;
- The event was low key and protected against crime and disorder and public nuisance;
- There had been extensive consultation with officers, paperwork had been completed and an application had been made;
- Meetings had been had with the Safety Advisory Group (SAG) and a number of conditions had been agreed with the police;
- The applicant had been surprised to receive a representation from environmental health;
- The company used for the set up of the festival had 40 years of experience and they carried out over 100 events a year;
- The company employed technicians and sound engineers;
- The level of concern expressed in the representation from Environmental Protection had surprised the applicant's representative;
- The company had not previously had to engage to that extent;
- The need to employ an acoustic consultant would make the event financially unviable and then in their opinion an unrealistic requirement;
- This event was not a large event;
- There was only one other event in the area the Legends festival which had been held on a temporary event notice;
- The applicant's representative detailed mediation between the parties and offered some solutions should noise become an issue at the event such as a phone number to event organisers.

### **Members questions for the applicant**

A Member asked if there were plans for a letter drop in connection with the festival and was told that the drop would take place mainly in the bridge area but would extend that area if necessary.

Members asked for clarification of dates for the event, stewarding of the event, recycling and the number of years the event would be held.

### **Questions from Environmental Protection for the applicant**

The Environmental Protection Officer asked why the applicant had not been able to provide the sound information that had been asked for. The applicant's representative told the Committee that the events company was an experienced operator. The view was that music was not the primary driver for the festival and noise nuisance had not been an issue. In the experience of the applicant's representative the requirement for an acoustic report was unnecessary and expensive. The applicant has made representations relating to noise management.

### **Representation of Environmental Protection**

The Environmental Protection Officer made a representation which is summarised as follows:

- The Officer told members that not enough information had been received to make an informed decision;
- It was the applicant's responsibility to provide the information necessary for the application;
- Amongst other things information needed to be provided concerning the location of the music stage and the cinema;
- No site layout plans had been submitted;
- The sound acoustic report would only need to be done once and then it could be used year on year;
- It was important to have site noise information but none had been received.

### **Questions for Environmental Health from Members**

A Member asked if a similar requirement had been made for the Legends festival and was told that it was and an acousticians report had been provided

A Member asked if consideration should be made of the cumulative effect of sound and not just the event in isolation. Members were told that this was the case.

A Member noted that the music finished at 8.30pm and asked whether people would complain at that time. Members were told that officer could not guess at that additionally the Cinema was due to go on beyond this time.

Members asked further questions about potential layouts.

### **Applicant's questions for Environmental Health**

A question was asked about correspondence received during mediation and was told that the Officer could investigate this.

### **Summing up of the Applicant**

The applicant summed up which is summarised as follows:

- The planned event was entirely different from the Legends Music event and the applicant could see no reason why the event could not go ahead;
- The hiring of a sound acoustician would make the event financially unviable;
- The operating company had 40 years and the organisers would not put faith in a company that could put trust and reputation of the organisers in jeopardy;
- Members were asked that there was goodwill and the applicant had already accepted additional conditions asked for by a responsible authority;
- A Noise management plan would need to be agreed prior to the beginning of the event.

### **Summing up of the Environmental Protection Officer**

The Environmental Protection Officer stated that there was not enough noise information to provide a noise objective. There needed to be more information about the noise generated on site and the applicant would need to provide this information.

*The Committee adjourned to consider its decision which was published within five working days of the meeting*

In reaching its decision the Licensing Committee has given due regard to the following:

- The statutory licensing objectives
- Adur Districts 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.
- The Committee also gave regard to 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 and disorder and prevention of public nuisance.

**Resolved:** that the premises licence should be granted with the additional conditions agreed with the police as part of the mediation.

**Reason for Decision:** The licensing committee are satisfied with the conditions agreed with the Police that the licensing objectives would not be undermined. This includes the Applicant agreeing with the Licensing Authority a Noise Management plan.

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The meeting ended at 8.18 pm