



Minutes of the meeting of the **Alcohol and Entertainment Licensing Sub-Committee** held in Committee Room 2 - East Pallant House on Thursday 22 November 2018 at 1.30 pm

Members Present: Mr J W Elliott, Mrs P Plant and Mr J Ridd

Members not present:

In attendance by invitation:

Officers present all items: Mr N Bennett (Divisional Manager for Democratic Services), Miss K Davis (Democratic Services Officer), Mr L Foord (Divisional Manager for Promotion and Events) and Mr D Knowles-Ley (Licensing Officer)

15 **Introduction**

Mr Ridd introduced those present at the Sub-Committee table and referred to the emergency evacuation procedures.

He informed those present that the three Sub-Committee members had been chosen from the Alcohol and Entertainment Licensing Sub-Committee. He referred to the correspondence from the public sent to the Sub-Committee members advising them how they should vote. He advised the members would put this correspondence aside and would deal solely with the information that was in front of them received from the applicant, interested parties and responsible authorities. He asked that those present did not speak over anyone who was addressing the Sub-Committee.

With regard to the planning and licensing regimes, Mr Bennett explained that Home Office Guidance made it clear that both had to be considered separately with the sole focus on the four licensing objectives. Paragraph 14.63 of the Guidance concerned the integration of strategies. He explained that there should be some consideration of other statutory committees, for example, noise nuisance was also relevant to planning considerations and the circumstances of what would be necessary to make sure noise nuisance issues were properly managed under the licensing objectives.

16 **To elect a Chairman for this Hearing**

RESOLVED

That Mr Ridd be elected Chairman of the Sub-Committee.

17 **Declarations of Interests**

None.

18 **S3K Limited, Priory Park, Priory Lane, Chichester, West Sussex**

Mr Foord outlined the details of the application for a time limited new premises licence in respect of a premises licence for S3K Limited, Priory Park, Priory Lane, Chichester for a temporary ice rink and ancillary food and drink uses in a designated area of Priory Park. The application had been submitted by Mr White, sole director listed at Companies House since November 2008 as a private limited company and described as providing management consultancy activities other than financial management. S3K Limited was represented today by Mr White and the co-founder of CHICE Mr C Salmon would provide a summary of their application later in the meeting. S3K Limited had been granted planning permission, on 16 December 2018, for a temporary change of use of the designated area of Priory Park for a Christmas ice rink with ancillary food and drinks uses, including the installation of temporary structures. He empathised that today's proceedings were purely in relation to the premises licence application under the Licensing Act 2003. Current Home Office statutory guidance recognised that the planning and licensing regimes involved consideration of different, albeit it related matters. Licensing committees were not bound by Planning Committee decisions and vice versa. Therefore it was important to state that planning permission and licensing regimes are properly separated to avoid duplication and inefficiency.

S3K Limited had originally applied for a time limited Premises Licence for the period 10 November 2018 to 31 January 2019. However, the length of time had since been reduced following subsequent mediation and dialogue with various officers of the Council this period has been reduced to between and 24 November 2018 and 6 January 2019 (a total of 44 days). The application was for the retail sale of alcohol for consumption on the premises and the provision of recorded music every day with two specific non-standard timings of Christmas Eve and New Year's Eve where live music and the provision of late night refreshment after 23:00 hours had been applied for. A full copy of the original application had been produced in full as well as summarised in his report in the agenda papers, which had been made available to all parties connected to the Hearing. The statutory notice of hearing had been sent to the applicant and the interested parties who had made relevant representations. Following receipt of notice a interested parties were required to give notice if they planned to attend the Hearing and to advise if they felt the Hearing was unnecessary. He advised that of the 54 parties who received a Notice of Hearing, nine responses were received with four confirming non-attendance and five confirming attendance and their wish to address the Hearing within the required deadline (of these two were from Responsible Authorities namely, Sussex Police and the Environmental Health Officer. Copies of all representations received, the applicant's Event Management Plan and Noise Management Plan had been circulated with the agenda papers. The proposed conditions, agreed in principle with Sussex Police following extension mediation, were included in his report.

