

WILTSHIRE COUNCIL

SOUTHERN AREA LICENSING SUB COMMITTEE

DATE OF MEETING: 26th April 2017

Application for a Premises Licence; Chalke Valley History Festival, Church Bottom, Broad Chalke, Salisbury, SP5 5DS

1. Purpose of Report

To determine an application for a Premises Licence in respect of licensable activities at the Chalke Valley History Festival, Church Bottom, Broad Chalke, Salisbury, Wiltshire, SP5 5DS

2. Background Information

- 2.1 An application for a Premises Licence in respect of Chalke Valley History Festival, Church Bottom, Broad Chalke, Salisbury, SP5 5DS has been made by Chalke Valley History
- 2.2 During the consultation period 220 letters of support for the event were received including one from Broadchalke Parish Council. As the majority of comments were about the event as a whole, rather than specifically about the proposed licensable activities, the writers were all contacted within the consultation period to advise them of this, and to allow them the opportunity to expand their comments to address the likely effect of the proposed licensable activities. 37 responded of which 14 reiterated their previous comments and supported the grant of the licence, and 23 which specifically referred to the effect of the licensable activities were subsequently accepted as supporting representations, as set out below.
- 2.3 15 letters of objection were received. Again, a number of these were objections to the holding of the history festival itself, rather than to the proposed licensable activities. As set out below, 11 objections were accepted as being relevant representations.
- 2.4 Wiltshire Council (as the Licensing Authority) must hold a hearing to consider the application having regard to the representations. In accordance with Section 18 (3) of The Licensing Act 2003 the Licensing Sub Committee is required to take such of the steps listed in 2.4 below as it considers appropriate for the promotion of the licensing objectives. In considering the application and the relevant representations, the Sub Committee must also have regard to relevant Government guidance and the Council's Licensing Policy

2.5 The licensing objectives are:

- i) The Prevention of Crime and Disorder;
- ii) Public Safety;
- iii) The Prevention of Public Nuisance; and
- iv) The Protection of Children from Harm.

2.6 Such steps are:

- i) To grant the licence subject to such conditions as are consistent with those included in the operating schedule submitted with the application, modified to such extent as the Sub Committee considers appropriate for the promotion of the licensing objectives, together with any mandatory conditions required by the Licensing Act.
- ii) To exclude from the scope of the application any licensable activity.
- iii) To refuse to specify a person as the designated premises supervisor.
- iv) To reject the application.

2.7 On 1st March 2017 an application for a time limited Premises Licence was received and accepted as a valid application. The licence is to operate licensable activities from Sunday 25th June 2017 to Monday 3rd July 2017.

2.8 The application as applied for is as follows:

Licensable Activity	Timings	Days
<u>Provision of regulated entertainment</u>		
Plays	0900 - 2200	All week
Films	0900 - 2200	All week
Live music (Outdoors)	17:00 – 23:00	Friday
	1200 - 0000	Saturday
	1200 -1800	Sunday
Recorded music (Outdoors)	17:00 – 23:00	Saturday
Anything of a similar description (Outdoors)	09:00 – 22:00	All week
Sale by retail of alcohol (On the Premises)	16:00 – 23:00	Monday - Wednesday
	11:00 – 23:00	Thursday
	11:00 – 00:00	Friday
	10:00 – 00:30	Saturday
	10:00 – 23:00	Sunday

A copy of the application from Chalke Valley History Festival is attached as **Appendix 1**.

2.9 A location plan of the premises is attached as **Appendix 2** to this report.

2.10 A copy of the Event Management Plan submitted with this application is attached as **Appendix 3**.

2.11 A copy of the Site Plan submitted with this application is attached as **Appendix 4**.

3. Consultation and Representations

3.1 The application process requires the application to be advertised, by the Applicant, in a local news publication within 10 working days, starting on the day after the authority receives it and for a public notice (on pale blue paper) to be posted on the premises. In addition the Licensing Authority advertises the application on its website, for a period of 28 consecutive days, starting the day after the authority receives the application.

