

Name of Committee:	Licensing Sub-Committee		
Committee Date:	18 March 2024		
Report Title:	Application for the grant of a premises licence: Shoreline Festival, Chichester Avenue Car Park, Hayling Island, Hampshire, PO11 9EZ		
Responsible Officer:	Alex Robinson, Executive Head of Place		
Cabinet Lead:	Cllr Elizabeth Lloyd		
Status:	Non-Exempt		
Urgent Decision:	No	Key Decision:	No
Appendices:	Appendix A: Application by Security and Event Solutions Ltd Appendix B: Conditions agreed between Responsible Authorities and Applicant Appendix D: Representations from 'Other Persons'		
Background Papers:	None.		
Officer Contact:	Name: Penny Rogers Email: penny.rogers@havant.gov.uk		
Report Number:	HBC/094/2024		

Corporate Priorities:

This report is specific to the application under consideration. Members should note that the Sub-Committee is meeting on this occasion solely to perform the role of Licensing Authority. As such, Members should disregard the Council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to make a decision based solely upon the licensing law, guidance and the Council's related policies and guidance.

Executive Summary:

This report is for the Licensing Sub-Committee to consider an application made by Security and Event Solutions Ltd for the grant of a premises licence for the provision of regulated entertainment, late night refreshment and the sale by retail of alcohol (for consumption on the premises only) at Shoreline Festival, Chichester Avenue Car Park, Hayling Island, Hampshire, PO11 9EZ under section 17 of the Licensing Act 2003.

Recommendations:

The Licensing Sub-Committee is requested to determine the application for a new premises licence following receipt of relevant representations.

In making its determination the Licensing Sub-Committee must, having regard to the application and relevant representations, take such steps as it considers appropriate for the promotion of the licensing objectives. The steps the Authority can take are:

- grant the application as applied for;
- modify the conditions of the licence by altering, omitting, or adding to them;
- exclude any licensable activity from the scope of the licence to which the application relates;
- refuse to specify a person as a designated premises supervisor;
- reject the application.

The Licensing Sub-Committee must have regard to:

- [Licensing Act 2003](#)
- [Guidance issued under section 182 of the Licensing Act 2003](#)
- [Havant Borough Council's Statement of Licensing Policy](#)
- [Relevant Articles of the Human Rights Act 1998](#)
- [Public sector equality duty, section 149](#)
- [Equality Act 2010](#)

1.0 Introduction

- 1.1. This report is for the Licensing Sub-Committee to consider an application made by Security and Event Solutions Ltd for the grant of a premises licence for the provision of regulated entertainment, late night refreshment and the sale by retail of alcohol (for consumption on the premises only) at Shoreline Festival, Chichester Avenue Car Park, Hayling Island, Hampshire, PO11 9EZ under section 17 of the Licensing Act 2003.

2.0 Background

- 2.1 The application was received by the Licensing Authority on 31 January 2024.

- 2.2 The licensable activities requested are:

Films	Friday to Saturday	10:00 to 00:00
	Sunday	10:00 to 22:00

Live Music	Friday to Sunday	12:00 to 22:00
Recorded Music	Friday to Saturday Sunday	10:00 to 00:00 10:00 to 23:00
Provision of anything of a similar description to Live Music, Recorded Music or Performances of Dance	Friday to Saturday Sunday	10:00 to 00:00 10:00 to 23:00
Late Night Refreshment	Friday to Saturday	23:00 to 00:00
Sale by Retail of Alcohol (for consumption on the premises only)	Thursday Friday to Saturday Sunday	14:00 to 23:00 12:00 to 00:00 12:00 to 23:00

3.0 Options

- 3.1 Section 18(3) of the Licensing Act 2003 states that where relevant representations are made, the authority must hold a hearing to consider them and take steps as it considers appropriate for the promotion of the Licensing Objectives.
- 3.2 Section 18(4) of the Licensing Act 2003 specifies the steps an Authority may consider.
- 3.3 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are;
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance;
 - The protection of children from harm.
- 3.4 In making its deliberations, the Committee is obliged to have regard to the Council's own Licensing Policy and National Guidance. The Committee must also have regard to the representations that have been made balanced against the conditions offered by the applicant and the evidence that it hears.
- 3.5 The Committee must take one of the following steps, as it considers necessary for the promotion of the licensing objectives:
- (a) grant the application

- (b) modify the conditions of the licence by altering, omitting or adding to them
- (c) exclude any licensable activity from the scope of the licence to which the application relates;
- (d) refuse to specify a person in the licence as the premises supervisor
- (e) reject the application.

