

Decision – Lewes District Council Licensing Sub Committee 27 August 2021

Re: Breakwater Events Support Ltd, Martello Fields, College Rd, Seaford – Result of Hearing.

Further to the Hearing of the Licensing Sub Committee held on Friday 27 August 2021, I am writing to confirm the Sub Committee's decision regarding the **Application for a Premises Licence**.

The decision of the Sub Committee is as follows:

The hearing concerned a premises licence application made by Breakwater Event Support Ltd for a one-day specific event at the premises. The ticketed event is an LGBT+ festival called Seaford Pride. The original application was for live and recorded music everyday between the hours of 09.00 and 21.00hrs. Plus, the supply of alcohol for consumption (on the premises) everyday between 10.00 to 21.00hrs.

The Sub Committee noted, as outlined within the Report, that despite the impression in the application that this would mean that events could happen every day it was in fact the applicant's intention to only run one event a year.

The Sub Committee also noted the applicant's variation of the original application, made at the hearing, that the supply of alcohol would be from 11.00 to 20.30hrs.

The Sub Committee considered the application and the oral representations made at the hearing by the applicant's representatives. Those included that they had provided an Event Management Plan which they were confident was comprehensive enough to ensure that the event was safe and well organised. In addition, they stated that there would be no entry to the event after 19.30hrs.

The applicant's representatives explained that the Designated Premises Supervisors (DPS) and all personal licence holders were very experienced and that they would operate a Challenge 25 policy. They pointed out that they took security of the event seriously and had employed an experienced security company who had been involved in other similar (albeit larger events). They outlined that the security staff were Security Industry Approved (SIA), there was a designated security manager and they also had in place an emergency response team. In response to a question about CCTV, the applicant's representatives said security staff would have body-cameras which would be switched on if necessary. They said that they did not expect people without tickets to turn up as there would be nothing to see as there was secure fencing around the event.

They explained that they had considered the public safety issues relating to those leaving the premises after the event and believed they had adequate staff to ensure safety. They stated they had 15 SIA staff and 30 events stewards. In addition, they had liaised with the Police and there would be two Officers inside the event and another two Officer patrolling the outskirts of the premises. Further, there was a 24-hour control room in Brighton to deal with any incidents following the closure of the event. In relation to where attendees might go to after the event ended, they said this had been discussed with two local bars and they would direct people to those establishments. They also stated they would carry out a

sweep of the area, including the beach, after the event finished, to ensure that all attendees had left quietly and safely.

In relation to noise management, the applicant's representatives referred to a Noise Management Plan and in particular they stated that they had undertaken a letter drop (on 27 August 2021) to local residents which included a contact telephone number should local residents wish to raise concerns about the noise. They stated that they had taken all reasonable steps to mitigate the noise of the event including considering the positioning of the stage and that at all times the noise levels would be monitored to ensure that within regulated limits. They also pointed out that their staff would remind attendees leaving the premises to respect the peace of the residents

The applicant's representatives stated that they did not consider that parking and traffic would be a problem as they expected 80% of attendees to be local to Seaford.

They further stated that they were committed to working with local businesses. They reiterated that it was a family friendly event.

They clarified that, although the original application had suggested the number of attendees to be 4,000, it was now expected that 1,500 people would attend a maximum number of 1,800 had been imposed for the event on 29 August 2021.

The Sub Committee noted that one written representation had been made in support of the application by Neal Richardson who expressed concerns about the prejudiced views of some of those objecting to the application.

The Sub Committee paid due regard to the relevant written representations of local residents. Those expressed concerns about public nuisance and in particular the noise that would be generated by the event given the acoustics of the area. Further, the written representations raised concerns that the supply of alcohol would encourage drunkenness, damage and disorder. The Sub Committee also considered the oral representations made at the hearing of Frank Parker, Helen Webb, Shelia White and Peter King.

Frank Parker expressed concerns about the likely impact of the long hours in which alcohol could be supplied which he considered would inevitably lead to unruly behaviour. This view he stated was based upon his experience of other similar events. He also considered that there would be inadequate policing for such numbers. He also raised concerns regarding parking in the area and safeguarding.

Helen Webb explained that because there had been previous events, by others on this land, that it was having a cumulative effect on local residents. She asked that the Sub Committee consider reducing the hours of the event as that would ease the impact of the noise on local residents.

Shelia White stated that her concerns related to the protection of children from harm and said that she did not consider this to be family friendly event in light of the activities and the entertainment being provided at the event.

Peter King raised concerns around policing and security after the event. In relation to parking he considered that emergency vehicles may have difficulties with access.

In discharging its functions, the Sub Committee considered the promotion of the relevant licensing objectives, the Council's own Licensing Policy, the Home Office Guidance and the rules of natural justice. It also took into account the information contained within the Specialist Advisors Report.

In its deliberations the Sub Committee considered what decision would be appropriate and proportionate from the options outlined in para. 7.1 of the Report.

Decision

The Sub Committee resolved to grant the licence with the revised, shorter hours for the supply of alcohol (being 11.00 to 20.30) and with the addition of the conditions contained at paragraph 2.3 of the original Report and at paragraph 1.6 of the supplementary report.

For clarification those are:

- This Licence is valid for one day per annum. The date of the event to be notified to Sussex Police and the Licensing Authority with at least four months' notice. The event for 2021 will take place on 29 August 2021.
- The premises licence will only be valid if it is run in accordance with all aspects of the latest version of the Event Management Plan. Any changes to this plan must be notified in writing immediately to Sussex Police and the Licensing Authority for Lewes District Council.

Reasons for decision

In making this decision the Sub Committee took into account the acceptance by the applicant of some of the concerns of the local residents by their reduction of the hours for the supply of alcohol.

The Sub Committee appreciated the relevant representations of the local residents particularly in relation to noise but believed that the applicant's Noise Management Plan had taken all reasonable steps to mitigate those concerns. The Sub Committee were content with the comprehensive and detailed Event Management Plan and were confident that the licence would not undermine the four licensing objectives.

In making its decision the Sub Committee noted that they had not taken irrelevant considerations into account, as referred to in the Report, and nor had they considered any comments made at the hearing that were not contained within the written representations.

Whilst the Sub Committee appreciated local residents concerns about public nuisance and crime and disorder it was recognised that this was an annual event on one day and that the event would close at 21.00.

The Sub Committee noted that no Responsible Authority had made a representation against the application.

The Licensing Act provides a right of appeal to the Magistrates' Court in respect of an application for a premises licence. An appeal must be commenced by notice of appeal being given by the appellant to the Magistrates' Court within a period of 21 days beginning

on the date the appellant is notified in writing of the decision of the Licensing Sub Committee.

The decision will be provided in writing to all parties within five working days of the decision being made.

Yours sincerely,

Nick Peeters

Committee Officer, Democratic Services

committees@lewes-eastbourne.gov.uk

Tel: **01323 415272**

Mobile: 07935085770

Email: nick.peeters@lewes-eastbourne.gov.uk