

## REPORT TO THE EASTERN AREA

### LICENSING SUB COMMITTEE (HEARING)

<b>Date of Meeting</b>	<b>23 March 2011</b>
<b>Title of Report</b>	<b>Application for a Premises Licence by Barge Inn Community Project (Graham MacVoy), Barge Inn, Honeystreet, Pewsey, Wiltshire, SN9 5PS – “Honeyfest”</b>
Link to Corporate Priorities	None - this is a statutory requirement
Public Report	Yes – This matter 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.

#### **Summary of Report**

An application for a new premises licence has been made for which there are relevant representations. Wiltshire Council (as the Licensing Authority) must hold a hearing to consider the application having regard to the representations received.

In accordance with Section 18 (3) the Licensing Sub Committee is required to take such steps as it considers necessary to promote the licensing objectives.

The licensing objectives are:

- (a) the prevention of crime and disorder
- (b) public safety
- (c) the prevention of public nuisance and
- (d) the protection of children from harm.

Such steps are: - To modify the conditions of the licence or to reject the whole or part of the application.

#### **Officer Recommendations**

**None. Officers are not permitted to make a recommendation – the decision is to be reached by members of the Licensing Sub Committee.**

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
None	Yes	None	None	None
<b>Contact Officer</b>	Mrs L Grant, Licensing Officer 01380 734809 lisa.grant@wiltshire.gov.uk			

## 1. Introduction

An application for a new premises licence has been made for which there are relevant representations.

Wiltshire Council (as the Licensing Authority) must hold a hearing to consider the application having regard to these representations.

In accordance with Section 18 of the Licensing Act 2003 the Licensing Sub Committee is required to take such steps, as it considers necessary to promote the licensing objectives. These steps are

- a) To grant the licence subject to conditions modified to such extent as the authority considers necessary for the promotion of the licensing objectives.
- b) To exclude from the scope of the licence any licensable activities
- c) To refuse to specify a person as the premises supervisor, or
- d) To reject the application.

## 2. Options and Options Appraisal

In accordance with Section 18 of the Licensing Act 2003 the Licensing Sub Committee is required to take such steps, as it considers necessary to promote the licensing objectives, as set out above.

## 3. Background Information

On 31 January 2011 an application for a New Premises Licence was received.

An officer of the Licensing team checked the application, the application was accepted

A copy of the application is attached as **Appendix 1.**

The area to be licensed is a campsite adjacent to the Barge Inn, Honeystreet, Pewsey as per site plan.

This application is for a time limited licence starting 16 April 2011 terminating on 17 April 2011.

This application is for the following activities:

- Regulated entertainment, Outdoors
- Provision of Late Night Refreshment, Outdoors
- Supply of alcohol, on the premises

#### 4. Summary of Information

Activity	Day	Times
<b>Plays</b>	Saturday/Sunday	14:00 to 01:00 next day
<b>Live Music</b>	Saturday/Sunday	14:00 to 01:00 next day
<b>Recorded Music</b>	Saturday/Sunday	14:00 to 01:00 next day
<b>Performance of Dance</b>	Saturday/Sunday	14:00 to 01:00 next day
<b>Provision of facilities for making music</b>	Saturday/Sunday	10.00 to 01:00 next day
<b>Provision of facilities for dancing</b>	Saturday/Sunday	14:00 to 01:00 next day
<b>Provision of Late Night Refreshment</b>	Saturday/Sunday	23:00 to 01:00 next day
<b>Supply of Alcohol</b>	Saturday/Sunday	14:00 to 01:00 next day

During the consultation period the applicant requested (via e-mail) to amend their times from the original application to the following set out below: - **Appendix 2**

Activities to stay the same as above with reduced hours from 12:30 to 20:30.

Also a reduction in ticket sales from 1500 to 1250

#### 5. Relevant Representations

During the consultation period relevant representations from interested parties were received.