For the avoidance of doubt the applicant was applying for the following:

Application seeking	Standard days, timings and non-standard standard timings being applied for
'Supply of alcohol' (for consumption 'on' the premises)	Monday to Thursday 10.00 – 20.30 Friday, Saturday & Sunday 09.00 – 22.00 Non-Standard Timing or Seasonal variation Christmas Eve 09.00 – 23.30 New Year's Eve 09.00 – 01.00
Live Music (e) (indoors and outdoors)	Christmas Eve 09.00 – 23.30 New Year's Eve 09.00 – 01.00
Recorded Music (f) (indoors and outdoors)	Monday to Thursday 10.00 – 20.30 Friday, Saturday & Sunday 09.00 – 22.00 Non-Standard Timing or Seasonal variation Christmas Eve 09.00 – 23.30 New Year's Eve 09.00 – 01.00
Provision of Late Night Refreshment (i) (indoors and outdoors)	Non-Standard Timing or Seasonal variation Christmas Eve 23.00 – 23.30 New Year's Eve 23.00 – 01.00
Opening hours to the public	Everyday 10.00 – 22.30 (actually require start time of 09.00) Non-Standard Timing or Seasonal variation Christmas Eve 10.00 – 23.30 (actually require start time of 09.00) New Year's Eve 10.00 – 01.00 (actually require start time of 09.00)

Enlarged copies of the location of representors, existing licensed premises in the Chichester North Ward and a copy of the final proposed operation site plan.

S3K Limited submitted a valid application for a time limited premises licence on 12 October 2018. The representation period ran for 28 consecutive days concluding on 9 November 2018. The relevant statutory notices were displayed at the site and published in the Chichester Observer 2018. 54 representations were received of which four were received from the responsible authorities. One letter of support was received. Their content had been included in the agenda papers in their entirety.

The applicant had agreed a number of conditions with Sussex Police subject to them being agreed by the Sub-Committee if minded to approve the application. Sussex Police were in attendance today to assist with today's proceedings.

The applicant had produced a comprehensive Noise Management Plan, which had been the subject of careful consideration by the Environmental Health Responsible Authority for pollution control who were in attendance today. They had agreed in principle that they believed there would be adequate noise controls in place.

The inclusion or otherwise of any proposed conditions was a matter for the Sub-Committee to determine. The Sub-Committee is asked to determine on the application's individual merits.

Mr White confirmed that Mr Foord's summary was an accurate outline of the application.

Mr Foord confirmed that five notifications of their wish to attend and speak at the hearing had been received, in compliance with Regulation 8 of the Licensing Act 2003, from Sussex Police, Environmental Health, Chichester City Council, Ms M Medhurst and Mr G Duncurle. Late notification of their wish to attend and speak at the hearing had been received from Mr and Mrs Knight, Mr T Bottril and West Sussex County Council Public Health. The Sub-Committee advised that they were in agreement to them speaking.

Mr Salmon addressed the Sub-Committee. Following the granting of planning permission the installation of the ice rink was well underway. A closed staff launch was due to take place the following Friday followed by the opening. He wished for a fair hearing and complete consistency in the licensing process. He explained that they had adhered to all the recommendations requested in respect of their application. They were not "one hit wonders" and were keen to invest in the future of the City of Chichester by creating a legacy for all to enjoy.

Ms P Giddings reported that Sussex Police originally had a number of concerns about the intention of the application and the way it was managed. They had communicated their concerns to the applicant and the Licensing Authority, including any inconsistencies in the application. She advised that Mr Salmon had responded to their concerns, clarifying a number of issues and agreeing to make the amendments requested. He confirmed that the conditions recommended by Sussex Police had been accepted by the applicant. Ms confirmed that she had a long experience of licensing matters.

