

Minutes of a meeting of the Licensing Sub-Committee

Held at 2.00 pm on Monday 7th March, 2022 in the Committee Room,
Swanspool House, Wellingborough, NN8 1BP

Present:-

Members

Councillor Jennie Bone (Chair)
Councillor Dorothy Maxwell

Councillor Clive Hallam

Officers

Amanda Wilcox,
Interim Environmental
Health Lead
Carol Mundy
Senior Democratic
Services Officer

Louise Delavaloire,
Legal Representative
David Chandler
Environmental Protection

21 Apologies for non-attendance

Apologies were received from Councillor Jon Ekins and Councillor Barbara Jenney.

22 Members' Declarations of Interest (if any)

The chair invited those who wished to do so to declare an interest in respect of an item on the agenda.

There were no declarations made.

23 Notification of requests to address the meeting

It was noted that no requests to address the meeting had been received.

24 Application for a variation to a premises licence for the Half Moon at Grendon

The annexed circulated report of the Assistant Director of Regulatory Services was received following receipt of an application for the variation to a premises licence for the Half Moon Inn, 42 Main Road, Grendon, Northamptonshire.

The Chair, Councillor Jennie Bone, asked all present to introduce themselves and welcomed Anne Hughes, the applicant to the meeting.

The applicant had submitted an email, dated 4 March 2022 and circulated to those present, stating that she wished to withdraw the following from the application:

- The proposed later closing time of 1.00am (and maintain the current licence);
- The playing of live or recorded music outside the premises until late;
- The daily opening of the premises at 8am.

The email also clarified the reasons for the following request:

- Daily opening time of 9am – to give access to cyclists, walkers and working people to obtain coffee, cold drinks and breakfast;
- Removal from the existing licence of the 'maximum of two performers inside' – to enable occasional acoustic-led open mic events inside the premises;
- The playing of recorded music outside until 10.30pm - to enable community gatherings in a designated outdoor space, particularly during the summer months.

The chair invited the Interim Environmental Health Lead, Amanda Wilcox to present her report.

Mrs Wilcox explained that the report was before the sub-committee following receipt of an application to vary the premises licence for the Half Moon Inn, located in Grendon. Four representations had been received against the granting of the application, three were from interested parties and one from the Environmental Health team all around the licensing objective of the prevention of public nuisance, as prescribed by Section 4(2) of the Licensing Act 2003.

The concerns raised related to the operating hours requested within the application around the potential disturbance to residents from potential noise, from patrons accessing and leaving the premises and from entertainment inside and outside the premises. The Environmental Health team had suggested adding conditions to control the noise from inside the public house, though there remained concern that noise would travel to nearby properties from external activity and entertainment.

The sub-committee's decision needed to be made taking into consideration the four licensing objectives of:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

The chair asked the applicant if she wished to address the meeting.

Ms Hughes explained that she had taken over the Half Moon in December 2021, following a two-and-a-half-year period of closure for the pub.

The pub was owned by a development company, who had applied for and been refused planning permission.

Villagers had raised £325,000 to buy the pub as a community asset, the company had chosen not to sell it, but a community order had been obtained to prevent the premises being demolished and Ms Hughes had taken on a lease for seven years.

She wished to build the business as the sale of alcohol alone was not sustainable, and wished to offer breakfast options, open mic evenings and the holding of occasional celebration events, such as for the Platinum Jubilee.

The open mic sessions were popular but needed to be enhanced to allow for more than two participants.

She was not aware of any noise complaints since she had taken on the pub and was very much involved in the community, welcoming any concerns or suggestions.

Due to the location of the garden at the rear of the property, it was seldom used, and it was unlikely that music events would be hosted outside. There was a small fenced area to the left of the premises and any outdoor music would be in that location. There were a few tables at the front of the property, which were popular on sunny evenings.

She also assured the sub-committee that she had considerable experience in the license trade, having been involved in the running of several pubs in various locations and ensured the sub-committee that all her staff were well trained. The door to the pub were open during the day but closed at 9pm to prevent noise affecting other premises.

It was a much-loved amenity for the community and was well supported by those living in Grendon and other local villages. Following discussions with patrons she had submitted the application to vary the licence to enable an enhanced offer for patrons and to help the business.

