

Carol Stefanczuk  
Licensing Manager  
Winchester City Council,  
City Offices,  
Colebrook Street,  
Winchester, SO23 9LJ  
Via email

4 March 2016

**Licensing Act 2003 - Winchester City Council consultation on the  
Licensing Policy review January 2016**

**South Downs National Park Authority  
Consultation Response**

Thank you for consulting the South Downs National Park Authority (SDNPA) on the January 2016 review of the Winchester City Council Licensing Policy (WCCLP), and for kindly allowing a short extension of time for the comments to be received. The SDNPA is the Local Planning Authority for the whole of the South Downs National Park, including that part of Winchester District falling within the National Park. It is therefore a responsible authority for the purposes of the Licensing Act 2003.

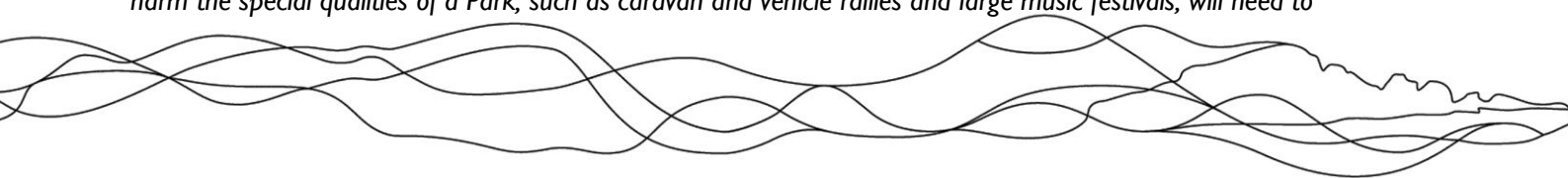
Although there is no formal requirement within the 2003 act to consult the Local Planning Authority, the SDNPA is grateful for the opportunity to provide the following comments on the draft changes to the WCCLP, which has largely been reviewed in order to take account of the National Park and SDNPA:

**General Comments**

The SDNPA has a particular interest in the organisation and licensing (when required) of major events within or adjacent to the National Park. This reflects the advice contained within Paragraphs 26-27 of the UK Government Vision and Circular 2010 for National Parks and the Broads:

*“The Parks contain a variety of landscapes, capable of accommodating many different types of leisure activity. Authorities should continue to identify and promote new access and recreational opportunities and ways of delivering them, working proactively with a range of statutory and non-statutory interests such as local access forums (see section 5.6), Natural England, English Heritage, voluntary sectors and, particularly, farmers, commoners and landowners. However, in light of research published in 2005, the Government recognises that not all forms of outdoor recreation are appropriate in each Park and that activities which would have an adverse impact on the Parks’ special qualities and other people’s enjoyment of them may need to be excluded (in order to meet the requirements of section 11A(2) of the 1949 Act).*

*Parks are attractive locations for large-scale community, charitable or other events and festivals such as organised charity walks, cycling events, cultural and musical events and fairs. Events should be encouraged which fully engage local communities and visitors, showcase ‘greener living’, minimise harm to the environment and help to interpret and encourage access to Parks. Such events can be significantly beneficial to achieving Park purposes and deliver economic and social benefits to local communities. Events with the potential to harm the special qualities of a Park, such as caravan and vehicle rallies and large music festivals, will need to*



*be controlled. Authorities should build on their existing experience of working with event organisers to ensure the events programme overall contributes to the sustainable development of Parks and does not harm these special qualities. Parks offer community cohesion and sharing between rural and urban communities.”*

It has previously been agreed that the SDNPA would provide a guidance note for organisers of major events within the National Park (whether requiring licence or not). This guidance note is in the latter stages of preparation, and should be complete in time for the new WCCLP taking effect from 13 April 2016. The SDNPA would therefore welcome inclusion of a reference to forthcoming guidance being inserted within paragraph 1.6 of the WCCLP. The SDNPA would also expect major events in the National Park to be accompanied by an Event Management Plan and, ideally, the SDNPA would have an input into the preparation/contents of EMP, although it is accepted that this could not be set as a requirement within the WCCLP.

### **Specific Comments**

<b>Page/ Paragraph no.</b>	<b>Recommended change</b>	<b>Explanation of why change is suggested</b>
Page 3 Para 1.5	Refer to SDNPA as the “sole” planning authority rather than “primary” planning authority	Reflects the correct definition of SDNPA (other planning authorities such as WCC are acting as agents for SDNPA)
Page 3 Para 1.7	Remove reference to licensing authority having regard to the “duties” of the SDNP	A licensing authority must have regard to national park purposes. However, the duty rests solely with the SDNPA
Page 3 Para 1.7	Further to the above, amend “SDNPA” to read “SDNP” in the same sentence	To reflect that the purposes relate to national park designation rather than the SDNPA
Page 3 Para 1.8	Amend reference to appeal against decisions of the Planning Committee (suggest “planning authority”)	Appeals can be made against any planning decision – not just those made by a Planning Committee
Page 19 Second paragraph	SDNPA could be included as one of the relevant bodies that applicants are encouraged to consult	In the interests of inviting dialogue at an early stage in order to raise potential issues to be addressed (whether through licensing, planning or other means)
Page 25 Para C.4	Within the section on noise controls include reference to additional tranquillity considerations within/adjacent to the South Downs National Park	Paragraph C.4 already refers to certain areas of the District having “low levels of background noise” and thus requiring stricter conditions with regard to noise control. This suggests that people’s perceptions with regard to “nuisance” vary depending on the context and that there is a greater risk of noise being a nuisance in a relatively tranquil area. It is therefore suggested that specific reference could be made to the SDNP, given that “tranquil and unspoilt places” is one of the identified special qualities of the SDNP

		and Policy 3 of the South Downs Partnership Management Plan (of which Winchester City Council is a signatory), seeks to “protect and enhance tranquillity and dark night skies”.
Page 47 Para 7	Within the section on light pollution, refer to the wider potential for light pollution to be considered a nuisance within/adjacent to the South Downs National Park	As with noise, a person’s perception of the impacts of light pollution can vary depending on the context. Specific reference could therefore be made to additional sensitivity within the SDNP, given that “tranquil and unspoilt places” is one of the identified special qualities of the SDNP and Policy 3 of the South Downs Partnership Management Plan (of which Winchester City Council is a signatory), seeks to “protect and enhance tranquillity and dark night skies”.
Page 53 (Glossary)	Add “Authority” after “South Downs National Park” within the definition of responsible authorities	To reflect that it is the SDNPA that is the responsible authority and distinctly separate from the national park designation.

Once again, thank you for the opportunity to comment on the draft Licensing Policy.

Yours sincerely,

Nathaniel Belderson MRTPI  
 Planning Link Officer  
 South Downs National Park Authority

South Downs Centre, North Street,  
 Midhurst, West Sussex, GU29 9DH

T: 0300 303 1053

E: [info@southdowns.gov.uk](mailto:info@southdowns.gov.uk)  
[www.southdowns.gov.uk](http://www.southdowns.gov.uk)

Chief Executive: Trevor Beattie

