

LICENSING AND REGULATORY SUB-COMMITTEE

TUESDAY, 21 JUNE 2022

Present:

Councillors Hayes (Chair), J Petherick and Goodman-Bradbury (Vice-Chair)

Officers in Attendance:

Licensing Officer

Legal Assistant

1. APOLOGIES

None.

2. MINUTES

The Minutes of the meeting held on 12 May 2022 were approved as a correct record and signed by the Chair.

3. DECLARATIONS OF INTEREST (IF ANY)

None.

4. REQUEST FOR HACKNEY CARRIAGE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - AS12 FLY

The Sub-Committee was asked to consider an application for a Hackney Carriage Vehicle Licence Extension for a Skoda Superb vehicle registration AS12 FLY.

The Sub-Committee noted the information provided by way of the report and heard written representations from the Applicant. In particular it noted that the vehicle's MOT certificate expires on 16 June 2023 (with one advisory). The Sub-Committee were informed that the vehicle passed its annual taxi inspection test on 15 June 2022.

The Sub-Committee noted that the tyres of the vehicle had shown up on the MOT as a dangerous defect (although now fixed), and asked that the Applicant ensures these are checked more regularly. Ultimately the Sub-Committee was satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

Decision

Accordingly, the Sub-Committee granted the 12 month Hackney Carriage Vehicle Licence Extension as detailed in the report subject to the condition that the vehicle undergoes four monthly vehicle inspection tests due to the age and mileage of the vehicle.

5. APPLICATION FOR A NEW PREMISES LICENCE – BELL INN, CROSS STREET, MORETONHAMPSTEAD

The Sub-Committee gave consideration to a report presented by the Licensing Officer (previously circulated) in which determination was sought in respect of an application for a new Premises Licence for The Bell Inn, Cross Street, Moretonhampstead, TQ13 8NL.

The Applicant and Designated Premises Supervisor was not in attendance at the meeting.

The Environmental Health Officer was present at the meeting and answered questions put to them by the Sub-Committee and confirmed that the representation had been withdrawn as conditions had now been agreed with the Applicant. The conditions agreed related to noise levels and monitoring, the dispersal of patrons when leaving the premises and when using the smoking area. The Applicant had also agreed a voluntary condition that the function room would not be used for live bands or discos and all live music will be away from any adjoining walls. The Applicant would also only hold one live music event a month and would write to neighbours to inform them of any events.

Arising from consideration of the report, evidence presented and in accordance with the relevant provisions of the Licensing Act 2003 Statutory Guidance, and the Council's Licensing Policy, it was moved by Councillor Hayes and seconded by Councillor Petherick, and

RESOLVED that the Application for a new Premises Licence in respect of The Bell Inn, Cross Street, Moretonhampstead, TQ13 8NL be granted as set out in the report with the revised condition that live music should stop at 12 midnight on a Saturday and Sunday unless it is a designated public holiday as set out in the report.

Reasons for the decision:

The Sub-Committee noted the representations given by the Environmental Health Officer and that the Applicant seemed very conscious of the surrounding area and the impact the premises has had on the community under previous owners.

The Sub-Committee noted that the adjoining flat was intended to be purchased by the Applicant and that the incorporated flat above the premises was to be used for family members to live in. As such extra conditions were not deemed to be required to protect any potential occupants.

With regards to the prevention of public nuisance, members of the Sub-Committee noted the concerns raised by the Environmental Health Officer and accepted that these concerns had now been resolved with the proposed conditions agreed by the Applicant.

However, the Sub-Committee felt that an additional condition to stop the playing of live music after 12 midnight on a Saturday and Sunday only (public holidays as set out in the report excluded) should be included in order to uphold the licensing objectives. Whilst the Sub-Committee welcomed the mitigations already proposed and agreed by the Applicant, it was felt that due to the close proximity of residential housing, there was still a risk of public nuisance occurring from live music being played late into the night. This extra condition would help to minimise this risk whilst still allowing the playing of live music until 12.30am during the rest of the week.

The Sub-Committee was satisfied from the information presented that the Applicant had put in place sufficient measures to ensure that the four Licensing Objectives would be upheld effectively and therefore deemed it appropriate to issue the premises licence as set out in the report with the additional condition of revised hours for the playing of live music on a Saturday and Sunday.

Cllr R HAYES
Chair