

Decision of Licensing Act Sub Committee. Hearing 14 August 2020

Application for a new premises licence at the Secret Campsite, Brickyard Farm, Cooksbridge, East Sussex, BN8 4TD

The application, made by Mr Bullen on behalf of The Secret Campsite Ltd, concerned the grant of a new premises licence under the Licensing Act 2003 for the sale of alcohol on and off the premises everyday between 9.00am to 11.00am and between 3.00pm to 7.30pm.

In discharging its functions the Sub Committee considered the promotion of the relevant licensing objectives, the Council's own Licensing Policy, the Home Office Guidance and the rules of natural justice.

The Sub Committee considered the application and the oral representations made by the applicant at the hearing. Those were that the premises licence applied to a small shop on a small campsite in a quiet location, whose focus was on being wildlife friendly, and designed to predominantly accommodate families. Mr Bullen contested that the alcohol sold, if a premises licence was granted, would focus on local products. Further, that in any case currently the campers could bring in and consume their own alcohol at the site. Mr Bullen stated that he appreciated the concerns of his neighbours and that all efforts would be made to address any concerns that may arise.

As a result of the consultation process one representation was received. The Sub Committee gave due regard to the written and the oral representations of Mr and Mrs Janes. The representations involved the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder. Those representations were that the sale of alcohol on the premises would encourage noise, disturbance, and damage to neighbouring land. They also stated that there was no need for the licence as alcohol was already readily available in the locality. Mr and Mrs Janes referred to previous incidents of trespass in the protected woodlands which they believed would be exacerbated by the licence and had concerns in relation to potential planning permission to expand the activities at the campsite.

The Sub Committee noted that no Responsible Authorities had made any representations although Sussex Police had mediated and agreed with the applicant additional conditions.

In its deliberations the Sub Committee considered what decision would be appropriate and proportionate from the options outlined in paragraph 7.1 of the Report.

Decision

The Sub Committee resolved to grant the licence applied for in light of the mediated conditions agreed with the Police and accepted by the Sub Committee, the acceptance of the proposed condition referred in paragraph 5.1 of the Report (that alcohol will only be sold to those who, at the time of sale, are booked into the site for the purposes of camping) and a change to the licensable hours to 7.00pm rather than 7.30pm (as per the original application) following clarification on the hours from the applicant at the hearing.

Reasons for decision

The Sub Committee noted the concerns of Mr and Mrs Janes but were content that, with the amended conditions, the granting of the licence would not undermine the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder.

The Licensing Act 2003 provides a right of appeal to the Magistrates' Court in respect of an application for the grant of a premises licence. An appeal must be commenced by notice of appeal being given by the appellant to the Magistrates' Court within a period of 21 days beginning on the date the appellant was notified in writing of the decision of the Licensing Sub Committee.

The decision will be provided in writing to all parties within five working days.