3.2 On this occasion the application was not advertised adequately at the site, therefore the consultation period was extended by a week to end 5th April 2017

3.3 During the consultation period no relevant representations were received from Responsible Authorities. 11 relevant representations objecting to the application have been received from local residents

3.4 Representations Received

- Dr Anthony Herbert
- Mr Chris Littlemore
- Mrs Jane Littlemore
- Mr David & Mrs Caroline Foster
- Mr & Mrs Stephen Sheldon
- Mr Ronnie Butler
- Mr M. N. Lach
- Captain Derek & Mrs Octavia O'Reilly
- Mr Amenayasi Caqasau
- Mr Jack & Mrs Jeanne Neave
- Mr Colin Waite

3.5 A summary of the representations made is detailed in the table below:

Representation	Licensing Objective	Accepted	Comments
Disturbance caused by visiting large crowds and Music	Prevention of Public Nuisance	Yes	
Alcohol sales will cause issues and crime committed	Prevention of Crime & Disorder	Yes	
Influx of large amount of vehicles in small streets by persons attending the	Public safety	Yes	

Alcohol and entertainment hours excessive	Prevention of Public Nuisance	Yes	
Anti social behaviour caused by alcohol sales	Prevention of crime and disorder	Yes	

3.6 The relevant representations objecting to the application are attached as **Appendix 5**.

3.7 There have been 23 e-mails of support for the application that address the licensable activities and the licensing objectives, details of those supporting the application are found below

Mr & Mrs Guy & Susie Morgan	Mr Julian Matthews	Mrs Tessa Gaisman	Mr Paul Shepperd
Mr Jonathan Gaisman QC	Mr Ceri Hurford - Jones	Mr James Hussey	Mrs Janet Holland
Mrs Gale Gould	Mr Stephen Morant	Mr Giles Gould	Mr Peter Chalke
Dr Hilary Bird	Mrs Susan Fry	Mr William Hilary	Ms Annabel Walters
Mr & Mrs Guy & Caroline Paterson	Mr Timothy & Mrs Ann Ferreira	Mr & Mrs Richard & Katie Jowett	Mr & Mrs Michael & Aileen Powis
Mrs Janet Roe	Mr John & Lavender Buckland	Mr Michael Roe	

3.8 The e-mails are attached as **Appendix 6**

3.9 The applicants were originally granted a time limited licence on 21st April 2012 for Manor Farm Ebbesbourne Wake for an event between 26th June 2012 and 2nd July 2012 and subsequently a full Premises Licence for the site was granted on 2nd May 2013. The festival has taken place at the site until July 2016 when it was decided to move to the new site.

3.10 A copy of the current Premises licences is **attached as Appendix 7**.

4. Legal Implications

4.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations. These 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.

4.2 The Applicant, and all persons who have made relevant representations have been informed of the date, time and location of the hearing and their right to attend and be represented.

4.3 At the hearing all those who have made relevant representations are entitled to address the Sub Committee and to ask questions of another party, with the consent of the Sub Committee.

5. Officer Recommendations

5.1 Officers are not permitted to make a recommendation – the decision is to be reached by the members of the Licensing Sub Committee.

6. Right of Appeal

6.1 It should be noted that the Applicant and those persons 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.

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

6.3 A Responsible Authority or any person may apply to the Licensing Authority for a Review of a Premises Licence. Whether or not a Review Hearing takes place is in the discretion of the Licensing Authority, but, if requested by a person other than a Responsible Authority it will not normally be granted within the first 12 months except for the most compelling circumstances.

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Date of report: 10th April 2017

Background Papers Used in the Preparation of this Report

- **The Licensing Act 2003**
- **The Licensing Act (Hearings) Regulations 2005**
- **Guidance issued under Section 182 of the Licensing Act 2003**
- **Wiltshire Council Licensing Policy**

Appendices

- 1 New Premises Application Form**
- 2 Location plan of the premises**
- 3 Event Management Plan**
- 4 Site Plan**
- 5 Relevant Representations**
- 6 Support comments**
- 7 Past premises licence**