



**Daventry District Council**  
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Chief Executive: Ian Vincent B.A. (Hons) Arch, Dip Arch, RIBA

24<sup>th</sup> May 2016

Dear Sir/Madam,

**Licensing Sub- Committee – Notice of Hearing**

**New Premises Licence – Home Farm Events, Churchill, Home Farm, Dark Lane, Braunston**

A Hearing will be conducted by the Licensing Sub-Committee in the **Council Chamber, Council Offices, Lodge Road, Daventry on Thursday 2<sup>nd</sup> June 2016 at 10.00am (2<sup>nd</sup> application to be considered).**

Members are reminded to sign the Attendance Register on entering the Council Chamber.

This meeting will be recorded in accordance with the Council's Constitution.

**Please ensure that mobile devices are switched to silent mode.**

Under national legislation visual recordings of meetings may also be made by the public and press, when they are not lawfully excluded. Your attendance at the meeting signifies your acceptance that you may be recorded.

Yours faithfully,

Chief Executive

**AGENDA**

1. To receive declarations of Members' Interests and the nature of such interests in any of the following items.
  - i) Disclosable interests.
  - ii) Party whipping arrangements.
2. Licensing Application. To consider the report of the Licensing Officer (copy attached, report reference: LH.020616/2, page nos. 1 – 4).

*At the conclusion of the Committee's deliberations, the hearing will adjourn for the Committee to reach a judgement in private. The hearing will then reconvene for the decision to be announced.*

- The Hearing will be conducted in accordance with the attached procedure
- Representations received from parties have been summarised in the Licensing Officer's report.

**If you have any special communication needs please contact the above as soon as possible. Every effort will be made to provide extracts from the Agenda in a suitable form or help with communication at the Committee meeting.**

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The Council Chamber is equipped with a Deaf Aid Loop System.

### **FIRE/EMERGENCY EVACUATION**

**PLEASE** read the Fire/Emergency Evacuation Instructions **BEFORE** the meeting starts. These are displayed by the entrance to the Council Chamber.

TO ALL MEMBERS OF THE LICENSING SUB- COMMITTEE

Councillor Ann Carter  
Councillor Catherine Lomax  
Councillor Johnnie Amos

## **Daventry District Council**

### **Procedure for the Consideration of Licensing Applications**

- 1. Notice of Hearing**
  - 1.1 The Hearing shall be held, and notice of it given, in accordance with the provisions of the Hearings regulations
- 2. Hearing to be in public**
  - 2.1 The Hearing shall take place in public, except where (as defined in the regulations) the public interest requires the public's exclusion.
- 3. Right of attendance, assistance and representation**
  - 3.1 A party may attend the Hearing and may be assisted or represented by any person whether or not that person is legally qualified.
- 4. Supporting information**
  - 4.1 At the hearing, any party shall be entitled to:
    - Give further information in support of their application, representation or notice in response to a point upon which Daventry District Council has given notice to a party that it will want clarification under regulation 7(1)(d)
    - Question any other party only if given authority by the Chairman of the Sub-Committee
    - Address the Sub-Committee
- 5. Procedure at Hearing**
  - 5.1 The Chairman will introduce the item and explain to the parties the procedure to be followed at the hearing. All those present will introduce themselves.
  - 5.2 The Sub-Committee to consider requests from other persons, other than parties to the Hearing to appear before the Hearing.
  - 5.3 The Chairman will call upon the Licensing Officer to outline the report (no recommendation will be put forward).
  - 5.4 Members of the Committee may ask questions of the officer but may not comment upon the application.
  - 5.5 The applicant, (or representative) will present their case and call any other persons to appear before the Hearing provided such persons have been given permission by the Sub-Committee.
  - 5.6 The Parties that have made representations will be given the opportunity to address the Panel.
  - 5.7 Provided that leave is granted by the Committee, the Parties that have made representations will be able to ask questions of the applicant and vice versa.
  - 5.8 Members of the Sub-Committee may ask questions of any party or other persons at any time.
  - 5.9 The Chairman will ask the Committee if they wish to ask any other questions or comment on the application.

5.10 Summing up by parties who have made representations.

5.11 Summing up by the Applicant.

5.12 Committee Members will then leave the room to consider their decision.

5.13 The Committee will return to the meeting room, and the decision will be announced by the Chairman.

5.14 The Sub-Committee may place a time limit on speeches, provided that all parties are allowed an equal maximum period of time in which to exercise their rights of hearing.

## **6. Determination of applications**

6.1 The Sub-Committee shall make its determination at the conclusion of the hearing or otherwise as prescribed by regulation.

## **7. Failure of parties to attend the hearing**

7.1 If the applicant or a party making representations is not in attendance at the Hearing, the application may be considered in their absence.