Mr Walling addressed the Sub-Committee as the Responsible Authority for the prevention of public nuisance. He outlined the processes that had taken place to identify if there was a need for the protection of people in the vicinity concerning noise and litter. The following aspects of the application: playing of recorded music, provision of refreshments, playing of live music, waste receptacles and litter had all been assessed. An acoustic report had been requested to assess the plant noise, which was intended to run 24/7. This was undertaken as a desktop assessment, and had resulted in the plant machinery being moved to another area of the site and additional fencing. With regard to health standards these had been addressed in particular the effect of the plant on nearby properties with windows open. Music should not be audible to residents and a condition was proposed that noise levels should not exceed more than 60dB(A), which was an established standard. A noise management plan had also been submitted with the onus on the applicant to monitor noise levels in a positive and robust way, with the Council being the backstop for noise issues.

Ms H Yandell addressed the Sub-Committee as the Responsible Authority for West Sussex County Council Public Health. She apologised for not replying to the notice

of hearing in time and explained that it was not because of lack of concern but had been due to a lack of not dealing with the notification email on time. She provided a brief background to the Public Health department, which had become a Responsible Authority about five/six years ago. On receipt of the licensing application concern was raised about the proposed ancillary sale of mulled wine. Alarm bells rang due to the lack of information provided in the application as the nature of the venue was not clear nor was there enough information included in the operating schedule as to how the four licensing objectives would be promoted. The proposals for a full bar, DJ on New Year's Eve had raised concerns. With regard to public safety the proposals for alcohol sales were not clear as there was conflicting information. Concern was raised about intoxicity from alcohol not mixing well with ice skating. Due to the NHS being so stretched it was important that customers were not allowed to become intoxicated on the premises and then skate. Also intoxicated people should be stopped from entering the site and skating. With regard to the Protection of Children from Harm, the applicants were promoting the ice rink as a family event but intended to sell alcohol and also have later opening on Christmas Eve and New Year's Eve. There was no mention of the Challenge 21 scheme or the supervision of children. She had read the proposed amendments to the application and agreed that it went some way to deal with these concerns. She asked for the sale of alcohol should be delayed until after 09:00 hours, as such an early start was considered unnecessary for a family event. It was recommended that Christmas Eve and New Year's Eve were a pre-purchase ticket event.

The Sub-Committee advised that they had no questions at this point in the hearing for Sussex Police or Public Health.

Mr Walling responded to a question from the Sub-Committee concerning the plant machinery. He explained how the desktop modelling worked in more detail. The output from the larger generator was 99dba. However, following agreement with the application to reposition the generator a barrier would be placed in between it and residential properties.

At this point the interested parties were invited to address the Sub-Committee.

Mr M Bell addressed the Sub-Committee on behalf of Chichester City Council. He explained that he was the Mayor of Chichester and gave details of an Extraordinary Council meeting that had been called to consider the proposals for a temporary ice rink. The result of the vote had been 10 against and 6 for the proposals with 1 abstention based on the licensing application at that time. Those who had voted against the proposals had all addressed the four licensing objectives. The view expressed by all was that alcohol and ice skating did not mix. 09:00 hours until 22:00 hours, Friday, Saturday and Sunday, was a long time to be serving alcohol and did not fit well with an event for children and families. Mrs C Apel (Chichester City and Chichester District Councillor) was a City Angel volunteer in Chichester and had warned that the alcohol problems currently occurring in South Street would spread to Priory Park. He provided details of similar ice rinks that he had visited. The Horsham ice rink event was cancelled due to the appalling condition the ice rink had left the ground in the previous year. He was impressed with the Worthing ice rink, which had a café but no alcohol was sold. The location of Winchester ice rink, in the grounds of Winchester Cathedral, could not be compared to Priory Park.

Alcohol was available at Winchester in the form of mulled wine. Neither Worthing nor Winchester ice rinks provided outdoor music. He questioned why both indoor and outdoor music was being applied for at Chichester, as he was worried that the event would become party central. He considered that the proposals for the Chichester ice rink should be modelled on the Worthing ice rink model. Skating and alcohol did not mix.

