

NON EXEMPT

EAST HAMPSHIRE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

7 October 2021

**LICENSING ACT 2003 – APPLICATION FOR A PREMISES LICENCE –
Wylds Farm, Warren Road, Liss, Hampshire, GU33 7DF**

Licensing Officer

**Report No.
EHDC/025/2021**

FOR DECISION

Portfolio: N/A

Director: Natalie Meagher

Key Decision: No

1.0 Purpose of Report

- 1.1** To consider an application for a premises licence under the Licensing Act 2003.

2.0 Recommendation

- a) Grant the application
- b) Modify the conditions of the licence, by altering or omitting or adding to them
- c) refuse to specify a person in the licence as the premises supervisor
- d) Reject the whole or part of the application

3.0 Executive Summary

- 3.1** Mr Nicholas Rook-Blackstone has applied for a new premises licence under the Licensing Act 2003 for Wylds Farm, Warren Road, Liss Hampshire, GU33 7DF. The application is shown in appendix A. The plans of the premises are shown in appendix B.
- 3.2** The applicant describes the premises as the following. Wylds Farm operates as a Christmas tree farm, growing and tending trees through the year, and selling at Christmas. The premises include a small, enclosed barn attached to a small open sided barn set up to be used as a cafe bar, and a large open sided barn with a small, raised stage area. The site also has a courtyard area with a toilet block,

accessed by a ramp and an enclosed barn used as a small shop. The site also has a field and courtyard for parking, a plantation of trees and a grassy hillside.

3.3 The operating schedule of the application details the following licensable activities and hours requested;

Activity	Days	Hours
Plays indoors and outdoors	Monday - Wednesday Thursday – Sunday	18:00 - 22:00 14:00 - 22:00
Live music indoors and outdoors	Monday – Thursday Friday Saturday Sunday Bank holiday	18:00 – 23:00 18:00 – 23:59 10:00 – 23:59 10:00 – 22:00 10:00 – 23:00
Recorded Music indoors and outdoors	Monday – Thursday Friday – Saturday Sunday	09:00 – 23:00 09:00 – 23:59 09:00 – 22:00
Performances of dance indoors and outdoors	Monday – Saturday Sunday	09:00 – 23:00 09:00 – 22:00
Anything of a similar description to that falling within live music, recorded music and performances of dance indoors and outdoors	Monday – Thursday Friday – Saturday Sunday	10:00 – 23:00 10:00 – 23:59 10:00 – 22:00
Supply of alcohol on and off the premises	Monday to Saturday Sunday	10:00 – 23:00 10:00 – 22:00
Opening Hours	Monday to Thursday	09:00 – 23:00

	<p>Friday – Saturday Sunday</p> <p>A private party/event where entry may be needed outside these times to set up/clear up etc. A private party/event that would use the venue in the evening, for example, a wedding reception with music and dancing.</p>	<p>09:00 – 23:59 09:00 – 22:00</p>
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- 3.4** In accordance with East Hampshire District Council’s Licensing Policy, the Licensing Authority expects operating schedules to take account of the nature of the area where the premises are situated, the type of premises concerned, the licensable activities to be provided and the needs of the local community.
- 3.5** The applicant has described, in the operating schedule, the steps they intend to take to promote the four licensing objectives, prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm, as detailed below;

General – all four licensing objectives

Wylds Farm employ a Health and Safety advisor to guide staff, and to write risk assessments and policies.

The prevention of crime and disorder

Clear terms and conditions of use of premises for private events.
Suitable staffing of events (if required then security would be put into place) Evening events limited by number, either by private events or by ticketing.

Public Safety

Health and Safety risk assessments performed.
First Aid and Fire safety kept up to date
Clean signage and information

The Prevention of public nuisance

No public access to private events.
Traffic calming in place for busier events

The protection of children from harm

Health and Safety officer
Events run specifically for children would only be allowed with the presence of a person in charge with DBS clearance.
No adult material/age rated film/ nudity shown in presence of minors on premises

3.6 Designated Premises Supervisor

The premises supervisor is named as Mr Nicolas Rook-Blackstone, personal licence number PA1815.

3.7 Responsible Authorities

All responsible authorities have been consulted regarding this application.

Planning responded with a comment, "Wylds Farm, Liss may require planning permission to use the premises for plays/entertainment. A separate letter will be sent to the applicant informing them of this"

Environmental Protection responded advising they have reviewed the application and have also reviewed the case history of the site. Environmental Protection have no records of any noise complaints regarding previous events that have taken place. From speaking with the applicant, the intention is to have greater flexibility in the type of event that can be held at the site, rather than relying on income from Christmas trees. Lisa Duffy from the Environmental Protection team is satisfied that if any licence the committee are minded to grant, is made subject to the following condition and changes, this should reduce the risk of public nuisance by an acceptable amount.

Conditions:

- During events involving regulated entertainment, Wylds Farm management shall be in control of the speaker system.
- A finish time of 23:00 Monday – Sunday for all activities.

The applicant has agreed to the conditions proposed by Environmental Health.

No further comments were received from the remaining responsible authorities.

3.8 Representations

Two representations in support of the application have been received during the consultation period along with fifty representations objecting to the application. As a result, there is fifty-two representations to consider from interested persons and these are shown in full in appendix C. The representations objecting to the application relate to all four licensing objectives.

An extract of one representation in support of the application and one objecting to the application, is detailed below;

‘... inundated with positive comments from our audience who felt privileged to have been given access to such a magical setting and have nothing but praise for the professional way in which the event was run’

‘... Access to Wylds Farm is only by narrow country lanes of mainly one vehicle width and therefore is unsuitable and dangerous as a location for large public gatherings. As such, it would provide a significant threat to public safety’

4.0 Additional Budgetary Implications

N/A

5.0 Background and relationship to the Corporate Strategy and Directorate Business Plan/s

N/A

6.0 Options considered and reasons for the recommendation

6.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

In making its deliberations, the Committee is obliged to have regard to the Councils own Licensing Policy and National Guidance. The

Committee must also have regard to the representations that have been made balanced against the conditions offered by the applicant and the evidence that it hears.

The Committee must take one of the following steps, as it considers necessary for the promotion of the licensing objectives:

- e) Grant the application as asked
- f) Modify the conditions of the licence, by altering or omitting or adding to them
- g) refuse to specify a person in the licence as the premises supervisor
- h) Reject the whole or part of the application

The Committee should note that it cannot modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must be appropriate in order to promote the licensing objectives.

7.0 Resource Implications

7.1 Financial Implications - None

7.2 Human Resources Implications - None

7.3 Other Resource Implication - None

8.0 Legal Implications

8.1 This is an application under Section 17 of the Licensing Act 2003 and must be determined in accordance with Section 18 of the same Act and this will be in accordance with the requirements of the Licensing objectives.

9.0 Risks

N/A

10 Consultation

10.1 This premises licence application has been consulted on with all responsible authorities and the public under the requirements of the Licensing Act 2003.

11 Communication

11.1 The Licensing Sub-Committee are delegated to make the decision on this application. All interested parties will be sent a notice of decision following the hearing.

Appendices:

This report consists of:

Appendix A – Application Form
Appendix B – Plans of the premises
Appendix C – Representations

Agreed and signed off by:

Legal: Surinder Atkar 27.09.2021

Head of Neighbourhood Support: Natalie Meagher 24.09.2021

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