

## LICENSING SUB-COMMITTEE – MONDAY 5 SEPTEMBER 2022

### APPLICATION FOR A NEW PREMISES LICENCE HARRY'S MEADOW CAMPSITE, HALE PARK, HALE, FORDINGBRIDGE. SP6 2RE

#### 1. RECOMMENDATIONS

- 1.1 That the Licensing Sub-Committee determines the application for a new premises licence provided at **Appendix 1** which has been submitted in accordance with section 17 of the Licensing Act 2003 ("the Act"). **Appendix 2** provides the location plan submitted by the applicant.
- 1.2 Under section 18 of the Act, the Licensing Sub-Committee may determine the application and select from the following options:
  - Grant the application subject to conditions which are consistent with the operating schedule accompanying the application modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives; and any condition which must be included in the licence in accordance with the Act;
  - To exclude from the scope of the licence any of the licensable activities to which the application relates;
  - Refuse to specify a person the licence as the premises supervisor;
  - Refuse the application.

#### 2. INTRODUCTION

- 2.1 The purpose of the report is to provide the Sub-Committee with information at the hearing to determine an application for a new premises licence in respect of Harry's Meadow Campsite, Hale. SP6 2RE.

#### 3. BACKGROUND

- 3.1 The application seeks to support the camping facilities provided by the site owners and to provide the sale of alcohol to those camping on the field.
- 3.2 Currently, the site may provide alcohol under the Temporary Event Notice arrangement ("TEN"). Each application must be submitted in the correct notice period and will incur a cost of £21.00. Only the Police or Environmental Health may object to the grant of a TEN and conditions cannot be attached to a TEN.
- 3.3 Campers can currently bring their own alcohol onto the site and could continue to do so if the new premises licence was granted.
- 3.4 The site can be seen in the centre of the aerial view photograph provided as **Appendix 3**. Additional photographs of the site, taken by the Licensing Manager, are provided as **Appendix 4**.
- 3.5 The Sub-Committee will note the site has a large acreage and has two sizeable, grassed areas dissected by a tree lined track. One side has space for traditional tents and the other has a number of pre-erected glamping yurts, for campers. Usage of the site is aimed at families, due to its quiet location and space provided.

- 3.6 There are mobile shower/toilet blocks and a covered area (stretch tent on the plan), where campers can sit and use the mobile bar and café, which consist of a couple of temporary food vans, providing breakfasts, pizza, burgers etc plus a converted horse box used to sell coffee, pasties and for the sale of alcohol (under TENs).
- 3.7 The site is bordered by mature trees on all sides and the distance from the site boundary on the SE side to the bar area, has been measured at 194.2metres.

#### **4. THE APPLICATION**

4.1 The Licensing Authority have received an application for a new premises licence from Vivien Sheriff ('the applicant'), The application is attached in **Appendix 1**.

4.2 The application seeks permission for the following licensable activity:-

##### **Sale of alcohol for consumption on the premises**

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

The site is not open to the general public, but campers are permitted on the site 24 hours a day. The bar will only be available during the hours stated above.

- 4.3 This licence, if granted will only be operational for the month of August each year and no other time, as camping facilities are limited by planning exemption rules to 28 days. The sale of alcohol is only available for those camping at the site.
- 4.4 The application seeks only to provide the sale of alcohol at the site. Any regulated entertainment that takes place between 08:00hrs and 23:00hrs is exempt from the requirement to be licensed. However, the site has rules about the use of music, to protect campers from undue noise.
- 4.5 The applicant has proposed a number of conditions and these can be found in Part M of the licence application in **Appendix 1**.
- 4.6 The applicant is also proposed as the Designated Premises Supervisor and will have management responsibility over the sale of alcohol.
- 4.7 Public consultation has been carried out as required under the Act and officers have confirmed that the application has been advertised both at the site and in the local newspaper.

#### **5. REQUIREMENTS FOR A HEARING**

5.1 The Licensing Authority must hold a hearing to determine the application where relevant representations addressing the licensing objectives are made. These objectives being:

- The prevention of crime and disorder,
- Public safety,
- The prevention of public nuisance, and
- The protection of children from harm.

5.2 The Sub-Committee is referred to statutory guidance issued by the Home Office under Section 182 of the Licensing Act 2003 dated April 2018, in particular the sections on the licensing objectives and determining applications.

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

5.3 In determining the application, the Licensing Sub-Committee must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives,
- The relevant representations presented by all parties,
- Home Office guidance,
- The Council's own Statement of Licensing Policy.

## **6. REPRESENTATIONS RECEIVED**

6.1 During the representation period, the Licensing Authority received four relevant representations from members of the public who live locally and one representation from the Parish Council.

6.2 Representations received against the application raise concerns about the implications of granting a licence for alcohol at the site are provided as **Appendix 5**. The map at **Appendix 6** is marked with the locations of the four representees and the bar area.

6.3 All the Responsible Authorities were consulted during the representation period including NFDC planning, NPA development control, Hampshire Police and NFDC Environmental Health. No objections or comments regarding the application were received from any of the Responsible Authorities.

6.4 With regard to planning consents or restrictions, any licence granted does not override any planning restrictions that may be in place. Licensing and planning are two separate regulatory regimes and must be treated as such. Any change of use or other planning requirement must be addressed separately and to the correct authority. In addition, there are temporary arrangements for camp sites limiting the use to 28 days.

## **7. THE HEARING**

7.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations 2005. These Regulations provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.

7.2 The applicant and those parties making representations have been invited to this meeting and have been provided with this report and the procedures to be followed at the hearing.

7.3 The applicant and those who have made relevant representations are entitled to address the Sub-Committee and to ask questions of the other party, with the consent of the Sub-Committee.

## **8 RIGHT OF APPEAL**

8.1 It should be noted that the applicant and those who have made relevant representations may appeal the decision made by the Licensing Sub-Committee to the Magistrates' Court. The appeal must be lodged with the Magistrates' Court within 21 days of the notification of the decision.

8.2 In the event of an appeal being lodged, the decision made by the Licensing Sub-Committee remains valid until any appeal is heard and the decision made by the Magistrates' Court

## **9 CRIME & DISORDER, ENVIRONMENTAL, EQUALITY & DIVERSITY AND DATA PROTECTION IMPLICATIONS**

9.1 None

## **10 APPENDICES**

Appendix 1- Application form  
Appendix 2- Application site plan  
Appendix 3- Aerial view of site  
Appendix 4- Photographs of the site  
Appendix 5- Representations  
Appendix 6- Plan indicating location of representees  
Appendix 7- Parties to the hearing

### **For further information contact:**

Christa Ferguson  
Licensing Manager  
023 8028 5588  
Christa.ferguson@nfdc.gov.uk

### **Background Papers:**

NFDC Licensing Policy  
  
Statutory guidance issued under S182 of  
the Licensing Act 2003