

**WILTSHIRE COUNCIL**

**SOUTHERN AREA LICENSING SUB COMMITTEE**

**13<sup>th</sup> April 2021**

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**Application for a Variation of a Premises Licence; Green Hill Farm Caravan and Campsite, New Road, Landford SP5 2AZ**

**1. Purpose of Report**

- 1.1 To determine an application for a variation of a Premises Licence in respect of Green Hill Farm Caravan and Campsite, New Road, Landford made by Lovat Parks LTD .

**2. Background Information**

- 2.1 An application for a variation of a Premises Licence in respect of Green Hill Farm Caravan and Campsite has been made by Lovat Parks LTD for which five relevant representation has been received.
- 2.2 Wiltshire Council (as the Licensing Authority) must hold a hearing to consider the application having regard to the representations. In accordance with Section 35(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 necessary 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.
- 2.3 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.
- 2.4 Such steps are:
- i) To grant the licence as applied for.
  - ii) To modify the conditions of the licence.
  - iii) To reject the whole or part of the application.
- 2.5 On the 12<sup>th</sup> February an application for a variation to the premises licence was received and accepted as a valid application.

2.6 The details of the variation applied for, are summarised below:

- Consolidate two premises licenses in to one LN/8223 and LN/42197
- Extend the licensable area
- Extend current alcohol trading hours
- Include the addition of Film Indoor

A copy of the application form including the updated plan is attached as **Appendix 1**.

Since 27/02/2014 (LN/08223) and 01/06/2009 (LN/42197) the premises have benefited from a premises licence issued under the Licensing Act 2003. The current licences authorises the following:

Licensing Activities	Hours
Green Hill Farm Reception Shop (LN/42197) - Alcohol OFF Sales - Hours open to public	Sunday 10:00hrs – 16:00hrs Monday – Saturday 09:00hrs – 18:00hrs
Green Hill Farm Caravan and Campsite (LN/08223) - Alcohol ON Sales - Hours open to public	Sunday – Saturday 12:00hrs – 23:00hrs  Seasonal Variations: Sales will only take place from 1st March to 31st October and on New Year's Eve. Non Standard Timings New Year's Eve 16:00hrs to 01:00hrs

The Current premises licences including the plans are attached as **Appendix 2**.

Attached as **Appendix 3B** is a location plan of the premises.

Details of other licenced premises in the vicinity of the area are as follows:

Premises	Licensable Activity	Hours (Non standard times not shown)
The Lamb Inn Forest Road Nomansland SP5 2BP (approx. 1.4 miles)	ON and OFF Sales Alcohol	Sunday – Wednesday 08:00hrs – 00:00hrs Thursday – Saturday 08:00hrs – 02:00hrs
	Late Night Refreshment	Sunday – Wednesday 23:00hrs – 00:00hrs Thursday – Saturday 23:00 – 02:00hrs
	Exhibit of Film indoors	Sunday – Saturday 08:00hrs – 23:00hrs

	Live Music	Sunday – Thursday 08:00hrs – 23:00hrs Friday – Saturday 08:00hrs – 00:00hrs
	Indoor Sports Events	Sunday – Wednesday 08:00hrs – 00:00 Thursday – Saturday 08:00hrs – 02:00hrs
	Recorded Music	Sunday – Thursday 08:00hrs – 23:59hrs Friday - Saturday 08:00hrs – 00:00hrs
Landford Stores Lyndhurst Road Landford SP5 2AJ (approx. 1.4 miles)	OFF Sales Alcohol	Sunday 10:00hrs – 22:30 Monday – Saturday 08:00 – 23:00hrs
The Royal Jaipur, Southampton Road, Landford, Salisbury, Wiltshire, SP5 2ED. (approx. 1.3 miles)	ON and OFF Sales Alcohol	Sunday 12:00hrs – 23:30hrs Monday – Saturday 10:00hrs – 00:00hrs

### 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 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.
- 3.3 During the consultation period 6 relevant representations were received; 6 from local residents. Following a discussion with the applicant 1 local resident withdrew their representation as their concerns had been alleviated.

### 3.4 Responsible Authorities

No Responsible Authority has made a representation in connection with this application

### 3.5 Interested Parties

- Mr and Mrs Higgins
- Mrs S Smith
- Ms S Hildon
- Ms G Wilks
- Ms M Lyall

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

<b>Representation</b>	<b>Licensing Objective</b>
Mr and Mrs Higgins	The Prevention of a Public Nuisance
Mrs S Smith	The Prevention of a Public Nuisance
Ms S Hildon	The Prevention of a Public Nuisance
Ms G Wilks	The Prevention of a Public Nuisance
Ms M Lyall	The Prevention of a Public Nuisance

3.7 The relevant representations are attached as **Appendix 3**. Attached as **Appendix 3A** is a plan which shows the locations from where representations have been made.

## 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 Responsible Authorities and Interested Parties who have made 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 Responsible Authorities and Interested Parties who have made 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 Premises Licence Holder, the Responsible Authority(ies) and Interested Parties who have made 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 an Interested Party 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 an Interested Party will not normally be granted within the first 12 months except for the most compelling circumstances.
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Date of report: 31<sup>st</sup> March 2021

### **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 Variation Application and Plan**
- 2 Current Premises Licences and Plan LN8223 and LN42197**
- 3 Relevant representations**
  - 3A Map of Representations**
  - 3B Location Plan of Premises**
- 4. Further Correspondence with applicant**
  - 4A Responses from Rep (Doc 1 and 2)**
  - 4B Removal of Outdoor Film from Application**