

Licensing Sub-Committee
19 JUNE 2023

Present: Councillors: Richard Landeryou, Roger Noel and Jon Olson (Chairman)

LI/4 **ELECTION OF CHAIRMAN FOR THE MEETING**

RESOLVED

That Councillor Jon Olson be elected Chairman for the meeting.

LI/5 **MINUTES**

The minutes of the meeting held on 23 May were approved as a correct record and signed by the Chairman.

LI/6 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

LI/7 **ANNOUNCEMENTS**

The Chairman thanked everyone for attending the re-convened sub-committee and additional information had now been received to make an informed decision.

The Principal Lawyer reported there was an error published in the agenda. The application related to Section 18 of the Licensing Act 2003 to grant a Premises Licence not Section 34 which relates to an application to vary a premises licence.

LI/8 **APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER SECTION 18 OF THE LICENSING ACT 2003**

An application was submitted on 6 April 2023 for the granting of a Premises Licence under section 18 of the Licensing Act for Ashfolds, Horsham Road, Rusper, Horsham, West Sussex, RH12 4QX for a music festival to be known as Eveywhre Festival 2023.

The Sub-Committee was re-convened following the adjournment on 23 May 2023 to gain more information and clarity on but not limited to, noise, parking, access, safety and public nuisance issues following the Safety Action Group (SAG) meeting.

The application sought to allow the following licensable activities:

- Sale of alcohol by retail for consumption on the premises
Friday: 16.00 hrs to 00.00 hrs, Saturday 00.00 hrs to 02.00 hrs and 12.00 hrs to 00.00 hrs, Sunday 00.00 hrs to 02.00 hrs.
- Late Night refreshments: Friday 23.00 hrs to 00.00 hrs, Saturday 00.00 hrs to 02.00 hrs and 23.00 hrs to 00.00 hrs, Sunday 00.00 hrs to 02.00 hrs.
- Live Music and recorded music: Friday 16.00 hrs to 00.00 hrs, Saturday 00.00 hrs to 02.00 hrs and 12.00 hrs to 00.00 hrs, Sunday 00.00 hrs to 02.00 hrs.
- Premises open to the public: Friday 16.00 hrs closes Sunday 12.00 hrs.

The Licensing Officer presented the report, which set out details of the application and representations made by interested parties and residents. He gave details of the application as amended by the applicant in response to the SAG meeting attended by Sussex Police, West Sussex Fire & Rescue, Ambulance Service, HDC Licensing and the applicant.

Changes to the application comprised:

- The hours of sale by retail of alcohol shall be 14:00 hrs to 00.00 hours on Friday and Saturday.
- Live and recorded music: Friday 14:00 hrs to 00.00 hrs, Saturday 09:00 hrs to 00.00 hrs, Sunday 09:00 hrs to 12:00 hrs.
- Premises open to the public: Friday 14:00 hrs closes Sunday 12.00 hrs.

Responsible Authorities

Sussex Police Licensing Department made representation and gained final agreement from the applicant on 23 May 2023.

Horsham District Council (HDC) Environmental Health and Licensing agreed a number of amendments with the applicant which were to be included in the agreed Event Management Plan (EMP) and Noise Assessment by 31 July 2023.

West Sussex Fire and Rescue raised no objection, and no representations were received from Health & Safety Executive, Trading Standards and HDC Planning Department.

Interested Parties

During the 28 day consultation period, 15 letters of representation relating to the grant of application were received by HDC Licensing Department.

Rusper Parish Council raised initial concerns, however felt after the SAG meeting had taken place if other responsible authorities were satisfied with the amended application their concerns were lowered.

The Sub-Committee heard from the applicant.

The Chairman and Members of the Sub-Committee then questioned the applicant. They gained clarity on ticket sales age restrictions, capacity attending, noise monitoring, traffic management provision and post event litter collection

The Chairman invited the Sub-Committee to move to private session to deliberate. They considered the statements, responses and all evidence presented in the appendices to the report.

Concerns were raised regarding the hours of licensable activity relating to live music and recorded music up to midnight on the Friday and Saturday of the event that the applicant had applied for. It was felt that those living in the locality would be particularly affected with any noise and disturbance.

Members did however believe the revised hours in the new Event Management Plan (EMP) were reasonable with appropriate noise attenuation and monitoring in place. It was agreed an additional condition be added to require the applicant to have in place a signed and agreed EMP and Noise Assessment by 31 July 2023.

Members also encouraged and suggested the event be advertised as a 'Camping and Overnight Festival' to help reinforce the ethos of the event. It was also suggested that when the applicant advertised the complaints telephone number this should be done by usual social media channels such as Facebook, Instagram, Local Parish magazine and contacting neighbouring residents directly.

The Licensing Sub-Committee considered their decision under the four licence objectives, as required under the Licensing Act 2003:

1. Prevention of Crime and Disorder
2. Prevention of Public Nuisance
3. Public Safety
4. Protection of Children from Harm

RESOLVED

Having taken all of the facts and matters into account, the Licensing Sub-Committee decided to grant the Premises Licence as it was felt the applicant could adequately uphold the licensing objectives, subject to the condition that there has to be in place an executed and agreed Event Management Plan and Noise Assessment by 31 July 2023.

RIGHT TO APPEAL

There is a right to appeal this Sub-committee's decision through an appeal to the Magistrates' Court. The rights are set out in the Licensing Act, and parties are reminded that an appeal must be commenced with 21 days of notification of the decision to a relevant party.

The meeting closed at 12.18 pm having commenced at 10.06 am. The meeting adjourned at 11.00 for approximately 1 hour 15 minutes.

CHAIRMAN