3.6 The Committee should note that it cannot modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so, it must be because it is appropriate for the promotion of the licensing objectives.

3.7 The Committee may only consider matters relating to the four licensing objectives.

4.0 Relationship to the Corporate Strategy

4.1 Members should note that the Sub-Committee is meeting on this occasion solely to perform the role of Licensing Authority. As such, Members should disregard the Council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to make a decision based solely upon the licensing law, guidance and the Council's related policies and guidance.

5.0 Conclusion

5.1 The Licensing Sub-Committee must determine the outcome of the application, having regard to the matters set out in this report and the recommendations made for the steps that the Licensing Authority can take.

6.0 Implications and Comments

6.1 S151 Comments

Members can be content that given the nature and content of the report there are no financial implications that I need to consider in my capacity as Section 151 officer.

– Steven Pink

6.2 Financial Implications

A statutory £100 application fee has been received. Officer time at the hearing has been managed under resource budget.

6.3 Monitoring Officer Comments

The legal implications and role of the Sub-Committee are outlined within the body of the report. Constitutionally, the Licensing Sub-Committee's remit includes the determination of applications for licences where relevant representations have been made.

- Jo McIntosh

6.4 Legal Implication

This is an application for a premises license under section 17 of the 2003 Act and must be determined in accordance with section 18 of that Act.

A party may appeal against the decision of the Licensing Sub-Committee to the Magistrates Court within 21 days of notice of the decision.

6.5 Equality and Diversity

There are no equality and diversity implications arising as a result of this report. Applications are considered with no favour towards, or discrimination against, any protected characteristic(s) of an applicant.

6.6 Human Resources

There are no human resources implications arising as a result of this report. The administration of applications under the Licensing Act 2003 is managed within the Licensing Team's current resources and no additional recruitment is required.

6.7 Information Governance

There are no Information Governance implications arising as a result of this report. The Council is required to publish details of all applications received, and licences granted, in accordance with Section 8 or Schedule 3 the Licensing Act 2003. No personal data above that which is required to be published in accordance with the Act is disclosed.

6.8 Climate and Environment

There are no climate or environment implications arising as a result of this report. Neither climate nor environment matters are considered in determining an application as these matters do not fall within the Licensing Authority's remit or relate to any of the four licensing objectives.

7.0 Risks

7.1 The Licensing Sub-Committee's decision may be appealed within 21 days of such decision, to the Magistrates Court. The Sub-Committee shall only consider relevant matters in making its determination and shall give clear reasons for its decisions.

8.0 Consultation

8.1 A statutory 28-day consultation period has been undertaken. Responsible Authorities and Other Persons have been given notice of the application, as per the requirements of the Licensing Act 2003.

8.2 During the consultation period, a number of representations were received from Other Persons. These can be found at Appendix D.

8.3 A representation was received from Environmental Health, A Responsible Authority, but was subsequently withdrawn.

9.0 Communications

9.1 Notice of the application was published on Havant Borough Council's website. The applicant displayed public notices at the premises for the duration of the consultation period, and a published a notice in the Hampshire Independent newspaper on 9 February 2024.

9.2 All interested parties will be sent a notice of decision following the hearing.

Agreed and signed off by:		Date:
Cabinet Lead:	Cllr Elizabeth Lloyd (<i>provided with a copy of the report for information only</i>).	08.03.2024
Executive Head:	Alex Robinson	05.03.2024
Monitoring Officer:	Jo McIntosh	07.03.2024
Section151 Officer:	Steven Pink	01.03.2024