

## WILTSHIRE COUNCIL

### WESTERN AREA LICENSING SUB COMMITTEE

DATE OF MEETING: 17 June 2015

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#### Application for a Premises Licence; 24 hour festival, Grange Farm, Bratton Road, West Ashton, Trowbridge, Wiltshire, BA14 6AX

#### 1. Purpose of Report

- 1.1 To determine an application for a Premises Licence in respect of 24 hour festival, Grange Farm, Bratton Road, West Ashton, Trowbridge, Wiltshire, BA14 6AX

#### 2. Background Information

- 2.1 An application for a Premises Licence in respect of Grange Farm, Bratton Road, West Ashton, Trowbridge has been made by Ryan Allcott and Jack Clink for which one relevant representations have been received.
- 2.2 It is anticipated that for this event there will be an attendance figure in the region of 2,000 – 3,000.
- 2.3 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
- 2.4 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.
- 2.5 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.

2.6 On 21 April 2015 an application for a time limited Premises Licence was received and accepted as a valid application. The licence is to operate licensable activities from 13:00hrs on Saturday 12 September 2015 to 05:00hrs 13 September 2015.

2.7 The application as applied for is as follows:

<b>Licensable Activity</b>	<b>Timings</b>	<b>Days</b>
<u>Provision of regulated entertainment</u>		
Live music (In and Outdoors)	13:00 – 00:00	Saturday
Recorded music (In and Outdoors)	00:00 – 02:00	Sunday
Performance of dance (In and Outdoors)		
Anything of a similar description (In and Outdoors)		
Provision of late night refreshment (In and Outdoors)	23:00 – 00:00 00:00 – 05:00	Saturday Sunday
Sale by retail of alcohol (On the Premises)	13:00 – 00:00 00:00 – 04:00	Saturday Sunday

A copy of the application from Ryan Allcott and Jack Clink is attached as **Appendix 1**.

2.8 Two location plans of the premises to be licensed are attached as **Appendix 2** to this report.

2.9 A copy of the Event Management Plan, Stewarding Plan and the site plans submitted with this application are attached as **Appendix 3**.

### **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 During the consultation period no relevant representations have been received from Responsible Authorities. One relevant representation has been received from an interested party.

### 3.3 Representations Received

- West Ashton Parish Council

3.4 No Responsible Authority has made a representation in connection with this application. However, Wiltshire Police have indicated that there are a number of areas which the premises licence holder needs to address to ensure that the Licensing Objectives are fully met. Therefore, an ESAG (event safety advisory group) has now been arranged.

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

<b>Representation</b>	<b>Licensing Objective</b>	<b>Accepted</b>	<b>Comments</b>
Concerns regarding the number of attendee's and the hours of the festival	Public Nuisance	Yes	
Concerns regarding traffic management and the narrow bend which will act as the entrance and exit of the site.	Public Safety	Yes	

3.6 The relevant representations are attached as **Appendix 4**.

3.7 After the consultation period ended correspondence between the licensing agent working on behalf of the applicants and the Parish Council took place. The licensing agent wished to bring to their attention that an ESAG has now been arranged for the event to address concerns raised. At the time of this report no response has been received from West Ashton Parish Council.

## **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 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 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 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: 3 June 2015

### **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 plans of the premises**
- 3 Event management plan, stewarding plan and site plan**
- 4 Relevant Representations**