

Licensing Sub-Committee - Wednesday 23 July at 10am

Application for a new premises licence at Jubilee Camping, Browns Lane, Damerham SP6 3EJ

Purpose	To determine a premise licence application for Jubilee Camping, submitted under the Licensing Act 2003.
Classification	Public
Executive Summary	The report details information to be considered by members of the Licensing Sub-Committee in determining the premises licence application.
Recommendation(s)	That members of the Sub-Committee determine the premises licence application submitted by Mr Burrough under the Licensing Act 2003. This decision should be taken in the light of the information contained in the report and at the meeting.
Reasons for recommendation(s)	Information as contained in the report and offered by all parties in addition to the legal licensing framework and legislation.
Ward(s)	Downlands & Forest North
Portfolio Holder	Cllr Dan Poole - Portfolio Holder for Community, Safety and Wellbeing
Strategic Director	Richard Knott – Strategic Director of Housing & Communities
Officer Contact	Christa Ferguson - Licensing Manager Environmental and Regulation 023 8028 5325 Christa.ferguson@nfdc.gov.uk

Introduction

1. The purpose of the report is to provide the Sub-Committee with information at the hearing to determine an application for a premises licence made under section 17 of the Licensing Act 2003 ("the Act") in respect of Jubilee Camping, Browns Lane, Damerham, SP6 3EJ.

Background

2. Camping facilities are provided at Jubilee Camping by the site owners and the sale of alcohol to the campers on the field has previously taken place from a small bar, using Temporary Event Notices (TENs).
3. 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 Protection may object to the grant of a TEN and conditions cannot be attached to a TEN (unless the venue already has an existing premises licence or club premises certificate). There is a limit of 15 TENs per premises per annum.
4. The applicant wishes to use a premises licence to provide licensable activities rather than submit separate applications for TENs.

The application

5. The Licensing Authority have received an application for a new premises licence from Mr Burrough, the owner of Jubilee Camping site.

The application is provided at **Appendix 1**. The date offered on page 4 does not apply. Any licence granted would start when due process has been carried out.

6. The plan submitted with the application is provided at **Appendix 2**. An explanation of the site plan has been provided by the applicant, as follows:-

"The pink block is one of our agricultural barns, on our land but outside of the campsite boundary.

What look like brown lines are the farm tracks across the fields (double brown lines) or field boundaries/fence lines within fields, which appear as the single brown lines. The farm tracks are not for public access, although campers can use them to get to the fields when the campsite is open.

The campsite boundary (not our whole farm boundary) forms the boundary of the proposed Licensed Area, just in case any campers decide to take their drink back to their tent - it will all still be 'on site'."

7. Photographs taken by the Licensing Compliance Officer show the bar, and the rural nature of the site and are provided at **Appendix 3**.

8. The application seeks permission for the following licensable activities:

Films (outdoors)

Monday to Sunday 08:00 to 23:00

Supply of alcohol (on the premises)

Monday to Sunday 08:00 to 23:00

Premises open to the public

Monday to Sunday 08:00 to 23:00

9. Entertainment taking place between 08:00hrs and 23:00hrs is exempt from the requirement to be licensed and may take place through the Live Music Act and other exemptions. The site does, however, have its own rules about the use of music, to protect campers from undue noise.
10. The site is open to campers 24 hours a day and licensable activities are proposed as above, however there is no proposal or condition offered by the applicant to limit the sale of alcohol to those camping on the site. The application also seeks permission for year-round use, although any planning limitation would override this (see paragraph 25).
11. The applicant has proposed a number of conditions and these can be found in Part M of the licence application in **Appendix 1**.
12. Since June 2018, Jubilee Camping, have applied for 47 TENs, holding events such as beer & music festivals and private bars for their campers.
13. During those TENs, three noise complaints were received by the Environmental Health, in 2018, 2020, and 2021. Officers reviewed and investigated these complaints and no further action was taken.
14. 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.
15. All Responsible Authorities were consulted and provided with the application, as required under the Act. This included NFDC Planning, NPA Development Control, Hampshire Police and NFDC Environmental Health, the Parish Council and local Councillors.
16. The only Responsible Authority to comment on the application was the Environmental Health Department who suggested that

additional conditions be placed on any licence granted. The exchange of emails and acceptance by the applicant is provided as **Appendix 4**, those conditions being:

1. **The licensee shall not conduct more than 12 outdoor film screenings per calendar year.**
2. **All noise associated with the showing of films and performance of dance emanating from the premises, whilst audible shall be so low that distinct tunes, words, musical instruments and any bass beat cannot be recognised at the boundary of all noise sensitive premises.**

For these purposes, noise sensitive premises shall include premises used for residential purposes, hospitals or similar institutions, educational establishments (when in use), places of worship (during recognised times and days of worship) and any other premises used for any other purpose likely to be affected by music noise.

17. In addition, the following condition in relation to light nuisance, was offered by the applicant.

No light from or on the premises and any other light under the control of the premises shall be provided where that light causes a nuisance to any nearby premises.

18. Any conditions offered or added during the consultation process will form part of the licence, if granted.

Requirements for a hearing

19. 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.
20. Members are referred to statutory guidance issued by the Home Office under section 182 of the Licensing Act 2003 dated February 2025, in particular the sections on the licensing objectives and determining applications.
[Revised Guidance issued under section 182 of the Licensing Act 2003](#)

21. 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.

Representations received

22. During the 28-day representation period, the Licensing Authority received one representation from a member of the public who lives at Manor House Farm, Lower Daggon Lane, Damerham, SP6 3HN, raising concerns about historic nuisance from noise and partying by campers. Mr Brooks has referred to a number of residents at the end of his letter and consent has been obtained to include this information. The representation is provided as **Appendix 5**.
23. It should be noted however that this hearing can only determine the application based on the implications of granting an application with regard to the Licensing Objectives, as stated under the Licensing Act 2003 and in paragraph 19 above.
24. Matters that cannot be considered at this hearing include planning status, interaction with other agencies and implications for local businesses.
25. We have received no communication from the planning authority for the site (NFNPA), however all licences are issued with the following caveat, which is self-explanatory. Planning and Licensing are two separate regimes with different legislative criteria.

It is important to note that this licence does not override any planning consent restrictions the premises may have. If you operate outside the consent granted for these premises, this may result in action being taken against you. Should you wish to amend these conditions please contact the relevant planning department for advice at planning@nfdc.gov.uk (New Forest District Council) or dev.control@newforestnpa.gov.uk (New Forest National Park Authority).

Options appraisal

Option 1

26. Grant the application as applied for.

Option 2

27. Grant the application and add further conditions and/or change operating and sale of alcohol hours.

Option 3

28. Refuse the application as applied for.

Legal implications

29. 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.
30. 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.
31. 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.

Right of appeal

32. 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.
33. 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.

Equalities implications

34. Each application is treated on its own merits.

Crime and disorder implications

35. Licensable activities must be provided under the terms of the Licensing Act 2003.

Conclusion

36. The Licensing Sub-Committee must, having regard to the application and any relevant representations, consider which measures are appropriate for the promotion of the licensing objectives.

Appendices

Appendix 1 - Premises licence application

Appendix 2 - Plan of premises and email from applicant

Appendix 3 - Photographs of the site

Appendix 4 - Conditions agreed with Environmental Health Officer

Appendix 5 - Representation received against the application

Background papers

NFDC Licensing Act 2003 Policy

Licensing Act 2003