Mr Medhurst addressed the Sub-Committee. The representation letter sent by her was a joint letter sent from the trustees and residents of St Mary's Gardens, also signed by Ms Shedden, Mr Skillington, Ms Luxmore and Ms Genmai. The proposals were a major problem for all local residents living within a mile or so. Issues that would result from people driving and parking when visiting the ice rink had not been fully addressed. She commented on the issues that had occurred during Oktoberfest held in Priory Park earlier in the year. She acknowledged that youths did need encouragement, but an outlet ice rink would have been more acceptable. She asked if Priory Park would be available for all to use still. It was noted that there had been changes to the application but it was still felt the selling of alcohol was unnecessary?

Mr Foord responded to some of Mr Medhurst's questions. He advised that the presence of the ice rink would not preclude other members of the public from using Priory Park during its normal opening times. If the event went ahead access and exit from Priory Park would be via a controlled egress and Fenwicks café would also be open. The Chairman added that the planning application had considered parking.

Ms Duncombe informed the Sub-Committee that he shared the views of the previous speaker concerning the sale of alcohol. He advise that the Sub-Committee should be aware of the real issues concerning the playing of music near residents raised by the previous speakers. In the past during events in Priory Park with music, even with doors and windows closed all he could hear was "bump bump" of the music. He had no objection to one day events and had on occasion stayed elsewhere when events had taken place. She had concerns about hearing the base from music played at the ice rink for four days from early in the morning until quite late at night. She asked, ignoring Christmas Eve and New Year's Eve, when music would be played at the event what could the residents do?, would the music volume be turned up in the evening?, and who should resident's contact if they could not contact the Police to complain?

The Chairman referred to the Noise Management Plan that would be put in place.

Mr White advised a 24 hour hotline would be put in place. Calls would be directed to the office during office hours. Outside office hours calls would be directed to one of three mobile phone numbers with calls being directed to another number if there was no answer. With regard to the music that would be played it would be the "Christmas spirit playing". Two speakers would be located inside the ice rink and there would be radio music from Spirit FM playing. Contact details would be placed on their website and displayed at the premises.

Mr Walling reported that Environmental Protection were very keen to ensure that the playing of normal music did not become an issue and this was reflected in the request to the applicant to provide small speakers only. He explained that base from music travelled in all directions. The Environmental Protection Team was a back stop to any problems.

Mr Foord added that the references made concerning previous events held in Priory Park were not comparable and could not be taken into account when considering this application.

The Chairman sympathised with the representors but was confident that with the plans in place and the checks and balances in place the issue of noise nuisance from the playing of music would not cause a problem.

Mr G Knight who had given late notice of his wish to speak on behalf of Mrs Knight did not speak as he had had to leave the hearing.

Mr Bottril's referred to the risk assessment submitted by the applicant which had since been amended. He commented that it had contained reference to adverse weather and extreme temperatures of 28c and for more than two consecutive hours. There was no mention of ice skating in the document. He was of the view that if the applicant had run previous events of this kind they would have been able to copy and paste from another ice rink document and not a music festival document.

Mr Salmon responded to Mr Bottril's comments. He explained that he had operated in parallel with Mr Bottril, who was a director of a temporary structure company, for 20 years. He himself had previously worked at the Goodwood Motor Circuit for a number of years. Mr Bottril was completely aware of the standards he set in respect of best practice safety. The risk assessment was a fluid document and he acknowledged that they did have others in place. Once the errors were realised the document was pulled and updated. All the requirements of the responsible authorities and the District Council had been adhered to. Provision would be made for SA security, a medical plan and wrist bands to assist tracing any lost children. The ice rink was located in a secure venue. They aimed to be a good neighbour. With regard to the requirements of Sussex Police and other agencies, they would be as fluid as possible to ensure any demands were met within reason.

The Sub-Committee were given the opportunity to address the applicant.

