



Arun District Council
Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Tel: 01903 737755
DX 57406 LITTLEHAMPTON
Email: licensing@arun.gov.uk
www.arun.gov.uk
Date 19th June 2024

LICENSING ACT SUB-COMMITTEE

DECISION NOTICE

Date of Hearing: 6 March 2023

Licence Type: Review of a Premises Licence

Name of Applicant: Mr Simon Boxall

Name of Premises: The Fox Inn, Arundel Road, Patching, Worthing, West Sussex, BN13 3UJ

Licensing Sub- Committee and other persons present

Determination

The Committee listened carefully to all representations made by Environmental Health and listened to the responder being Mr Boxhall and the decision was as follows:-

The Committees Decision

To modify the conditions of the licence in the following respects, namely:

1. the Designated Premises Supervisor be removed;
2. the conditions of the licence be modified as proposed by Environmental Health, as follows:

i) No live or recorded music or amplified speech shall take place in the marquee or other outside areas until an independent acoustic report has been submitted to and agreed in writing with Arun District Council's Environmental Health Team and the mitigation measures detailed in the acoustic report have been fully implemented.

The acoustic report must include:

- reference to BS 8223:2014 Table 2;
- the noise transmission paths from the marquee;
- the breakout of noise from the marquee via the door(s);
- details of the amplification system and speakers;
- noise insulation measures to be installed in the marquee to prevent noise transmission;
- specific details of the siting of the marquee, including minimum distances from boundaries;
- details of an in-line noise limiter to be installed in the premises which will automatically cut out once the agreed noise level is exceeded;
- before first use of the noise limiter, the system shall be set with a tamper proof seal in the presence of an officer of the Council.



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i)The noise limiter shall be serviced regularly. A log shall be kept of times when it is tripped, reason for trip and corrective action taken. Records shall be kept for a year. The records must be available at the premises when the premises is open to the public.

ii)The noise limiter shall be installed using a dedicated tamper proof socket or be wired in directly.

iii)Once operational the site (and any visiting DJs/bands/musicians) shall only use the amplification system that forms part of the acoustic report and no other. Use of the system will cease by 22.00hrs each day or 21.30hrs on Sundays and bank holidays.

iii)Amplified music and any amplified voices in outdoor areas (including a marquee) shall only take place during the following hours:

12.00 - 22.00hrs Monday to Saturday
12.0 - 21.30hrs on Sundays and bank holidays.

1i)No live or recorded music shall take place at the premises until a Noise Management Plan has been submitted in writing to, and been agreed in writing by, Arun District Council's Environmental Health Team. Once agreed it shall be fully implemented thereafter. The Noise Management Plan shall include:

- supervision and management of the noise limiter
- control of patron noise outside
- procedure for dealing with complaints of noise and corrective action taken
- procedure for proactive monitoring

ii)The details of all the locations, directions and sizes of the speakers on the premises must be submitted in writing for written approval by Arun District Council's Environmental Health Team, no speakers will be permitted outside other than those forming part of the approved system.

No alterations to the location, direction or type of speaker shall occur, until written approval has been submitted and agreed by Arun District Council's Environmental Health Team.

iii)A Designated Premises Supervisor or nominated representative shall be on the premises at all times the premises is open to the public to ensure conditions i - vi are complied with and to take action to resolve any non-compliances with conditions i - vi. If there is no personal licence holder at the premises then no music or amplified speech shall be played in the premises.

The Committees reasons:

The reasons for the decision are:

The Sub-Committee had taken into account all the representations made before them, both written and oral in respect of this matter, and also had due regard to the Statutory Guidance, the Council's own Licensing Policy and licensing objectives.

The Licensing sub-committee has considered the range of options available to them for failing to meet the licensing objective in the Prevention of Public Nuisance and decided to:



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1. Remove the Designated Premises Supervisor
2. Impose the conditions 1 to 8 as recommended by the Council’s Environmental Health Team at page 57 and 58 of the report.

The committee concluded that the additional conditions would be adequate to address the current concern for the review.

The determination will not have effect (a) until the end of the period given for appealing against the decision, or (b) if the decision is appealed against, until the appeal is disposed of. *

Dated 10 March 2023

Signed ...Louise Dewberry

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Designation...Licensing Officer

Philippa J. Heath

the officer appointed for this purpose

*** Note: An appeal against this decision may be made by the applicant/a person who made relevant representations/the Chief Officer of Police as applicable (see Schedule 5 of the Act) to the magistrates’ court for the petty sessions area (or any such area) in which the premises concerned are situated within 21 days from the date of receipt of the notification of the decision.**

Please address any communications to:

The Licensing Officer
Arun District Council
Arun Civic Centre
Maltravers Road
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