

## Report to Licensing Sub Committee

Monday 06 September 2021

By the Head of Environmental Health & Licensing

**DECISION REQUIRED REPORT**



**Horsham  
District  
Council**

Not Exempt

### **Application for the Grant of a Premises Licence under Section 34 of the Licensing Act 2003**

#### **Executive Summary**

On the 13 July 2021 an application was submitted by Mr Michael Nickson of Inn Confidence Limited on behalf of Coren Wine Limited for the property that is known as Lower Lodge Vineyard, The Haven, Billingshurst, West Sussex, RH14 9BE

The application seeks to allow the following licensable activities

Sale and supply of alcohol by retail for consumption on and off the premises (\* this was later amended to off sales only, details in this report)

Monday to Sunday: 10:00hrs till 23:00hrs

Premises open to the public

Monday to Sunday: 10:00hrs till 23:00hrs

#### **Recommendations**

The Sub- Committee is recommended:

To determine the application for the grant of a new premises licence.

#### **Reasons for Recommendations**

The Sub-Committee is required to make a decision under the Licensing Act 2003

## **Background Papers**

1. Premises Application
2. Letter from the applicant's agent detailing amendments to the application sent to members of the public
3. Plans
4. Amended plans
5. Representation from Sussex Police
6. Representation from Environmental Health Officer, Horsham District Council
7. Representation from Planning Department at Horsham District Council
8. Representation from members of the public

**Wards affected:** Itchingfield, Slinfold and Warnham

**Contact:** Chris Boyle, Licensing Officer. Extension 5578

## **Background Information**

### **1 Introduction and Background**

- 1.1 For the Licensing Sub-Committee to determine the application for the grant of a new premises
- 1.2 At present Lower Lodge Vineyard, The Haven, Billingshurst, West Sussex, RH14 9BE does not benefit from a premises licence and they are seeking to allow the following licensable activities
  - Sale and supply of alcohol by retail for consumption on and off the premises (\* this was later amended to off sales only, details in this report)  
Monday to Sunday: 10:00hrs till 23:00hrs
  - Premises open to the public  
Monday to Sunday: 10:00hrs till 23:00hrs

### **2 Relevant Council policy**

- 2.1 Statement of Alcohol Licensing Policy dated December 2018

### **3 Details**

Coren Vineyard is a new business venture and is still in the process of construction and is located in a rural location accessible only by driving down a private shared driveway, there are a number of residential premises in close proximity to both the vineyards and proposed buildings.

### **4 Next Steps**

- 4.1 The Sub Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the four licensing objectives.

### **5 Outcome of Consultations**

- 5.1 The application was advertised in a local newspaper on the 22 July 2021, the local newspaper has adequate coverage of the area where the premises is located. Blue A4 Notices as required by the Licensing Act 2003 were displayed on site for public viewing and a redacted copy of the application was available for public viewing on the council's website.
- 5.2 A copy of the application was served on all statutory consultees in accordance with the provisions contained within the Licensing Act 2003 and associated regulations.

- 5.3 Local Licensing Authority – Environmental Health and Licensing –  
As the applicant has not specified music or other entertainment there are no representation.
- 5.4 Sussex Police – No objection
- 5.5 West Sussex Fire and Rescue – No objection
- 5.6 Health and Safety Executive – No representation
- 5.7 Trading Standards – No representation
- 5.8 Local Planning Authority – Reply attached to the report
- 5.9 Representation from members of the public –  
During the twenty eight (28) day consultation period a total of sixteen (16) representations relating to the grant of the application were received by Horsham District Councils Licensing Department.

## **6 Other Courses of Action Considered but Rejected**

- 6.1 None

## **7 Resource Consequences**

- 7.1 None

## **8 Legal Considerations and Implications**

- 8.1 None

## **9 Risk Assessment**

- 9.1 This application does not relate to any of the specific risks on the Corporate Risk Register.

## Consequences of Proposed Action

<p>How will the proposal help to reduce Crime and Disorder?</p>	<p>The Sub-Committee are to determine the application under the four licensing objectives. The prevention of crime and disorder is one of the licensing objectives.</p>
<p>How will the proposal help to promote Human Rights?</p>	<p>The operation of the Licensing Sub Committee is a quasi-judicial function and as such particular regard is to be had to Article 6 'the right to a fair trial'.</p>
<p>What is the impact of the proposal on Equality and Diversity?</p>	<p>There are no specific equality issues.</p>
<p>How will the proposal help to promote Sustainability?</p>	<p>There are no specific sustainability issues.</p>