7.2 If a party who has not so indicated fails to attend or be represented at a hearing the Sub-Committee may: -

- Where it considers it to be necessary in the public interest, adjourn the hearing to a specified date
- Hold the hearing in the party's absence

7.3 Where the Sub-Committee holds the hearing in the absence of a party, the Sub-Committee shall consider at the hearing the application or case made by that party.

7.4 Where the Sub-Committee adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

## **8. Record of proceedings**

8.1 A record of the hearing shall be kept for 6 years from the date of determination or, where an appeal is brought against the determination, the disposal of the appeal.

## **9. Disruptive behaviour**

9.1 Any person attending the hearing who in the opinion of the Sub-Committee hearing the matter, is behaving in a disruptive manner may be required to leave the hearing and may:

- be refused permission to return; or
- be permitted to return only on the conditions as may be specified by the Sub-Committee provided that such person may, before the end of the hearing, submit to the hearing in writing any information which they would have been entitled to give orally had they not been required to leave.

## Licensing Officer Report

**Licence Reference:** Home Farm Events, Churchill, Home Farm, Dark Lane, Braunston

**Application Type:** New

**Licensing Officer:** Andrea Hill

**Parish:** Braunston

**Premises:** Home Farm Events, Churchill, Home Farm, Dark Lane, Braunston  
NN11 7HU

**Applicants Name:** Home Farm Events (Mrs Susan Harrison)

### Activities requested by the applicant:

1. Provision of live music by way of amplification and non-amplification in a marquee, including live bands and musicians for pre-booked functions between 2:00pm and midnight, on Saturdays between 21<sup>st</sup> May and 17<sup>th</sup> September 2016, only.
2. Provision of recorded music in a marquee between 2:00pm and midnight, on Saturdays between 21<sup>st</sup> May and 17<sup>th</sup> September 2016, only.
3. Sale and supply of alcohol in a marquee on between 2:00pm and midnight, on Saturdays, between 21<sup>st</sup> May and 17<sup>th</sup> September 2016, only. Alcohol will be for consumption on the premises only.
4. Hours the premises are open to the public are between 1:00pm and midnight, on Saturdays, between 21<sup>st</sup> May and 17<sup>th</sup> September 2016, only.

**Current conditions on Applicant's Licences – Not applicable**

**Number of representations made: 1**

All Statutory Authorities have been served with a Notice of Application.

**Relevant representations have been received from**

**Statutory Authorities: 0**

**Interested Parties: 1**

Mr Stephen Rolt, Clerk to Braunston Parish Council

*Please refer to boxes a to d (starting on this page) for valid representations*

**Summary of nature of representations:**

**(a) The prevention of crime and disorder:**

- none

**(b) Public Safety:**

- none

**(c) Prevention of public nuisance:**

- Potential risk of increase in noise generated from customers and entertainment in a marquee in a prominent position at the top of a hill.

**(d) Protection of children from harm:**

- none

**Applicants information of “Additional steps proposed to promote the four licensing objectives if the variation is granted:**

**General:**

This is a marquee based business on the family farm, close to the house. We will be holding a number of weddings on Saturdays only from May to September. The site is removed from immediate neighbours which can reduce the potential for disturbance. The marquee is 12m x 18m, this limits the numbers of guests to an average 100. The weddings are booked well in advance and numbers of adults and children is always known.

**The prevention of crime and disorder:**

Alcohol will be retained in locked fridges/buildings when not in use. The proximity of the marquee to the house permits surveillance of the site.

Staff are trained to serve alcohol only to those of appropriate age and sobriety. Should any guests become unruly, their family and friends are first point of contact. Home Farm Event Staff will intervene if any disorder or inappropriate conduct occurs and/or call in local police in extremes. However this is not envisaged as generally conduct is peaceful and happy at weddings. Guests may leave vehicles overnight to be ferried away by local taxi companies.

**Public Safety:**

Risk Assessments with appropriate actions is part of the training given to staff. We limit the use of candles and pyrotechnics and have fire extinguishers in the marquee. The marquee is serviced by the company which erect it. Trip hazards are minimised, adequate fire exits and systems will be in place and food hygiene and safety standards will be maintained at the highest level. Home Farm Events staff should have sufficient first aid training and first aid and fire fighting equipment will be at correct locations. The marquee, entrance, toilets and car park areas will be adequately lit. No smoking will be permitted in the marquee and cigarette disposal containers will be placed outside. All other areas of the farm will be out of bounds and this will be supervised by family and staff. The field is well fenced and will be free from grazing stock for at least 6 weeks before any event. No dogs, fires or fireworks are permitted. A qualified First Aider with appropriate kit will be on site at all times when public are present. Guests will not

**The prevention of public nuisance:**

The location is outside the village, which reduces the impact of vehicle movements and entertainment. The venue will be controlling noise emissions closely, irrespective of its more secluded location with nearest neighbours over 500m away. There is no accommodation currently on site. As remarked earlier, this is a family run business, near our house. No noisy or over spirited' behaviour will be permitted inside or outside the marquee/venue. Litter bins will be provided and emptied regularly.

