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## Consideration of an application for the Grant of a Premises Licence in respect of The Three Wishes Fairy Festival, Garslade Farm, Godney

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**Applicant: William Gooden**

**Premises Name: Garslade Farm**

**Premises Address: Godney, Wells, Somerset, BA5 1RX**

### Introduction

- 1 An application was submitted for the grant of a premises licence by William Gooden on 24 October 2023.

The application is for a family friendly event. There will be educational workshops, music and activities provided, with music, activities that include workshops and performances, food and drink and a Fairy Market. Licensable activities will include; the Supply of Alcohol, Regulated Entertainment and Late-Night Refreshment.

The event is proposed to take place over one weekend, once a year beginning on a Friday until Monday, usually in August. The demographic of the people on site will be a range of ages and will include children.

The application is applied for a capacity of up to a maximum of 4,999. It is expected in the first year (2024) capacity to be around 1,500.

The application can be found at **Appendix 1**, the licensed area plan can be found at **Appendix 2**.

- 2 The premise is set on the Somerset Levels in the village of Godney, surrounded by the Mendip Hills, an Area of Outstanding Natural Beauty, and the Wetland Meadows. Garslade Farm is a working organic farm. The current owner runs an organic sheep business with traditional lambing taking place during the winter months, then making way for a campsite and B&B during the summer season.

Two further licensed events are held at Garslade Farm; The Godney Gathering and The Goodentime event.

The Godney Gathering is held once a year, beginning on a Friday and ending on a Saturday in July, usually around 15<sup>th</sup>, attended by around 7,500 persons.

The Goodtime event is also held once a year, over one weekend beginning on a Friday until Sunday, this event took place on 1<sup>st</sup> and 2<sup>nd</sup> September in 2023 with around 600 persons attending. The Goodtime premises licence holder is William Gooden.

Both these Premise licences are granted for a maximum capacity of 9,999 persons.

## Licensable Activities

Proposed Licensable Activities			
Regulated Entertainment	Days	Start Time	Finish Time
Live music & Recorded Music (Outdoors)	Thursday	11:00	23:00
	Friday – Saturday	09:00	12 Midnight
	Sunday	09:00	23:00
Performance of Dance (Outdoors)	Thursday – Sunday	08:00	23:00
Provision of Late-Night Refreshment	Friday – Saturday	23:00	12 Midnight
Supply of Alcohol (On the Premises Only)	Thursday	11:00	23:00
	Friday – Saturday	11:00	12 Midnight
	Sunday	11:00	23:00
Non-standard timings and seasonal variations: None			

## Conditions

- During the representation period agreement was reached between the applicant, Avon and Somerset Constabulary and Somerset Council's Environmental Protection Team for additional conditions to be attached to the licence, should it be granted. These can be found at **Appendix 3**.

## Reason for referral to Licensing Sub-Committee

- A total of 2 representations have been received relating to all four of the Licensing Objectives. A copy of these representations can be found at **Appendix 4 and 5**.

## Relevant Observations

- No representations were received from any Responsible Authorities.
- A map showing the location of the premises and surrounding area can be seen at **Appendix 6**.

## Legal Implications

7 The Live Music Act 2013 and the Legislative Reform (entertainment licensing) order 2014

Live and Recorded Music is deregulated between 08:00 and 23:00 on premises authorised to sale alcohol on the premises, subject to a maximum audience of 500 persons. The Licensing Authority has the power to remove the exemptions but only if and when it conducts a formal Review of the Premises Licence.

## Decision Making Process

8 The Sub-Committee must consider this application on its own merits and from the information contained within the application and this report.

Members are reminded that the duty of the Licensing Authority is to take steps necessary to promote the licensing objectives in the interests of the wider community, the Licensing Objectives, as follows:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

In its decision-making process, the Licensing Sub-Committee must have regard to:

- Licensing Act 2003, and subsequent amendments
- The Statutory Guidance issued under Section 182 of the Licensing Act 2003.
- Somerset Council's Statement of Licensing Policy. The policy is available on request and from the Somerset Council website [Licensing Policies and Policy Consultations \(somerset.gov.uk\)](http://somerset.gov.uk)

The options available to the committee are as follows: -

- Grant the variation with no modifications, and only attach conditions as required by the 2003 Act. These shall include mandatory conditions and conditions consistent with the operating schedule.
- Grant the variation, modified to such an extent as the Licensing Authority considers appropriate for the promotion of the Licensing Objectives
- Refuse the variation, giving reasons for its decision.

Should the Committee be mindful to attach conditions to the licence, they must only do so if they are:

- Appropriate, necessary, and proportionate
- Precise, clear, and unambiguous
- Practical, realistic, and enforceable
- Non-duplicative of existing statutory requirements or offences
- Modern and fit for purpose.
- Consideration must also be given the number of conditions being attached.

The Licensing Authority recognises that most Licence Holders seek to follow the law and any enforcement action will normally follow a graduated approach and in the first instance will include education and support. Where licence holders continue to flout the law or act irresponsibly firm action will be taken.

### **Right of Appeal**

- 9** All relevant parties to the decision of the Licensing Authority have the right of appeal to Magistrates Court, in connection with this matter. This must be done within 21 days of being notified in writing of the relevant decision.

### **Appendices**

- 10** Appendix 1 - Application for the Variation of a Premises Licence  
Appendix 2 - Plan of the proposed licensable area  
Appendix 3 – Additional Conditions  
Appendix 4 - Representation received from Mr M Churches  
Appendix 5 - Representation received from St Cuthbert (Out) Parish Council  
Appendix 6 - Map of premises and surrounding area

**END OF REPORT**