

**NEW FOREST DISTRICT COUNCIL
LICENSING ACT 2003**

**APPLICATION FOR PREMISES LICENCE – HARRY’S MEADOW CAMPSITE,
HALE PARK, HALE, FORDINGBRIDGE.**

**Decision of the Licensing Sub-Committee hearing held at Appletree Court,
Lyndhurst on 5 September 2022**

1. Members of the Licensing Sub-Committee

Councillor Steve Clarke
Councillor Barry Dunning (Chairman)
Councillor Alvin Reid

2. Parties and their Representatives attending the Hearing

Applicants:

Vivien Sheriff (Applicant, Harry’s Meadow Campsite)
Jesse Sheriff

Objectors:

Cllr Josh Lavis (Hale Parish Council)

3. Other Persons attending the Hearing

Council Officers:

Ms Christa Ferguson - Licensing Manager

4. Officers attending to assist the Sub-Committee

Richard Davies – Legal Advisor
Andy Rogers - Clerk

5. Absence of Parties

At the outset of the hearing it was noted by the Sub-Committee that a number of the parties were absent as set out below:

Those who had indicated that they would not be attending:

David and Tara Cutler

6. Those who had not indicated whether they would be attending:

Ian and Hannah Downie
Sharon and David Barnett
Julia and Alan Harding

7. Some absent parties had not indicated whether or not they would be in attendance. The Sub-Committee considered whether it was necessary in the public interest to adjourn the hearing or to hold the hearing in the absence of those parties. The Sub-Committee took into account the fact that the points raised by these parties were very similar to the points raised by the parties in attendance. The Sub-Committee decided to proceed with the hearing in their absence and take into consideration their written representations in reaching its decision.

8. Decision of the Sub-Committee

The purpose of the hearing was to determine an application for a premises licence under section 18 of the Licensing Act 2003 (“the Act”) in respect of the Harry’s Meadow Campsite, Hale. The application is **GRANTED** on the following terms and conditions (as applied for):

Sale of alcohol for consumption on the premises

Monday to Sunday 17:00hrs to 22:00hrs

9. Reasons for the Decision

The hearing was to determine an application for a new premises licence in respect of Harry’s Meadow Campsite, Hale, which operates only for the month of August in each year. The site has relied on Temporary Event Notices to serve alcohol in this and previous years. It was noted that campers could bring their own alcohol onto the site regardless of any licence.

The Sub-Committee considered the application along with the evidence, both written and oral, supplied by the Applicant and all those who had made relevant representations.

In reaching its decision, the Sub-Committee has had regard to:

- The Home Office Guidance issued under section 182 of the Licensing Act 2003,
- The Council’s own Statement of Licensing Policy.
- The steps that are appropriate to promote the licensing objectives
- Relevant Representations presented by all parties

At the hearing, the Sub-Committee carefully listened to all the evidence that was provided, and considered what action, if any, was appropriate for the promotion of the four licensing objectives namely, the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.

The Sub-Committee noted correspondence received after the main agenda pack was circulated, at Appendix 8 (from Mr Cutler, an objector) and Appendix 9 (from a number of persons supporting the application).

It was reported that other correspondence had been submitted over the weekend, which could only have been dealt with on the day of the hearing. In accordance with the Licensing Hearing Regulations (reg 18), and the Authority's procedure as provided to all parties, if submissions are received on the day of the hearing, all of the other parties have to consent to it being circulated as evidence. The Applicant did not consent to these submissions being circulated.

The Council's legal representative advised that certain issues raised by objectors, such as planning issues and objection to the existence of the campsite, were not relevant to the licensing objectives for the purposes of the Application.

The main relevant areas of concern raised by those objecting to the Application included the following:

- Public nuisance (including urination on or near private land)
- The likelihood that alcohol sale could increase crime
- Noise, including from guests that have drunk alcohol,
- Increase in Crime and disorder /unruly behaviour/ property damage

The Sub-Committee noted that Mr Lavis, (representing objectors, Hale Parish Council), had conceded that, whilst the complaints from objectors about the campsite were largely unsubstantiated and circumstantial, the problems to which he referred all appeared to occur in August, the only month in which the campsite operated.

Mr Lavis also accepted that there was no proven link between the allegations of the objectors and the campsite users, or to the sale of alcohol. In response to a question from the Sub-Committee, Mr Lavis also acknowledged that the school summer holidays, and increased tourism activity in the area, also occurred in August, and therefore any problems may not necessarily relate to the campsite. Mr Lavis stated that he did not dispute that the campsite was well run.

The Sub-Committee noted that the Applicant's intended arrangements for the operation of the site included use of a site manager on hand 24 hours a day, a security warden at busy weekends, and a noise curfew at 23:00hrs.

The Sub-Committee heard that all the Responsible Authorities had been consulted on the Application, and no comments or objections had been received.

The Sub-Committee was mindful that there was a presumption in favour of granting an application unless there was evidence which undermined the promotion of the licensing objectives.

Due to insufficient evidence, the Sub-Committee was not persuaded by the objectors' submissions that the sale of alcohol on the site would lead to public nuisance or crime and disorder. Overall, the Sub-Committee therefore

felt that granting the application would not adversely affect the promotion of the licensing objectives.

Accordingly, the Sub-Committee was of the view that the appropriate steps for the promotion of the licensing objectives was to grant the application, subject to the conditions set out in the Application.

Should there be any concerns in the future regarding operation of the premises, the Licensing Act 2003 provides a statutory mechanism for any person to call the premises licence in for review.

Date: 5 September 2022

Licensing Sub-Committee Chairman: Cllr B Dunning

FOR OFFICE USE ONLY

Decision notified to interested parties on 6 September 2022