Events only take place once per week, on Saturdays. Any music finishes at 12:00.

The sale of alcohol is properly controlled. We are cognisant of the licensing requirements and ensure that staff implement them rigorously.

**The Protection of children from harm:**

No activities which pose a risk to adults or children will be permitted. Children under 18 will not be served alcohol and serving staff will request proof of identity where there is doubt. Guests aged 18 would be identified in advance by bridal parties, enabling staff to learn the numbers that could not be served at the bar. We intend to foster a family-friendly environment and children are unlikely to attend the venue for weddings without being accompanied by an adult family member.

**Application received on:** 7<sup>th</sup> April 2016

**Proposed Hearing Date and time:** Thursday 2<sup>nd</sup> June at 10:00am Council Chamber, Daventry District Council

**Date invitations sent:** 17<sup>th</sup> May 2016

**Licensing Officer's Statement:** As the Daventry District Council Licensing Officer I would advise the committee of their obligations to determine this application with a view to promoting the four licensing objectives.

Last year the applicant decided to trial their farm field as a wedding venue. They applied for 5 Temporary Event Notices throughout the summer to accommodate the demand for weddings at their venue. They hire a large marquee which they place in a field at the farm after removing the cattle.

The hours they wish to operate are from 1:00pm until midnight, Saturdays only throughout the months of May to September for 2016. It would include live and recorded entertainment and sale and supply of alcohol between 2:00pm and midnight. If they were fortunate enough to have every weekend booked for a wedding this summer, it would equate to 16 Saturdays.

Temporary Event Notices are able to be used on 15 occasions in any given year, with 21 aggregate days. This requires completion of a form at least 14 days in advance and payment of £21.00.

I note that the intention is to be open to the public until midnight and for sale or supply of alcohol to also end at midnight. This is not possible and consideration needs to be given as to a change of time either for the end of alcohol sales, or the hours the premises are open to the public. This will enable the guests to naturally finish their drinks and leave the wedding parties over time.

There is concern raised that noise will emanate from the marquee and cause disturbance to local properties/people.

There is also concern that there are other licensed venues in the locality; that a full events licence has not been applied; and TENs have been used in the past, these comments whilst pertinent, do not fully reflect the current position. Anyone could apply for a Premises Licence at any time and subject to following the correct procedures will either be issued with a licence, or have to have their application considered at a Licensing Sub-committee hearing before a decision is made.

Some comments in favour of the application were received during the consultation too, relating to it being reasonable for events to go until midnight, and as long as the application complies with planning permission for the days the marquee is allowed. Planning permission is a completely separate issue to the licensing decision, however, it may impact on whether a licence is able to be utilised, if one conflicts with the other. Any planning matters must be directed to the

planning department for consideration and go through a separate procedure to the licensing process.

When licenses are issued where the premises has not been authorised for licensable activities in the past, there is always a fear that something might happen. If at any time there is a problem which affects one or more of the licensing objectives, any of the statutory consultees, local residents or businesses may wish to apply for a Review of a premises licence. A person applying for a Review would have to offer supporting evidence for it to be formally considered.

I have nothing further to add and this is a matter for the committee to determine in the light of the above matters and any others, it considers material.

**Andrea Hill**



**From:** [clerk@braunstonpc.org](mailto:clerk@braunstonpc.org) [<mailto:braunstonclerk@gmail.com>]  
**Sent:** 05 May 2016 11:23  
**To:** Pat Mackness  
**Subject:** Re: New premises application Churchill Farm 16/00804/LAPNEW

Comments received from Parish Councillors as well as an additional 2 supports

"This venue only has a temporary events licence unless I have missed the decision notice for the application to turn it into a full time event centre.

I would oppose this application on the basis that the venue only has a temporary event licence and that there are 4 other licensed premises within the village."

"Bearing in mind the comments about noise following the Admiral Nelson Music Festival, I would be concerned about noise emanating from a more prominent position on top of the hill. If its not possible to allow for a years trial I would refuse permission."

"Given that the Nelson had music outdoors and this is indoors, music and a licence to midnight seems reasonable to me, but I wouldn't go any later."

"I have no comments as long as the application complies with the planning permission for the days when a marquee is allowed which I believe it does."

Kind regards