Mr White responded to the Sub-Committee's questions. He explained that the Chiset project had been cofounded by himself and Mr Salmon. They had previously run over 30 events and one ice skating event across the Country. He himself had run events on his own for 14 years including events on Sky tv and on ships. He therefore considered himself to be more than qualified to run events in response to concerns raised by representors in their addresses to the Sub-Committee about his ability to run an ice skating event. There would be a full bar offering merely to create a festive spirit, with chestnuts, beer etc. There were no intentions to provide vodka shots, the alcohol sold would be purely alcohol for the drinks. With regard to the sale of tickets to skate, they were available on presale. It was expected that, except for during school holidays, there would be minimal walk up sales. The ticket

system would record footfall and would set the capacity for allowing walk up sales. He explained that it would not be so much skating as shuffling with 5-6m skating based on 100 people. Winchester ice rink's experience of shuffling would not happen here. Customers would be ushered off the ice rink at the end of 1 hour, which included 15 minutes for changing into skates and 45 minutes actual skating. Skate Marshalls would be located on the ice rink. Everyone would be catered for, including those with special needs. With regard to a comment that 20mx30m was small for an ice rink, leaving 3sqm available to each skater which could scare some customers, Mr White advised that they had been overwhelmed with the amount of experienced skaters from Chichester who had applied to work at the rink. To stop skaters reappearing skaters received a token and their QR code was scanned. The token was handed back at the end of each session so that skates and shoes could be exchanged. Mr Salmon advised that the screening process for their customers would start straight away. SIA accredited security staff would have powers to refuse entry or eject a customer. Staff would monitor how much alcohol people were drinking and would ask customers to keep their enthusiasm in check when required. Mr White added that the Chibac system would be used, which in theory would enable them to be advised when groups were heading in the direction of the ice rink. With regard to the Protection of Children, the accredited security personnel were trained to deal with any issues. A vast team of stewards and marshalls would be in place to keep an eye out. An advertisement placed for marshalls to patrol on the ice rink required applicants to pass an ice skating proficiency test. Any annihilated customers from alcoholic drinks would be refused ice skates. In response to a question concerning the proposal to have longer hours on Friday, Saturday, Sunday, Christmas Eve and New Year's Eve than Worthing and possibly Brighton, and why the applicant's considered this was appropriate when nearby residents had concerns about the impact of the proposals, Mr White explained that at the beginning of the process the application form allowed applicants to fill in all the various boxes setting out the licensing activities to be applied for. The intention was to provide an event to bring life back to Chichester City life. They had support for the event on social media. It provided something for people to do in the evening and promoted Chichester. He confirmed that there was no intention of providing alcohol to customers from 09:00 hours. They had since amended their application to reduce the hours of the sale of alcohol. They were flexible to changes to their application.

The responsible authorities were given the opportunity to ask questions of the applicant.

Ms Yandell requested some form of checks and balance added to the conditions to prevent intoxicated people using the ice as she considered it would be difficult for ticket issuers to enforce. If an incident occurs they should contact the management or feel empowered to make the decision. Mr Salmon advised that they had addressed these points and re-iterated the steps in place to monitor customers, which included at the main entrance, skate exchange and on the ice, as well as via CCTV and Chibac. There would be lots of eyes and ears on the ground monitoring the situation. If someone was not fit to skate it would be reported very quickly. He fully understood their duty of care, which was covered in their procedures, including their Health and Safety policy. Processes were in place to deal with such issues. Ms Yandell requested further details about their proposals for Christmas Eve and

New Year's Eve. Mr Salmon explained that there would be skating displays. They did not intend to have a headline DJ nor did they intend to ramp up the music. The ice rink would provide a focal point on Christmas Eve and New Year's Eve with slightly longer opening hours.

Mr Foord also responded to Ms Yandell. He advised that the applicant had agreed the proposed conditions in principle with Sussex Police, subject to agreement by the Sub-Committee. A number of conditions, circulated with the agenda, had been proposed to attach to the premises licence if granted. Condition 12 dealt with the refusal of the sale of alcohol to persons deemed to be drunk.

Mrs Plant referred to proposed condition 21 and asked if the wristbands would be colour coded by age and if the public would be aware they needed ID to prove their age. Mr Salmon that all skaters received a wristband which were removed at the end of their skating session. Anyone aged 18 and over without ID would be issued with the wristband for those aged 14-17.

