

Dear Member

LICENSING SUB-COMMITTEE - THURSDAY, 5TH AUGUST, 2021

Please find attached, for consideration at the next meeting of the Licensing Sub-Committee, taking place on Thursday, 5th August, 2021, additional submissions from the Applicant dated 20 July 2021.

Agenda No Item

3. **Additional Papers from Applicant Dated 20/07/21 (Pages 3 - 16)**

Yours sincerely

Andy Rogers

Committee Administrator

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Calshot Field Licensing Application

Summary of Objection	Raised by (see Key)	Comment
Site does not have planning	NFNPA	The representation does not raise any licensing objective and should be disregarded.
Object to a site licence for “this glamming site”/opposed to allowing glamping.	1, 3	This is not an application for a camping/glamping site.
Only one vehicular access/egress	1	There is in fact an emergency egress but yes, only one entrance point.
There could be an influx of several hundred happy campers	1	The site capacity is a maximum of 250 campers. All tents are pre-booked.
Risk of petty crime is inevitable	1	The site has already been in operation for some time with no reports of petty or any other crime.
The restaurant/bar would be open to the public	1, 3, 6	The application is subject to conditions such that non-residents cannot simply come on site to drink. Further, there have to date been virtually no restaurant bookings by non-residents.
Risk of drowning	1, 7	The sale of alcohol is strictly controlled. If the premises had no licence, campers would be permitted to bring their own alcohol onto the site and it would be far more difficult to control and monitor consumption.
Surrounded by residential accommodation and beach huts.	1, 6	The restaurant/bar is some distance away from residential properties and is not a noisy place. (See further below)
Effect on Luttrell’s Tower – steps used for illicit drinking etc.	2	Granting the licence would allow the control of alcohol sales rather than allow campers to bring their own. It should also be noted that the sale of alcohol is restricted to “on-sales” – alcohol purchased on-site cannot be consumed off-site. The objection seems to be more related to the use as a camp site rather than the grant of a premises licence.
Parking/traffic issues and emergency access.	2, 4	Again, this really relates to the use of the site for camping and not the grant of a licence. There is a full fire risk assessment as required by the Regulatory Reform (Fire Safety) Control

		Order 2005 which applied to all premises regardless of whether they are licensed to sell alcohol. Although not a statutory consultee, the Highway Authority is entitled to make representations but has not done so.
Potential bad behaviour	1	No such behaviour has been reported (but see additional points below). See also the letter to neighbours regarding unacceptable behaviour.
Financial impact on the Landmark Trust	1	Not a relevant matter (and, in any event, would be because of the use of the land as a campsite and not because of the grant of the licence).
Not seen blue notices	1	Far more notices were displayed (and were still in place on 16 th July) than is required. The Licensing Authority also checked that the regulations had been complied with.
Hours should be limited to 11:00 to 21:00 (are too long)	3, 6	Restaurant hours are generally until midnight with 30 minutes “drinking up time”. The application is until 11 p.m., as have been the TEN’s (see below). See also the letter to neighbours regarding unacceptable behaviour.
Fire hazard from restaurant cooking facilities.	4	See parking/traffic issues above.
Noise from generators	4	This is not related to the licence application. However, steps have already been taken to relocate generators and to dampen the noise they create.
Who has duty of care to children/screen contractor personnel?	5	No safeguarding issues have been raised by the relevant authority and again, this is more relevant to the campsite use rather than the licence application.
Issues raised about TEN’s	5	All TEN’s were properly given and did not attract any objections.
Noise nuisance generally but specifically: From the bar/restaurant and other hospitality areas – not sound proofed. Amplified music noise.		The restaurant and dining areas can operate until 11 p.m. without a licence. Experience of actual operation has demonstrated that there is no noise nuisance from these areas. The application does not include live or recorded music. Whilst this might be

		permitted under the provisions of the Live Music Act, no such entertainment will be provided.
Public safety (lifeboat concerns) – people under the influence blocking access and increased water sports activities whilst under the influence of alcohol.	7	Again, the principal concern seems to be the use of the site for camping. All water sports activities will be carefully supervised and monitored and by granting a licence (and preventing campers from bringing their own alcohol on site) the consumption of alcohol will be more controlled than would otherwise be the case.

Key

NFNPA – New Forest National Park Authority

1 – Cllr Alexis McEvoy

2 – Simon Verdon – Landmark Trust

3 – James Bryant

4 – Jan Ward

5 – Robert Gray (also adopts issues raised by Landmark Trust)

6 – Margaret and Nicholas Hunt

7 – Jane Banting – Calshot Lifeboat Station

Other relevant matters:

The Law:

There is a presumption in favour of grant of a licence in accordance with the operating schedule proposed in the application form.

Any decision made by the Licensing sub-committee must be based on evidence and not on speculation as to what might happen.

In this case, the fact that the premises has been operating under a series of Temporary Event Notices is highly relevant as it gives the sub-committee an opportunity to assess whether the worst fears of those who have made representations have been realised and/or whether the grant of a premises licence would in fact undermine any of the licensing objectives.

Representations must relate to the application and not to the use of the premises as a camp site.

Representations must also relate to one or more of the licensing objectives.

That none of the Responsible Authorities have seen it appropriate to raise ANY representations at all is highly relevant and persuasive in favour of grant.

Note – if necessary, authorities can be cited to support each of the above submissions but this is an experienced Licensing Committee and it is not intended to burden all concerned with legal authorities.

