

**LICENSING SUB COMMITTEE
2 JUNE 2011**

Present: Councillors Sabetian (Chair), Vallery-Peters and Westley, with
Councillor Finch in Reserve

1. APPOINTMENT OF CHAIR

In accordance with the terms of reference of the Licensing Committee, the Senior Lawyer invited nominations for the appointment of Chair for the duration of the meeting. Councillor Vallery-Peters moved that Councillor Sabetian should take the Chair. This was seconded by Councillor Westley.

**RESOLVED (unanimously) that Councillor Sabetian be appointed as Chair
for the duration of the meeting.**

2. DECLARATIONS OF INTEREST

Councillors made no declarations of interest at this meeting.

**3. APPLICATION FOR A PREMISES LICENCE: STADE OPEN SPACE, ROCK A
NORE ROAD, HASTINGS**

Councillor Sabetian set out the procedure that the Sub-Committee would adopt (in accordance with the Standard Practice), both the applicant and the interested party confirmed they understood this.

Corporate Director, Environmental Health, submitted a report on an application for a premises licence at Stade Open Space, Rock a Nore Road, Hastings.

Mr David Bell, the Principal Environmental Health Officer, was present and spoke regarding the prevention of public noise nuisance. He stated that he had concerns regarding the potential for open air events, involving amplified music and speech, to cause serious disturbance to residents in the area. He said that approximately 47 residential premises within 100m of the site were likely to be effected by noise and potentially many residents who live further afield.

Mr Bell said the history of noise complaints in the area should be taken into account and he was currently dealing with several complaints about noise from licensed premises in the vicinity as well as disturbance from early morning refuse collections from commercial premises. He suggested the key controls were a restriction on the number of events involving amplified music, time limitations for events and limits on volume

LSC.1

**LICENSING SUB COMMITTEE
2 JUNE 2011**

levels. He went on to say that Hastings Borough Council as the land owner must set an example and the application as submitted asked for more than the previous licence, so he recommended a number of conditions similar to those which were imposed on the previous licence for the area, having regard to the Prevention of Public Nuisance.

Kevin Boorman, Head of Communications & Marketing, applicant for Hastings Borough Council, was present and spoke regarding the extensive public consultation process that had taken place with the residents when the Stade Masterplan and Jerwood Gallery was in its infancy, two years ago. Mr Boorman said the consultation process had involved a number of meetings and public exhibitions. He stated that in response to the consultation process, 89% of the 523 residents were in favour of the scheme and no objections or concerns about noise had been received. He went on to say that external funding for the event space had been successfully obtained and the proposal will improve the towns economy as it stands with the conditions he proposed. He said the application should not be restricted in the same way the use of the coach and lorry park was as this was an entirely separate application.

With the agreement of the Chair, Mr Boorman, circulated some of the public consultation material, including an information leaflet entitled 'The Stade Masterplan and Jerwood Gallery' for members to consider. In addition he brought along several public display boards.

RESOLVED (unanimously) that the application be GRANTED as amended with the following conditions:

- 1. For larger scale events 500 – 4999 persons.
The Promoter / Event Organiser shall produce and submit a detailed Event Management Plan and Risk Assessment in writing to the responsible authorities and relevant departments of the Hastings Borough Council not less than three months prior to the event. A final agreed draft of the Event Management Plan and Risk Assessment must be submitted to the responsible authorities not less than one month prior to the event.**

- 2. For small scale events under 500 persons.
The Promoter / Event Organiser shall where possible produce and submit a detailed Operating Schedule in writing to the responsible authorities not less than two months prior to the event. A final agreed version of the Operating Schedule must be submitted to the responsible authorities not less than three weeks prior to the event.**

LSC.2

**LICENSING SUB COMMITTEE
2 JUNE 2011**

- 3. Designated Premises Supervisor.**
Sale of alcohol by retail at pre-planned/organised events only.
For events involving the supply of alcohol, event organisers/premises users will provide their own personal licence holders & Designated Premises Supervisor. A completed written consent form will be submitted to the Licensing Authority and Sussex Police not less than fourteen days prior to the event.
- 4. Sussex Police will have the absolute power of veto if the Event Management Plan and Risk Assessment are not to the satisfaction of Sussex Police.**
- 5. A 'Challenge 25' policy be adopted and only photographic ID such as a passport, driving licence and proof of age standards scheme (PASS) cards be acceptable. Staff are to be trained to request the appropriate ID from anyone who appears to be under the age of 25 years, and that alcoholic drinks are refused unless that ID is produced.**
- 6. Amplified music shall not be performed on more than 30 days per year in total as an aggregate of both this site and the Stade beach.**
- 7. Events involving amplified music shall not be performed on more than a single weekday or three consecutive days when commencing Friday and running into a normal weekend or four consecutive days when commencing Friday and running into a bank holiday weekend and, in any case, not more than frequently than once fortnightly;**
- 8. Amplified music, including public announcements except in an emergency, shall be performed only between the hours of 09.00 and 23.00.**
- 9. Amplified music that may be more than barely audible outside noise sensitive properties shall not be performed for more than one hour continuously and for not more than six hours in aggregate on a single day with a minimum break of 15 minutes between each individual session.**

LSC.3

**LICENSING SUB COMMITTEE
2 JUNE 2011**

- 10. Events involving amplified music shall not take place after 18.00 hours on any day that is followed by a school day;**
- 11. The erection or dismantling of any structure required for an event shall take place only between the hours of 08.00 and 20.00 hours Monday to Sunday and Bank Holidays provided that noise from such work is not audible at any noise sensitive premises after 18.00 hours Monday-Saturday or before 10.00 hours on Sundays and Bank Holidays.**
- 12. Music noise levels, at the northern boundary of the road A259 and Rock a Nore Road or beyond, shall not exceed 65dB(LAeq) over any 15 minute period. In addition, the sound pressure level in either of the 63Hz or 125Hz octave frequency band shall not exceed 70dB at any time. Noise monitoring positions shall be as directed with the Licensing Authority;**
- 13. The music noise level at any point within the licensed area shall not exceed 95dB(LAeq) over any 15 minute period. Noise monitoring positions shall be agreed with the Licensing Authority;**
- 14. Nothing shall be broadcast, whether by speech or singing, in the course of any activity covered by this licence that may be offensive to any member of the public by reason of words used or sentiments expressed;**
- 15. Any public address system that is not part of a music sound system shall have sufficient speakers so located and orientated as to allow speech to be audible to persons within the licensed area but to be not more than barely audible at the boundary of any noise sensitive premises. Any announcements made through the music sound system shall meet the music noise levels specified in Condition No. 12.**

Reason for the decision:

LSC.4

**LICENSING SUB COMMITTEE
2 JUNE 2011**

The Committee has listened very carefully to all parties submissions and are satisfied that the conditions (as amended) satisfy and uphold the 4 Licensing Objectives in particular the prevention of public nuisance.

The Committee have taken into account the fact that extensive consultation had taken place and there were no objections from residents and none present at the hearing today to make objections.

(The Chair declared the meeting closed at 11.35am)