The interested parties were invited to question the applicant and responsible authorities.

Mr Bell asked Sussex Police a question. Ms Giddings advised that with regard to conditions requested by Sussex Police, each licensing application was assessed on its own merits.

Mr Bell questioned the applicant. Mr Salmon advised that they would be happy to agree to a condition stating that the sale of alcohol would not start before 11.30am, as long as Sussex Police were in agreement. Mr Bell advised that there was concern that all day drinking would take place on the premises if the Pagoda marques all sold alcohol. Mr Salmon confirmed that Mr Bell could visit the ice rink with friends and if he did not wish to skate he could eat and drink on the premises. He advised that if 12 hours drinking was allowed then the Challenge 25 Police, the SIAs and the management plan had all failed. The consumption of three alcoholic drinks may be ok but four not. Mr Bell asked, with regard to the sale of festive alcoholic drinks, if a condition would be added preventing the sale of vodka shots. Mr Salmon responded that the Winchester ice rink had a licence with longer hours allowed for the sale of alcohol. There were dozens of other ice rinks selling alcohol. He might visit the ice rink with his wife who may have a hot chocolate Drambuie and he might like to have a beer whilst watching their children skate. The inclusion of the sale of alcohol would help provide an end to end experience for visitors to the ice rink. It was not intended to be for a pint of beer after rugby. The event would be run to national standards. Mr White confirmed that both he and Mr Salmon had previously installed and run ice rink events before. Mr Bell challenged Mr Salmon's comments that the hours of the sale of alcohol at Winchester were longer, which was not the case as Winchester only sold alcohol until 21:00 hours. Worthing sold hot dogs, hot chocolate etc, but no alcohol and had a great atmosphere.

Mr White did not have any questions for the interested parties. He gave thanks to the arms that had been stretched out whilst creating the event in Priory Park. He had no additional points to raise.

Mr Foord reminded the Sub-Committee of the key issues in respect of the recently revised Home Office Guidance and the relevant parts of the Council's Licensing Policy. He also referred to the Council's Chichester Tourism and Chichester Vision documents. It was important not to draw comparisons with other licensed premises as the application should be considered on its individual merits. Licensed premises should not be over burdened with conditions attached to the premises licence by placing additional conditions that are not needed. Standardised conditions should be avoided and conditions may be unlawful if they did not meet the four licensing objectives. The Sub-Committee must also have regard to the oral and written evidence submitted in relation to the application by the Chichester District Council Health Protection Team and Licensing Team, interested parties and the applicant.

Mr Foord referred to the key elements of the Council's Statement of Licensing Policy. He explained that licensed activities made a major contribution to the local economy and was a major employer. The needs of residents and visitors should be recognised with regards to a safe, place to live work and enjoy their recreation. He confirmed that the Licensing Authority considered each application on its own merits. The Policy could not set out all the factors that would result in the licensing objectives being achieved or all the control measures required for each premises. The licensing function should not be seen as a mechanism for the general control of behaviour once outside the vicinity of a licensed premises. He referred to the Operating Schedule that formed part of the licensing application that gave a general description of the premises. A number amendments had been made to the Event Management Plan and Noise Management Plan since submission.

Mr Bennett obtained the consent of all the parties to retire with the Sub-Committee in order to offer legal advice only if required.

Mr Bennett referred to page 7 of the agenda papers and sought confirmation from the applicant whether or not the timings remained the same.

Mr Salmon confirmed changes to the timings as follows:

Application seeking	Standard days, timings and non-standard standard timings being applied for
'Supply of alcohol' (for consumption 'on' the premises)	Monday to Thursday 10.00 11.30 – 20.30 Friday, Saturday & Sunday 09.00 11.30 – 22.00 Non-Standard Timing or Seasonal variation Christmas Eve 09.00 11.30 – 23.30 New Year's Eve 09.00 11.30 – 01.00
Live Music (e) (indoors and outdoors)	Christmas Eve 09.00 – 23.30 Not required New Year's Eve 09.00 – 01.00 Not required

The timings being applied for Recorded Music, Provision of Late Night Refreshment and Opening hours to the public remained the same.

