

LICENSING SUB-COMMITTEE



Report subject	High Tide Festival, Bournemouth Beach
Meeting date	27 April 2022
Status	Public Report
Executive summary	<p>Lacey's Solicitors have made an application on behalf of High Tide Festival Company Ltd for a time limited premises licence, to permit regulated entertainment and the supply of alcohol, for a 2-day music festival on the beach on 1st and 2nd July 2022.</p> <p>The provision of film, live music, recorded music, performance of dance and on sales of alcohol is requested between the hours of 15:00 and 23:00 each day.</p> <p>The Licensing Authority has received 3 representations on the grounds that to grant the application it would undermine the licensing objectives.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members are asked to decide whether to:-</p> <p>a) Grant the application for a premises licence as made;</p> <p>b) Refuse the application for a premises licence;</p> <p>c) Grant the premises licence subject to additional conditions.</p> <p>Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.</p>
Reason for recommendations	<p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the representation.</p> <p>Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation set out in the Council's Constitution states that these applications should be dealt with by the Licensing Sub-Committee.</p>

Portfolio Holder(s):	Councillor Bobbie Dove – Community Safety & Regulatory Services
Corporate Director	Jess Gibbons – Chief of Operations
Report Authors	Sarah Rogers – Senior Licensing Officer
Wards	East Cliff & Springbourne
Classification	For Decision

Background

1. An application for a premises licence under Section 17 of the Licensing Act 2003 was made on 28 February 2022. A copy of the application is attached at Appendix 1.
2. The proposed event has been before BCP Council's Safety Advisory Group (SAG) several times since the beginning of the year however, the event organisers have consistently failed to provide the necessary assurances to the SAG members that the event will be delivered safely.
3. Concerns have been raised over the lack of detail specific to this event contained in the paperwork provided which has therefore resulted in both Dorset Police and the Fire Service, together with BCP Council's Head of Destination & Events, expressing those concerns by way of representations to the licence application.
4. An Event Management Plan has been produced which is attached at Appendix 3. There are a number of appendices to this document which are available should Members wish to see further detail however the main points are dealt with within this document.

Consultation

5. The application was served on all responsible authorities and the applicant confirmed the statutory notices were displayed on site and published in the local newspaper.
6. Dorset Police and Dorset & Wiltshire Fire and Rescue Service have made representations against the application as responsible authorities on the grounds of not upholding the prevention of crime and disorder and public safety licensing objectives.
7. Mr Jon Weaver, Head of Destination & Events at BCP Council, has made a representation due to concerns over the operation of the event and the risk of it undermining the licensing objectives.
8. Copies of the representations received are attached at Appendix 2.

Options Appraisal

9. Before making a decision, Members are asked to consider the following matters:
 - The submissions made by or made on behalf of the applicant.

- The representation made by or on behalf of Dorset Police and other persons.
- The relevant licensing objectives, namely the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm.
- The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under section 182 of the Licensing Act 2003 – April 2018 and the Council's Statement of Licensing Policy.

Summary of financial implications

10. N/A

Summary of legal implications

11. If Members decide to refuse the application, or attach conditions to the licence which the applicant does not agree to, the applicant may appeal to the Magistrates' Court within a period of 21 days beginning with the day that the applicant is notified, in writing, of the decision.

Summary of human resources implications

12. N/A

Summary of sustainability impact

13. N/A

Summary of public health implications

14. N/A

Summary of equality implications

15. N/A

Summary of risk assessment

16. N/A

Background papers

BCP Council – Statement of Licensing Policy –

<https://www.bcpCouncil.gov.uk/Business/Licencesandpermits/Documents/Licensing/solp2020.pdf>

Hearing Regulations –

<https://www.legislation.gov.uk/uksi/2005/44/contents/made>

Revised Guidance issued under Section 182 of the Licensing Act 2003 –

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Appendices

1 – Copy Application

2 – Copy Representations

3 – Copy Event Management Plan v.6