Mr & Mrs Fletcher	of Honeystreet, Nr Pewsey, SN9 5PX
Joyce Major	of Alton Barnes, Marlborough, SN8 4LB
Mr & Mrs Amor	of Rectory Close, Alton Barnes, Marlborough, SN8 4LE
Ian Saunders	of The Laurels, Honeystreet, SN9 5PX
Maggie Faultless	of Alton Barnes, Marlborough SN8 4LB
Mrs D Gibson	of Honeystreet, SN9 5PS
John Caterer	of Lockeridge, SN8 4EL
John Lewis	of The Laurels, Honeystreet, Nr Pewsey, SN9 5PX
Mr & Mrs Dark	of Broad Street, Woodborough, SN9 6HP
Ann Visscher	of Lockeridge, SN8 4EL
Kate Fielden	of The Old Smithy, Alton Priors, SN8 4JX
Mr & Mrs Caswell	of The Granary, Alton Priors, SN8 4JX
David Collison	of The Sqaure, Chimney Lane, Honeystreet, SN9 5PT
Joanna Bedford	of Alton Barnes, Pewsey, SN8 4JZ
Sophie Heywood	of Woodborough, Nr Pewsey, SN9 5R
Kathleen Notz	of Honeystreet, Pewsey, SN9 5PX
Tracey Garreffa	of Broad Street, Beechingstoke, SN9 6HW
A Wiltshire	of College Cottages, Alton Barnes, SN8 4LE
M Wiltshire	of Rectory Close, Alton Barnes, SN8 4LE
M Frankton	of Stanton St Bernard, SN8 4LN
Linda Perry	of Barge Lane, Honeystreet, SN9 5PX
Peter Emery	(Alton Parish Council), Rectory Close, Alton Barnes, SN8 4LE
Robert Turner	of Honeystreet, Pewsey, SN9 5PS
Mr & Mrs Reiss	of Chimney Lane, Honeystreet, SN9 5PS

Mr & Mrs M Venner of Horton, Devizes, SN10 2NB  
 Julie Crocombe of Horton, Devizes, SN10 3LX  
 Tessa Oliphant of Honeystreet, Nr Pewsey, SB9 5PS  
 Ray Pope of Alton Barnes, Marlborough, SN8 4LB  
 John Dunford of Pewsey  
 Mr & Mrs E G Hicks of Boreham Cottages, Boreham, Marlborough, SN8 4LX

Copies of the representations are attached as **Appendix 3**.

A representation was made from an Interested Party – the Wiltshire Council Environmental Protection Team on 15<sup>th</sup> February 2011. A copy of the letter of representation is attached as **Appendix 4**.

During the consultation period 1 e-mail of support was received. A copy of the e-mail is attached as **Appendix 5**.

Location maps are attached as **Appendix 6**.

**6. Negotiations during Consultation Period**

Voluntary changes made by organisers following consultations with local residents as outlined previously.

**7. Legal Implications**

It should be noted that both the premises licence holder and the responsible authorities/interested parties may appeal the decision made by the licensing sub committee. The decision made by the Licensing sub committee however takes immediate effect.

The Premises Licence Holder and all interested parties have been informed of the date, time and location of the hearing and their right to be represented.

**8. Risk Analysis**

Not applicable.

<p><b>Appendices:</b></p>	<ul style="list-style-type: none"> <li>• <b>1. Application for a premises licence under the Licensing Act 2003</b></li> <li>• <b>2. Amendment by applicant (Via Email)</b></li> <li>• <b>3. Copies of representations</b></li> <li>• <b>4. Copy letter of representation from Environmental Protection Team</b></li> <li>• <b>5. Copy of Support (Via E-mail)</b></li> <li>• <b>6. Location Map</b></li> </ul>
<p><b>Background Documents Used in the Preparation of this Report:</b></p>	<ul style="list-style-type: none"> <li>• <b>The Licensing Act 2003</b></li> <li>• <b>The Licensing Act (Hearings) Regulations 2005</b></li> <li>• <b>Guidance issued under sect 182 of the Licensing Act 2003</b></li> <li>• <b>Licensing Policy</b></li> </ul>