Following the representations made she had revised her requirements. She considered that by offering breakfast from 9am that this would not cause a problem for those living nearby.

She intended to continue to advertise the closure time as 11pm and would encourage patrons to leave quietly.

The committee asked several questions for the purpose of clarity.

The chair asked Dave Chandler, Environmental Protection, if he wished to comment. Mr Chandler confirmed that there were no further concerns from Environmental Protection in relation to the earlier opening hours. He suggested that conditions be added to the licence around the music aspect of the licence. These were clarified by Mrs Wilcox as follows:

- All doors and windows to be kept closed during regulated entertainment, except for access, or in the event of an emergency;
- Amplified music and speech not to be placed in rooms that will affect neighbouring properties with structure-borne sound and/or vibration;
- Loudspeakers not to be located near wall or ceiling mounted extractors;
- DJs and other performers will be informed prior to events taking place of the need to control noise and will be monitored to ensure that they do not disturb persons in the neighbourhood from their activities.

The chair adjourned the meeting at 2.50pm.

The chair reconvened the meeting at 3.05pm.

Decision:

Resolved that the sub-committee grant the variations to the licence, with the following conditions:

Sale of Alcohol

Alcohol consumed off and on the premises:

Monday to Thursday	10:00 to 23:00
Friday and Saturday	10:00 to 00:00
Sunday	10:00 to 22:30

The maximum number of two performers be removed.

The opening hours of the premises be:

Monday to Thursday	09:00 to 23.20
Friday and Saturday	09:00 to 00:15
Sunday	09:00 to 22:50

The following additional conditions be attached to the licence:

Music and speech, both amplified and not:

- All doors and windows to be kept closed during regulated entertainment except for access, or in the event of an emergency;
- Amplified music and speech will not be played in rooms that will affect neighbouring properties with structure-borne sound and/or vibration;
- Loudspeakers will not be located near wall or ceiling mounted extractors;
- DJ's and other performers will be informed prior to events taking place of the need to control noise and will be monitored to ensure that they do not disturb persons in the neighbourhood from their activities

Reasons for decision:

The sub-committee took into consideration:

The Licensing Act 2003

The sub-committee considered the relevant sections of the Act.

The Section 182 Statutory Guidance

The sub-committee considered the most recent edition of the Secretary of State Section 182 Guidance issued in April 2018.

The Statement of Licensing Policy North Northamptonshire Council

The sub-committee considered the council's statement of licensing policy.

The Licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The sub-committee heard representations from:

- Amanda Wilcox – who set out the details contained within the sub-committee report, including the representations made by members of the public. Mrs Wilcox provided an email from the applicant dated 4 March 2022 advising of some changes she wished to make to the variation application. These changes were to remove the request for 01:00 closing time, limiting the times of outdoor music and the daily opening time of the premises from 08:00 to 09:00.
- Dave Chandler - who confirmed that there were no concerns on behalf of Environmental protection in relation to the proposed earlier opening hours. Mr Chandler suggested that there was potential for noise to carry where outdoor music is permitted. Environmental Protection had proposed several conditions that could be added to the licence to mitigate any future noise issues.
- Anne Hughes – who took ownership of the premises in December 2021 under a seven-year lease, after it had been closed for two and a half years. Ms Hughes explained she wanted to be able to serve food and host events in order to make the premises sustainable as it could not survive on the revenue from alcohol only. The premise has a purpose-build café area and the earlier opening time is to accommodate breakfast servings.

The premise is supported by a local community group that has successfully obtained a community order to prevent it being demolished for the building of residential properties.

The intention for the removal of a maximum of two performers is to allow the village to host open mic nights to allow locals to come and perform in small groups on those nights.

Ms Hughes has significant experience in running several licensed premises and ensures that her staff are well trained and there are no known complaints of how the property has been operating.

Ms Hughes explained that the rear part of the premise’s garden is not often used and would be unlikely to be host to any music events. Any outdoor music is likely to take place in the small fenced area to the left of the premises. Ms Hughes agreed to accept the proposed conditions by Environmental Protection in order to ensure that any potential noise issues are avoided.

The sub-committee considered all the representations made during its deliberations and is satisfied that the variations to the licence would not undermine the licensing objectives.

The Chair thanked everyone for their attendance and closed the meeting at 3.20pm.

25 Close of meeting

Chair

Date