Conclusion

It is clear that the majority of those who have objected to this application are principally motivated by their concerns about the use of the site as whole as a camping/glamping site. That however, is not a matter than should or indeed could influence members in their decision making.

The sole issue is whether to grant the licence would undermine one or more of the licensing objectives and in this case, it is submitted that the opposite would be true.

The concept of using the site for camping came about largely as a result of the Covid pandemic, restrictions on international travel and the desire for “staycations”.

The site has attracted mainly families – a significant majority of those who have booked (and the site is sold out) are families with young children.

This is not a “festival site” or anything similar – frankly, there is little to do on site but to enjoy the wonderful scenery, relax, “chill out” and use the site as a base to enjoy all that the New Forest has to offer or simply to stay on site or on the beach.

It is not exactly the cheapest place to stay and that in turn has also served to ensure that those attending have been well behaved and have not caused any issues.

Unfortunately, the applicants were not well advised regarding licensing matters and the writer only came into this matter late in the day which is why this application was submitted rather late and why the site has had to operate under a series of TEN's.

The regulations relating to TEN's are such that every Monday has had to be a “dry day” in the sense that no alcohol sales have been made. However, campers have been permitted to bring their own alcohol onto the site on those days, something that the applicants would prefer not to happen, not only for their own commercial reasons but also to ensure that appropriate controls are in place.

The sub-committee is therefore invited to grant the application as applied for.

Philip Day, Partner, Laceys Solicitors LLP
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20th July 2021

CALSHOT FIELD LICENSING APPLICATION



Site entrance, Jack Maynard Road and view from entrance towards the spit.
Note this was a changeover time – parked vehicles are not associated with the site.



Drop off point and reception area

Main Marquee



Reception and bar area



Dining area – internal



Dining areas – external

CAMP SITE GENERAL VIEWS



Access road from drop off point to car park and emergency exit and toilet block.

Washing and lavatory facilities



Inside one of the luxury tents



All photographs taken by Philip Day, Laceys Solicitors LLP on Friday, 16th July 2021 using a standard iPhone and untouched or altered (other than the first photograph which has been cropped).



Breakfast

~ Served 8am until Noon daily ~

Freshly baked breads or toast with local preserves – 3.5

Freshly baked pastries and muffins - ask your servers for the daily selection – 3.5

Homemade Granola - nuts, seeds, pollens & local fruit compotes – 6.5

Our Full English – 11.95

Bacon, sausage, fried egg, home-fries, baked beans, grilled tomato, mushrooms
an assembled a selection Hampshire's finest produce

Grilled Sourdough & Smashed Avo

with a herb oil and tomato houmous & dukka – 8.5

Vegetarian English – 9.95

Mushrooms, home-fries, grilled tomato, baked beans, fried eggs

Breakfast Sandwich – 2

Add Sausage – 1.50, Bacon – 1.50, Fried Egg – 1.50, Mushrooms

For the kids

A selection of breakfast cereal – 3.5

Toast with local preserves or chocolate spread – 3.5

Coffee & Teas

Cafetierre – 3.00

Tea – 3.00

Please alert us about any dietary requirements you may have. A discretionary service charge of 12.5% will be added to your bill

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THE
Pop-up
HOTEL

2 x course £27.95 3 x course £34.95

STARTERS

Rilette of Pork with plum chutney & cob nut biscotti

Spiced Selsey Potted Crab with corn bread

Roasted Pepper Baclava with kale pesto

MAINS

Hampshire Lamb Cutlets

Mechoui spice, celeriac puree, chargrilled courgette

Saltimbocca

pasture raised chicken, local cured ham, sage, greens, marsala jus

Char-grilled Aubergines,

chickpea farci, tomato & chilli sambal

Fish of the Day (market price)

samphire, buttered new potatoes

(Choose; Caper berry butter; Jerk butter, Thai butter, IOW garlic & herb butter)

Steak of the Day (priced per 100g)

buttered new potatoes & daily greens, please ask for the day's cuts

DESSERTS

Hampshire Pear & Vanilla Tatin, star anise & burnt trinity cream, pear liquor

Chocolate & Almond torte, crème fraiche, Hampshire berry compote

Coconut Panna Cotta, peanut brittle, tempura chilli

Selection of local cheese, homemade shortbreads & chutneys (£3)

Please alert us about any dietary requirements you may have. A discretionary service charge of 12.5% will be added to your bill

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Lunch & All-Day menu 12.00 – 22.00

take away available

Our Salad Bowls – 12.50 subject to daily changes

Superfood Salad,
brown rice, broccoli, alfalfa, cranberries

Indonesian Gado Gado
crunchy Hampshire veg, spicy peanut dressing

Butternut Squash
chickpea, spinach, tahini & zesty lemon dressing

Caesar Salad
fresh anchovies, soft poached eggs, Italian pecorino
add chicken – 2.0

Mains Dishes – 12.95 served from 12.00 – 15.00

Polenta Chips
5 hand-cut chips drizzled with
Lyburn Francis cheese sauce, IOW confit tomatoes

Hampshire Ox Burger
hand molded, blueberry ketchup, slaw, fries

Croque Monsieur
local farmed ham, Lyburn cheese,
bechamel sauce, Bakehouse 24 sourdough

Tofu Cakes
handmade Thai spiced cakes served
with Asian slaw and Nam-Jim sauce

Please alert us about any dietary requirements you may have. A discretionary service charge of 12.5% will be added to your bill

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