

**Minutes of a Meeting of the  
Licensing Committee Hearing  
31 May 2006**

Councillor Mike Howard (Chairman)  
Councillor Christine Turner (Vice-Chairman)

\*Councillor Richard Burt  
\*Councillor Carol Bradburn  
\*Councillor Keith Fayers-Morrissey  
Councillor Wendy Gray

Councillor Laura Graysmark  
Councillor Angie Mills  
Councillor David Simmons  
\*Councillor Jaynie Sykes-Strudwick

\* Absent

**L/39/06-07 Declarations of Interest**

There were no declarations of interest declared.

**L/40/06-07 Questions and Statements by the Public  
(otherwise than in relation to the Rope Tackle Trust for Beach Green,  
Green Road, Shoreham)**

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 members of the public present.

**L/41/06-07 Items Raised under Urgency Provisions**

There were no items to be considered under the urgency provisions.

**L/42/06-07 Licensing Applications – Determination of premises licence application  
- The Windmill Inn, Old Shoreham Road, Southwick**

The Committee received the report of the Head of Housing Need and Environmental Health on the Determination of Premises Licence Application: The Rope Tackle Trust Ltd for Beach Green, Beach Green, Shoreham copies of which had been circulated to all Members of the Committee, and a copy of which is attached to the signed copy of these minutes as Item 4.

Parties Present

Applicant: Mr Allen, Trustee of Rope Tackle Trust  
Adur District Council : Gary Cushing, Environmental Health Manager (Commercial)  
'Interested party' Mr Maurice Pitchford

The Chairman explained that before the application can be heard, he understood that there was a preliminary issue as to whether Mr Maurice Pitchford was an interested party under the Licensing Act 2003. Mr Allen confirmed that to be the case.

The Assistant Solicitor advised members that Mr Pitchford could only be an interested party if he lived in the vicinity or the premises or represented parties who lived in the vicinity. He advised that the words 'in the vicinity' were not defined in the legislation. He referred to a test that the Department for Media, Culture and Sport have been using. The procedure to be adopted for deciding the preliminary issue was described to members and those parties present.

The Environmental Health Manager (Commercial) described the application under consideration and referred to an e-mail from Mr Bruce Reynolds, Environmental Health Officer and the applicant, this was distributed to the members.

Mr Allen read out the guidance issued by the Media, Culture and Sport Department. He stated that it was unclear from Mr Pitchford's letter what the nature of his complaint was. Mr Allen asserted that he can only be entitled to object on a personal capacity and given the proximity of his home, he felt that the objector could not be based on the noise level.

Neither Mr Pitchford nor the members of the Committee had any questions for Mr Allen.

Mr Pitchford addressed the Committee by explaining that he made his representation on a personal basis and within the time limit. Since making the representation he has been authorised by the Shoreham Beach Residents Association to represent the residents. He explained that the residents association had received a number of complaints in particular regarding noise. As an example he referred to the fact that the PA system from a rowing regatta could be heard from Mr Pitchford's house. Mr Pitchford outlined his observations that there is also an increase in vandalism and disturbance during the festival period. Mr Pitchford mentioned that there was an increase in litter.

Mr Allen had no questions of Mr Pitchford.

### Discussion Stage

Councillor David Simmons asked Mr Pitchford as to whether the litter that occurs is just regular litter or whether it can be identified as coming from the Beach Green festival event.

Mr Pitchford explained that it is worse during the festival period than the litter the rest of the year round, although it is not specifically identifiable.

### Closing Address

Mr Allen referred to the relevant section of the Licensing Act 2003 and felt that Mr Pitchford was there in a personal capacity and not entitled to speak on behalf of others. Mr Allen stated that it is clear that he is not an interested party as specified under the Act and therefore not entitled to make a representation.

Mr Pitchford explained that he was unable to write on behalf of the residents association within the time limit, but had subsequently received authorisation to represent them. He was also speaking on a personal basis.

The Committee retired at 10:25 a.m. to consider their decision.

The Committee returned to the Council Chamber and the hearing resumed at 10:37a.m. The Committee decision, as set out below, was read out.

**Resolved:**

(i) It was determined that Mr Pitchford does not live in the vicinity of the premises in question and that he is not personally an interested party for the purposes of the hearing.

(ii) Whilst the Licensing Committee appreciated that Mr Pitchford had been authorised by local residents to represent them at the hearing, as those local residents had not made written representations themselves to the Council, they could not be considered as interested parties for the purpose of the hearing.

(iii) In the circumstances the Licensing Committee can not consider Mr Pitcford's written representation nor hear the representations that he was proposing to make at the hearing.

The Chairman then advised those present that in the absence of any further, unresolved representations, the premises licence would now be granted subject to the agreed conditions.

The Chairman closed the meeting at 10.40 a.m. it having commenced at 10.00 a.m.

**Chairman**