

DECISION NOTICE
Southern Area Licensing Sub Committee
Decision made on 26 April 2017

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

Decision:

The Southern Area Licensing Sub Committee resolved to GRANT the Premises Licence as applied for, with the following condition:

- 1. That the Hours for the sale of alcohol will be varied from those applied for, so as to be:**
Monday to Wednesday – 16.00 – 22.30
Thursday 11.00 22.30
Friday 11.00 to 23.30
Saturday 10.00am – 12.00 midnight
Sunday 10.00 – 21.30

The granting of this Premises Licence is without prejudice to any other consents or approvals, including any planning permission that may be required.

Reasons:

After taking into account the written representations from all parties and the oral arguments received at the hearing, the Sub Committee has carefully considered the concerns raised by those who had made representations regarding the application.

The Sub-Committee accepted that it was inevitable that an event of this size and duration would have an impact on local residents, given the nature of the local area. However, it was not their role to consider the suitability or otherwise of the event as a whole. That had been considered by the other relevant authorities as appropriate. The role of the sub-committee was to consider the licensable activities that were proposed to take place within the overall Festival and the impact of those activities on the licensing objectives. The Sub-Committee felt that the presence or otherwise of these licensable activities would have a minimal effect on the issues that were principally causing concern for the Objectors, those being mainly the numbers of people and vehicles attending the site and the consequent noise and disruption.

The Sub Committee noted the willingness of the Applicant to reduce the hours for the sale of alcohol, and considered that such measures would be appropriate to address the relevant concerns that had been raised.

Evidence

The Applicant's representative and witnesses explained the background to the festival and the nature of the activities that would take place. They accepted that the Festival would attract a considerable number of people and vehicles, particularly at the weekend. Discussions had been on-going for some time with the relevant authorities to address the issues that would be caused by the number of people attending the event, with a view to ensuring the safety of the event and to minimise disruption to the village and local residents.

The Applicant stressed that the licensable activities, essentially comprising a 'beer tent' and musical entertainment between and after lectures, were minor elements in the festival as a whole. The presence of these licensable activities would not have any noticeable impact on the numbers of people attending the Festival, or on the operation of the rest of the Festival activities. In their view, the ability to sell alcohol would actually reduce the risk of any drunken behaviour, as otherwise more people would bring their own alcohol onto the site, which would not be within the control of the event organisers.

As regards the live music, this would not be much louder than the background noise of people talking and of the other unlicensable activities taking place on the site. The Applicants would have people monitoring the levels of the music at the nearest residential property.

In response the Objectors set out their concerns about the impact of the Festival on the peaceable enjoyment of their properties. There were particular concerns about car parking and traffic noise and movements. In their view, this was not a suitable location for an event of this size. Contrary to view of the Applicants, the Objectors argued that the history events taking place on the site could not be divorced from the licensable activities as they would attract more people and encourage them to stay longer on the site. They argued that there was no need for the event to sell alcohol after the end of the last lectures and that this would only add to the inconveniences that local residents would already be suffering.

The Sub Committee also considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 18); the guidance issued under Section 182 of the Act and the Licensing Policy of Wiltshire Council.

Appeals:

All parties have the right to appeal to the Magistrates Court within 21 days of this decision. Any person has the right to request the Local Authority to review the licence. Such an application may be made at any time, but it is in the discretion of the Local Authority to hold the review, and a review will not normally be held within the first twelve months of a licence, save for the most compelling reasons.