



Licensing Sub-Committee

Minutes of a meeting of the Licensing Sub-Committee held as a Virtual Meeting via Zoom on Friday 24 September 2021 at 10.00 am.

Present Councillor Andrew Kilbride (Chair)
 Councillor Keith Holland-Delamere
 Councillor Jake Roberts

Officers Charlotte Lindop, Licensing Enforcement Officer
 James Chadwick, Senior Licensing and Litigation Solicitor
 Richard Woods, Democratic Services Officer

14. Appointment of Chairman for the meeting of the Sub-Committee

The Democratic Services Officer opened the meeting and invited Councillors to appoint a Chair of the Sub-Committee Hearing. It was proposed by Councillor Jake Roberts and seconded by Councillor Keith Holland-Delamere that Councillor Andrew Kilbride be appointed Chair of the Sub-Committee Hearing.

Resolved

- (1) That Councillor Andrew Kilbride be appointed Chair of the Sub-Committee Hearing.

15. Declarations of Interest

There were no declarations of interest.

16. Premises Licence Hearing

The Licensing Enforcement Officer submitted a report which requested that the Sub-Committee Hearing consider an application for a new Premises Licence under the Licensing Act 2003 in respect of Silverstone Brewery, 5 High Street, Silverstone, NN12 8US.

The Sub-Committee Hearing also heard representations from interested parties both in favour of and in objection to the application and gave due consideration to these representations in making their deliberations.

Resolved

- (1) As set out in the attached decision notice.

The meeting closed at 10.52 am

Chair: _____

Date: _____



Your Ref:
Our Ref: WK/202105104
Ask For: Licensing
Direct Dial: 01327 322278
Email: Licensing.snc@westnorthants.gov.uk
Date: 30 September 2021

Dear Mr Coleman

Licensing sub-committee hearing: 24 September 2021
Application for Premises licence: Silverstone Brewery, 5 High Street, Silverstone, NN12 8US

I write to confirm the outcome of the above hearing following an application for a new premises licence to be granted in respect of 5 High Street, Silverstone, NN12 8US

Determination

In considering the application, oral submissions and written representations the sub-committee sought to balance the evidence heard, with the primary objective of ensuring the promotion of the four licensing objectives the sub-committee has determined that this application be granted as applied for.

Full details of the decision can be found in the attached notice.

Appeal

All parties have the right to appeal this decision by giving notice to the Magistrates' Court within a period of 21 days beginning with the day upon which notification of the determination was given.

Any appeal should be made to Northampton Magistrates' Court at the Court's correspondence address:

Regents Pavilion
Summerhouse Road
Moulton Park
Northampton
NN3 6AS

Yours sincerely,

Nicholas Sutcliffe
Licensing and Business Support Manager

WEST NORTHAMPTONSHIRE COUNCIL
ALCOHOL AND GAMBLING LICENSING SUB-COMMITTEE
NOTIFICATION OF DETERMINATION

Application for grant of a new Premises Licence in respect of Silverstone Brewery, 5 High Street, Silverstone, NN12 8US (“the Premises”) under section 17 of the Licensing Act 2003.

Applicant – Mr Timothy Coleman.

Hearing Date – 24th September 2021.

The Alcohol and Gambling Licensing Sub-Committee (“the Sub-Committee”) carefully considered the following:

- The application for grant of a new premises licence (“the Application”) made by Mr Timothy Coleman and his oral representations in support;
- The written report prepared by Charlotte Lindop, Licensing Enforcement Officer;
- The written representation opposing the Application submitted by Mr Tom Watson and his oral representations in support;
- The written representation opposing the Application submitted by Ms Karen Fanning and oral representations in support made on her behalf by Mr James Laband.
- The written representation opposing the Application submitted in the form of a petition organised by Mr Charles Smith on behalf of some local residents and his oral representations in support; and
- The Statutory guidance issued under section 182 of the Licensing Act 2003.

The Hearing

In summary, relevant representations received opposing the Application indicated that local residents of the High Street in Silverstone were concerned that if a premises license were to be granted on the terms sought, there was an increased risk that they would suffer from late night noise and public nuisance caused by customers of the business up until 11pm, 7 days a week.

No representations were submitted by any responsible authority.

Legal Advice

The Sub-committee received legal advice as follows:

1. Questions of fact are to be determined on the balance of probabilities.
2. The relevant licensing objectives raised in the representations are set out in the report.
3. The South Northamptonshire District Council Statement of Licensing Policy contained no specific provisions in relation to the issues raised in the relevant representations before the Sub-Committee.
4. The options legally available to the Sub-Committee are set out in the report of the Licensing Officer.
5. Any action taken should be the minimum required to promote the licensing objectives.
6. Issues relating to planning law were not a relevant consideration with regard to the licensing process.

The Sub-Committee did not have to make any findings of fact.

Decision

The Sub-Committee considered the options open to it under the Act and the extent to which they were appropriate to address the concerns of local residents of the High Street in Silverstone regarding the promotion of the licensing objectives of the prevention of crime and disorder and promoting public safety. The Sub-Committee resolved that a Premises Licence for the Premises should be **granted**.

Reasons

The representations made were generally with regard to fears that granting the Application would not promote the two licensing objectives in question.

The Sub-Committee were advised that if issues of noise and public nuisance caused by the Premises itself or its customers did take place after the sale of alcohol commenced, then any aggrieved person would be entitled to submit an application to review the Premises Licence.

A Sub-Committee would then be entitled to take certain action as it felt appropriate with regard to the Premises Licence in order to promote the licensing objectives, such as suspending or revoking it, removing the Designated Premises Supervisor etc.

The Sub-Committee also noted that there are separate statutory provisions with regard to noise nuisance and that any local resident could complain to West Northants Council if they believed they were adversely affected by noise emanating from the Premises.

The Applicant or any person that made a relevant representation may appeal against this decision to a Magistrates' Court within 21 days of receipt of a written copy of this decision.

Signed.....

Chair of the Alcohol and Gambling Licensing Sub-Committee on 24th September 2021

Dated 29th September 2021

This page is intentionally left blank