

# **Minutes of a meeting of the Licensing Sub-Committee held on 13<sup>th</sup> August at Pippbrook, Dorking from 10.00am to 14.53 pm**

Present: Councillors Iain Murdoch, John Northcott and David Sharland

## **7. Election of Chairman**

Councillor David Sharland was elected as the Chairman for the meeting.

## **8. Application for New Premises Licence – Edolphs Farm, Norwood Hill Road, Charlwood, Horley, Surrey**

The Sub-Committee considered a report that provided information to assist Members in their consideration of an application for the premises licence in accordance with the provisions of the Licensing Act 2003.

Mr Richard Haddad (Environmental Health Manager, Mole Valley District Council), Mr Robert Cohen (Barrister representing the Chief Constable for Surrey Police), Mr Dan Miller (Licensing Officer, Surrey Police), Sergeant Simon Cox (Neighbourhood Sergeant, Mole Valley) and Mr Paul Beardy (Police Road and Safety Officer, Highways) were in attendance on behalf of the Responsible Authorities.

Mr Matt Nichols (Event Manager) was in attendance, representing the premises licence applicant, together with Mrs Kim Seaman (applicant), Mark Walsh ( Farm Manager), Lewis Seaman (Farmer) and Kim Burrow (Assistant).

Mr Chris Lowe (representing Norwood Hill Residents), Mr Tony Brookes (Russ Hill resident), Mrs Allison Lory (on behalf of John Lory Farmers), Councillor Charles Yarwood (local resident, Ward Member and Charlwood Parish Councillor), Mr Peter Barclay (on behalf of Charlwood Parish Council), Councillor Helyn Clack (Surrey County Councillor), Mrs Margaret Billingham (Charlwood Society) and Councillor Dave Brown (Salfords and Sidlow Parish Council) all spoke on behalf of the Interested Parties.

The Senior Licensing Officer introduced the report as set out on pages 1 to 4 of the previously circulated agenda.

Mr Matt Nichols was invited to present the application on behalf of the premises licence applicant.

The Responsible Authorities and then Interested Parties and Members of the Sub-Committee were given the opportunity to question the representative for the premises license applicant.

Mr Robert Cohen presented the case for Surrey Police, outlining the reasons for the Chief Constable's objections to this premises licence.

The representative for the Applicant, then the interested Parties and Members of the Sub-Committee were given the opportunity to question the Responsible Authority.

The Sub-Committee adjourned for a break at 11.15am and reconvened at 11.30am.

The Interested Parties were then invited to address the Sub-Committee.

The representative for the premises licence applicant, Responsible Authorities and then Members of the Sub- Committee were given the opportunity to question the Interested Parties.

The representative for the Responsible Authority was given the opportunity to sum up the submissions made on behalf of the Chief Constable for Surrey Police.

The Interested Parties were given the opportunity to sum up their objections.

The representative for the premises licence applicant was given the opportunity to sum up the application.

The Sub-Committee then withdrew from the room to make its deliberations at 12.10pm. The legal advisor joined the Members during the course of their deliberations to clarify a number of points.

The legal advice was reported back to the Hearing at 2.47pm.

**RESOLVED:** That the application be refused for the following reasons:-

### **Public Safety**

The Licensing Sub-Committee was concerned that the application posed a number of public safety issues. For example the Licensing Sub-Committee:

- was not satisfied with the ticketing arrangements proposed, and whether there would be any unauthorised entrance at the gate or elsewhere.
- felt that there was a significant risk of people seeking to purchase tickets on site at the last minute and was not satisfied with the plans to manage this public safety risk.
- was also concerned that there would be a significant number of people driving to the site to drop off attendees and this risk was not being managed satisfactorily by the applicant. This would pose a risk to public safety.
- considered there was a lack of provision for pedestrians approaching the site and walking on the nearby roads. Pedestrians would be expected to use the same access and egress points as vehicles and the Licensing Sub-Committee considered that pedestrian public safety would therefore be at significant risk.

### **The prevention of Crime and Disorder**

The Licensing Sub-Committee has given considerable weight to the submissions made on behalf of the Chief Constable for Surrey based on the police objection as detailed in the letter dated the 27<sup>th</sup> July 2012. This highlighted inadequacies in the forward planning for this event and the inability to carry out such planning is dangerous to the public and makes it harder for Police Officers to detect and prevent crime and disorder.

**Public nuisance**

The Licensing Sub-Committee was of the opinion that the traffic congestion generated by this event could constitute a public nuisance. It considered that the applicant had not adequately evaluated the risk of an adverse impact that this could have on the local community and businesses.

The Licensing Sub-Committee concluded that it did not have sufficient confidence that the applicant was cognisant of these and other issues for it to support approval of this application.

There is a right to appeal to this decision within 21 days of receiving written notice. This decision will take effect from today (13/08/2012).

**Reason**

Having considered the latest Section 182 Guidance, the Council's own Licensing Policy and the verbal and written representations and having regard to the licensing objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance, the Sub-Committee made the Resolution as set out above.

.....  
Chairman