Mr Salmon acknowledged that monitoring of sound levels from the public address system would take place.

RESOLVED

The Chairman read out the Sub-Committee's decision and explained that a detailed version of the decision would be issued, which took precedence over the short decision he had read out.

The final detailed decision is as follows:

The Sub Committee considered the Licensing Act 2003, relevant law and guidance including Chichester District Council's Statement of Licensing Policy 2016 -2021 and the Revised Home Office Guidance of April 2018 as well as Human Rights considerations and equality considerations.

The Sub Committee noted the advice of the lawyer advising them as to the Home Office guidance as to the integration of licensing policy against other policies including Planning. They noted that they are not bound by the recent planning decision on the site.

In particular, the Sub-Committee focussed upon the licensing objectives under section 4 of the Licensing Act 2003, namely:

- a) The prevention of crime and disorder;
- b) Public Safety;
- c) The prevention of public nuisance;
- d) The protection of children from harm.

The Sub Committee considered the merits of the application, and in doing so took into account all evidence provided both in writing (through the report and supplemental evidence) and all submissions made at the hearing.

Particular consideration was given to the following:

- 1) The location of the premises which is in a residential part of the city of Chichester, this being relevant to the prevention of public nuisance; The specific location was directly relevant to all elements of the applications consideration as it is unusual in its operation and the fact that skating will be carried out on the same location was considered along with other individual merits or circumstances of the application.
- 2) Representations of the applicant were considered in particular those responses to enquiries from the members and representors: the experience of the applicant officers was considered and weight given as to the experience as explained by those officers when considering the confidence the authority can have as to the application and management plan, as well as operational explanations on such issues as the evening hours of operation, range of drinks, number management, skate provision, rink marshalls, child care control.
- 3) The relevant representations from local residents written and verbal through the hearing; The location and local knowledge of such representations were considered in order to assess the weight to be given to their evidence and the

concerns as to the anxiety expressed as to alcohol and noise from music on the site in particular as to this being an event for some weeks. The submissions of the Chichester City Council, made in writing and by Councillor Bell on their behalf in person were considered and in particular the representations of that authority as to their concerns as to the objective of the protection of children.

- 4) All the representations made by the Applicants and the Applicants' representative; the Officer's Report and the representations made by the Responsible Authorities, Sussex Police, Chichester District Council Environmental Health department and the West Sussex County Council; these being relevant to all four licensing objectives; In particular the evidence as to noise management plans and acoustic reports by the Environmental Health Department, the evidence of the West Sussex County Council officer as to their submission on 2nd November (p131 of the bundle) and certain concerns as to public safety and protection of children from Harm, and concerns as to inconsistency in the application and ongoing public health concerns.
- 5) The level of experience of all representatives on their areas of expertise were considered in order to assess the weight to be given to their evidence.
- 6) S. 17 of the Crime and Disorder Act 1998, under which the Council is under a duty to exercise its functions with due regard to the likely effect on crime and disorder in its area and to do all that it reasonably can to prevent crime and disorder. The Police representations were considered specifically under this duty as well as all four licensing objectives in particular that of prevention of crime and disorder.
- 7) The evidence as to the location of representors and licensed premises, included in the bundle was noted and the larger version used at the hearing was noted.

The Sub-Committee further noted the ability for the licence to be reviewed and varied if required, in particular if the promotion of the Licensing Objectives has been adversely impacted.

Having considered all of the above the Sub Committee decided to GRANT the Premises Licence on the basis set out at page 7 of the bundle amended as follows -

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The refusal of the application under Live Music (E)

The amendment of hours where the sale of alcohol is permitted such that the starting time every day is amended to 11:30am.

All the conditions as agreed in principle between the Applicant and by Sussex Police in their representation dated 29th October 2018 and subsequent mediation discussion including discussion with the other authorities.

The meeting ended at 4.15 pm

CHAIRMAN

Date: