



Licensing Committee

Tuesday, 14th June, 2022 at 5.30 pm
Cowdray. Parkside, Chart Way, Horsham

Councillors:

John Blackall
Alan Britten
Karen Burgess
Peter Burgess
Billy Greening
Lynn Lambert
Richard Landeryou
Mike Morgan

Roger Noel
Jon Olson
Louise Potter
Josh Potts
Kate Rowbottom
Cilve Trott
Diana van der Klugt

You are summoned to the meeting to transact the following business

Jane Eaton
Chief Executive

Agenda

Page No.

1. **Election of Chairman**

2. **Apologies for absence**

3. **Appointment of Vice- Chairman**

4. **Minutes**

3 - 6

To approve as correct the minutes of the meeting held on 15 June 2021.
(Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)

5. **Declarations of Members' Interests**

To receive any declarations of interest from Members of the Committee

6. **Announcements**

To receive any announcements from the Chairman of the Committee or the Chief Executive

7. **Minutes of Licensing Sub-Committees**

7 - 14

To receive the minutes of the Licensing Sub-Committees held on 21 July and 6 September 2021.

8. **Urgent Business**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

Licensing Committee
15 JUNE 2021

Present: Councillors: John Blackall, Karen Burgess, Michael Croker, Ruth Fletcher, John Milne, Mike Morgan, Kate Rowbottom and Jim Sanson

Apologies: Councillors: Alan Britten, Peter Burgess, Roy Cornell, Gordon Lindsay, Josh Potts, Ian Stannard and James Wright

LI/1 **ELECTION OF CHAIRMAN**

RESOLVED

That Councillor Jim Sanson be elected Chairman of the Committee for the ensuing municipal year.

LI/2 **APPOINTMENT OF VICE-CHAIRMAN**

RESOLVED

That Councillor John Blackall be appointed Vice-Chairman of the Committee for the ensuing municipal year.

LI/3 **MINUTES**

The minutes of the meeting of the committee held on 9 June 2020 were approved as a correct record and signed by the Chairman.

LI/4 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

LI/5 **ANNOUNCEMENTS**

There were no announcements.

LI/6 **MINUTES OF LICENSING SUB-COMMITTEE**

The minutes of the Licensing Sub-Committee were noted.

LI/7

THE MOBILE HOMES (REQUIREMENT FOR MANAGER OF SITE TO BE FIT AND PROPER PERSON) (ENGLAND) REGULATIONS 2020: INTRODUCTION OF THE TEST AND AMENDMENT TO THE FEES POLICY

The Head of Environmental Health & Licensing gave a brief overview of changes in legislation, which had been introduced to help protect those living in residential caravan sites from unscrupulous site owners. The regulations required that a local authority must be satisfied that the owner of a mobile home site, or a person appointed on their behalf, was a fit and proper person to manage the site.

Members noted that a fees policy and new processes needed to be established; the Council had to establish a process for receiving applications and making and issuing decisions. A Fit and Proper Person register would also be established.

Members had submitted some minor amendments to the draft Mobile Homes Act Fees Policy as set out in Appendix 2, which would make the document clearer and correct minor grammatical errors.

RESOLVED

- i) To note the new statutory powers local authorities have under the Regulations.
- ii) To approve the proposed amendments to the Mobile Homes Act Fees Policy set out in Appendix 2 to this report, subject to minor amendments as agreed with the Head of Environmental Health & Licensing.
- iii) **TO RECOMMEND TO COUNCIL**

To approve £3,000 of fee income and £3,000 of additional officer costs in the 2021/22 budget.

REASON

- i) To ensure compliance with legislative requirements,
- ii) To ensure transparency and openness in decision making, and
- iii) To ensure that the budget is approved in line with the constitution.

LI/8

DFT STATUTORY TAXI & PRIVATE HIRE STANDARDS - AMENDMENTS TO POLICY AND CONDITIONS

The Head of Environmental Health & Licensing presented the report, which set out proposed changes to the Council's hackney carriage and private hire

licensing policy and guidance. These changes were required in the light of statutory Taxi and Private Hire Vehicle Standards that had been introduced by the Department for Transport in July 2020.

The policy sought to ensure safety and comfort, keeping children and adults from risk of harm. There would be a public consultation on the draft policy, as set out in Appendix A, before being presented to full Council for adoption.

The Head of Environmental Health & Licensing responded to a number of questions from the Committee. He agreed to advise the Committee of what proportion of HDC taxis had wheelchair access. Members noted that fees and charges gave incentives that were attractive to electric vehicles. Members also noted the Council's intention of joining a national database to help with the assessment of potential taxi drivers.

TO RECOMMEND TO COUNCIL

That, subject to any responses to the public consultation, the statutory taxi & private hire standards and conditions set out in Appendix 1 of this report is brought before the next available full Council for adoption.

REASON

- i) To protect the public.
- ii) To ensure transparency and openness in decision making.

LI/9

URGENT BUSINESS

There was no urgent business.

In response to a request from the Chairman, the Head of Environmental Health & Licensing confirmed that training would be offered to all members of the Committee, in particular those who had joined this municipal year.

The meeting closed at 5.56 pm having commenced at 5.30 pm

CHAIRMAN

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Licensing Committee
21 JULY 2021

Present: Councillors: John Blackall, Karen Burgess, Kate Rowbottom and Jim Sanson Kate Rowbottom

Also Present: Councillor Jim Sanson

LI/1 **ELECTION OF CHAIRMAN FOR THE MEETING**

RESOLVED

That Councillor Karen Burgess be elected Chairman for the meeting.

LI/2 **DECLARATIONS OF MEMBERS' INTERESTS**

There were not declarations of interest.

LI/3 **ANNOUNCEMENTS**

There were no announcements.

LI/4 **APPLICATION FOR CONSIDERATION**

The sub-committee considered an application for the granting of a Premises Licence under Section 34 of the Licensing Act 2003 for the Deer Park, Leonardslee Gardens, Brighton Road, Lower Beeding, West Sussex.

The licence would allow the following licensable activities Monday to Sunday 12:00 hrs until 23:00 hrs:

Plays, films, live music, recorded music, performance of plays, anything similar and the retail sale of alcohol for consumption on and off the premises.

The licence would allow the premises to be open to the public: Monday to Sunday 09:00 hrs until 23:45 hrs.

The Licensing Officer presented the report, which set out details of the application and representations made by interested parties.

Representations:

Responsible Authorities:

Sussex Police raised no objection to the application, subject to appropriate conditions.

HDC Environmental Health & Licencing Department raised no objection subject to the submission of information on the measures to prevent adverse noise impacts for future events.

Interested Parties:

There had been 32 representations submitted that were against the grant of the premises licence.

Two members of the public spoke in objection to the application.

The Ward Member for Nuthurst Parish Council expressed her concerns regarding the application, requesting that the licence be limited to one year.

A representative of an objector addressed the sub-committee. The sub-committee had noted a number of suggested conditions that the representative had previously submitted.

The sub-committee then heard from the applicant.

The Chairman and members of the sub-committee further questioned the applicant and interested parties. Issues discussed included hours of operation, noise and light nuisance, and traffic and parking. It was noted that each event would require an approved Events Management Plan before it could take place.

The sub-committee were mindful of concerns regarding the impact on neighbouring residents and of the measures that the applicant proposed to mitigate these concerns.

The Chairman invited the sub-committee to move to private session to deliberate. They considered all the evidence and submissions before them, having regard to the four licensing objectives, in particular the prevention of public nuisance.

Having taken all the facts and matters into account, the Licensing Sub-Committee decided to grant the Premises Licence for the Deer Park, subject to the additional conditions as enumerated by the sub-committee and conditions imposed to mitigate the concerns raised.

RESOLVED

That the Premises Licence for the Deer Park, Leonardslee Gardens be granted, subject to the following conditions:

- i) Eight pre-booked ticketed event per calendar year. Each of these events must have an Events Management Plan two months prior to the event, to be approved by HDC's Environmental Health & Licencing Department and Sussex Police.

- ii) Events must not last more than seven days.
- iii) During events, a landline phone number will be manned at all times and made available to the Parish Council and local residents via the local Parish magazine. All calls must be logged and available to HDC's Environmental Health & Licensing Officer.
- iv) Following complaints at previous events, a Noise mitigation scheme, approved by HDC's Environmental Health Team, must be included in the Events Management Plan.
- v) Low level lights to be installed in the car park and to be turned off half an hour after the last visitor has left.
- vi) Arrangements for the collection of rubbish to be included in Events Management Plan and to include measures to reduce noise nuisance.
- vii) We welcome the applicant's willingness to engage with WSCC with regard to improving entry and exit signage and suggest this be pursued as a matter of urgency.
- viii) The right of appeal is contained within Schedule 5 of the Licensing Act 2003.

The meeting closed at 12.10 pm having commenced at 10.05 am

CHAIRMAN

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Licensing Sub-Committee
6 SEPTEMBER 2021

Present: Councillors: Peter Burgess, Roy Cornell and Mike Morgan

Also Present: Councillors: Ruth Fletcher and Jim Sanson

LI/1 **ELECTION OF CHAIRMAN FOR THE MEETING**

RESOLVED

That Councillor Mike Morgan be elected Chairman for the meeting.

LI/2 **DECLARATIONS OF MEMBERS' INTERESTS**

There were not declarations of interest.

LI/3 **ANNOUNCEMENTS**

There were no announcements.

LI/4 **APPLICATION FOR CONSIDERATION**

The sub-committee considered an application for the granting of a Premises Licence under Section 34 of the Licensing Act 2003 for Coren Wine Ltd, Lower Lodge Vineyard, The Haven, Billingshurst.

The application as originally submitted had sought a licence to allow the following licensable activities:

- Sale and supply of alcohol by retail for consumption on and off the premises
- Monday to Sunday: 10:00hrs till 23:00hrs
- Premises open to the public Monday to Sunday: 10:00hrs till 23:00hrs

The Licensing Officer presented the report, which set out details of the application and representations made by interested parties. He gave details of the application as amended by the applicant in response to a number of representations. Changes to the application comprised:

- The hours for the sale by retail of alcohol shall be 10:00hrs to 18:00hrs on any day
- There shall be no sales of alcohol for consumption on the premises
- No members of the public shall be permitted to visit the site to purchase alcohol
- Alcohol sales shall be limited to off sales made online or via telephone and for delivery only.

It was also noted that once the Winery building was completed an existing garage would be removed from the licenced area.

Responsible Authorities:

Sussex Police raised no objection to the application.

HDC Environmental Health & Licencing Department raised no objection as the application had not specified music or other entertainment.

HDC Planning Department had commented that the uses requested in the original application went beyond those stipulated within the planning permission relating to the site. The Planning Department had confirmed that this was no longer the case with the amended application.

Interested Parties:

There had been 16 representations submitted that were against the grant of the premises licence. None of the objectors had withdrawn their submissions when advised of the amended proposal.

The sub-committee heard from the applicant.

Three members of the public then spoke in objection to the application.

The Chairman and members of the sub-committee further questioned the applicant and interested parties.

The applicant agreed to amend the wording on their website to make it clear that members of the public could not visit the site to buy wine or other products.

The Chairman invited the sub-committee to move to private session to deliberate. They considered all the evidence and submissions before them, having regard to the four licensing objectives.

Having taken all the facts and matters into account, the Licensing Sub-Committee decided to Grant the Premises Licence for Coren Wine Ltd.

In response to concerns that wine tasting events, which did not involve the sale of alcohol, could still be permitted, the sub-committee amended the wording to condition 4) to clarify that wine tasting events would not be allowed under the terms of the licence.

The Chairman advised that the right of appeal was contained within Schedule 5 of the Licensing Act 2003.

RESOLVED

That the Licensing Sub-Committee agree to Grant the Premises Licence for Coren Wine Ltd, subject to the conditions attached to the licence.

These are to include:

- 1) The hours of sale by retail shall be 10.00am to 6.00pm on any day.
- 2) There shall be no sale of alcohol for consumption on the premises.
- 3) No members of the public shall be permitted to visit the site to purchase **or consume** alcohol.
- 4) Alcohol sales shall be limited to off sales made on line or via telephone and for delivery only.

The meeting closed at 11.15 am having commenced at 10.00 am

CHAIRMAN

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