

Crawley Borough Council

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Report to Licensing Sub Committee

18 May 2011

Application to Vary the Premises Licence for

'Half Moon'

Brighton Road, Southgate,

Crawley, RH10 6SZ

ANGELA TANNER

Head of Planning and Environmental Services

1. Details of Application

Reference Documents and Guidance

1.1 On the 22nd March 2011, the premises licence holder for the Half Moon, Brighton Road, Southgate, Crawley, submitted an application to the Council for the variation of an existing licence for the above named premises in accordance with the provisions of the Licensing Act 2003 ('the Act').

Appendix A
Application Form

1.2 The application in its original form sought to vary the premises as follows;-

Appendix A
Application Form
Operating Schedule

To permit the sale of alcohol until 02.00hrs Friday and Saturday.
(Current permission until midnight)

To permit films, live music, recorded music, karaoke and provision of facilities for dancing until 02.00hrs Friday and Saturday.
(Current permission until 23.00hrs)

To permit late night refreshment until 02.00hrs on Friday and Saturday.
(Current permission until 00.30hrs)

To maintain an additional 30mins 'drinking up' time on top of the last permitted sale of alcohol.
(Current permission 00.30hrs Friday and Saturday)

For all of the above from the start of permitted hours New Years Eve until the end of permitted hours on New Years Day.

Remove the condition - 'A no smoking area will be provided'; (***Annex 2(6)of Appendix B***)

All other hours, licensable activities and conditions are to remain unchanged

- 1.3 A copy of the existing premises licence and plans are attached for your consideration. ***Appendix B***
Existing premises licence
- 1.4 The applicant hopes to promote the licensing objectives with the measure(s) outlined in the application form at 'Section P' of the application form ***Appendix A***
Application Form.
Operating Schedule
Section P

2. Consultation

2.1 The application was advertised in accordance with legislation and as a result of the consultation process the following responses were submitted to the Council;-

2.1.1 Responsible Authorities:

- (1) Sussex Police – there are no current outstanding police objections to the variation application. Whilst an initial objection was made by the Police following the consultation period, the applicant having liaised with the Police, has now formally amended the operating schedule of the application to the following effect:
- Supply of alcohol 10:00 until 01:00hrs
 - Premises open to the public 10:00 until 01:30hrs
- For the avoidance of doubt, the above proposals, supersede the original variation proposals relating to the supply of alcohol and the opening times of the premises and now form part of the current application.
- (2) Planning have responded and stated that there is no objection. As this response did not refer to the likely effect of the grant of the application on the promotion of the licensing objectives it is not a relevant representation.
- (3) Fire & Rescue – Submitted a response with regards to the requirements of The Regulatory Reform (Fire safety) Order 2005. ***Appendix D***
Copy of Fire officer Letter.

(4) Environmental Services – Pollution Team: –
Mr Robert Burns – Senior Environmental Protection Officer submitted a representation stating the application does not adequately address the statutory objective of prevention of public nuisance.

Appendix E
*Copy of Mr
Burn's Memo*

- (5) No representations were received from the following:-
- Environmental Health – Health & Safety, Food,
 - Trading Standards
 - Child Protection

2.1.2 **Interested Parties:**

Relevant representations were submitted by interested parties living in the vicinity of the premises. The letters make reference to the possible effect that granting of the proposed variation would have on the licensing objectives:-

- Letter 1 - Appendix F
- Letter 2 - Appendix G
- Letter 3 - Appendix H
- Letter 4 - Appendix I
- Letter 5 - Appendix J
- Letter 6 - Appendix K

Appendices
F – K
*Copies of
letters of
representatio
n from
Interested
Parties*

Certain information considered by the Council to be personal information has been redacted from these documents.

3 Reason for the Hearing

3.1 An application to vary a premises licence must be made to the relevant licensing authority and be accompanied by the premises licence, an operating schedule, a plan of the premises to which the application relates in the prescribed form.

*Licensing Act
2003
Section 34*

3.2 Where the Licensing Authority receives an application to vary a premises licence and no relevant representations are made, they must grant the licence subject only to such conditions as are consistent with the operating schedule accompanying the application and any mandatory conditions.

*Licensing Act
2003
Section 35*

3.3 Where the Licensing Authority receives an application to vary a premises licence and relevant representations are made the licensing authority must hold a hearing to consider them, unless the authority, the applicant and each person who has made a representation agree that a hearing is unnecessary and, having regard to the representations, take such of the steps (if any) as it considers necessary for the promotion of the licensing objectives.

*Licensing Act
2003
Section 35*

3.4 The steps so mentioned are:-
(a) to modify the conditions of the licence
(b) to reject the whole or part of the application.

*Licensing Act
2003
Section 35*

3.5 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are necessary to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- the Statutory Guidance;
- its own statement of licensing policy.

4. Statutory considerations and Guidance issued by the Secretary of State

- 4.1 Section 4 of the 2003 Act provides that in carrying out its functions, a licensing authority must have regard to guidance issued by the Secretary of State under section 182 ('Guidance'). The Guidance was updated in October 2010. The requirement is therefore binding on all licensing authorities to that extent.
- 4.2 However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and as long as licensing authorities have properly understood the Guidance they may depart from it if they have reason to do so as long as they are able to provide full reasons.
- 4.3 Each application must be considered on its own merits and any conditions attached to licences and certificates must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed, may be unlawful where they cannot be shown to be necessary for the promotion of the licensing objectives in any individual case. *Section 182 Statutory Guidance 1.15*
- 4.4 All local authorities must fulfil their obligations under section 17 of the Crime and Disorder Act 1998 when carrying out their functions as licensing authorities under the 2003 Act. *Section 182 Statutory Guidance 1.28*
- 4.5 Section 17 is aimed at giving the vital work of crime and disorder reduction a focus across the wide range of local services and putting it at the heart of local decision-making. It places a duty on certain key authorities, including local authorities and police and fire and rescue authorities to do all they reasonably can to prevent crime and disorder in their area *Section 182 Statutory Guidance 1.29*
- 4.6 The essential purpose of the licence in this context is to regulate behaviour on premises and access to them where this relates to licensable activities and the licensing objectives. Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of customers on, or in the immediate vicinity of, the premises as they seek to enter or leave. *Statutory Guidance S182 2.4*
- 4.7 Conditions are best targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television cameras both inside and immediately outside the premises can actively deter disorder, nuisance and anti-social behaviour and crime generally. *Section 182 Statutory Guidance 2.6*

4.8	In preparing an operating schedule, the Secretary of State expects applicants to have had regard to the statement of licensing policy for their area. They should also be aware of the expectations of the licensing authority and the responsible authorities on the steps that are necessary for the promotion of the licensing objectives.	<i>Section 182 Statutory Guidance 8.41</i>
4.9	The steps to be taken should be both realistic and within the control of the applicant and management of the premises. If a licence is granted with conditions attached requiring the implementation of such steps, the conditions will be enforceable in law and it will be a criminal offence to fail to comply with them (under section 136 of the 2003 Act). As such, it would be wholly inappropriate to impose conditions outside the control of those responsible for the running of the premises.	<i>Section 182 Statutory Guidance 8.44</i>
4.10	<p>Applications to vary the time during which other licensable activities take place should be considered on a case by case basis with reference to the likely impact on the licensing objectives. In arriving at a decision, licensing authorities may wish to consider the following factors:</p> <ul style="list-style-type: none"> • the nature of the licensable activity; • the extent of additional hours sought and whether it will involve later opening or opening between 23.00 and 07.00; • proximity of the premises to residential areas; • any licence conditions already in place to mitigate the impact of the activity; • any additional conditions volunteered by the applicant; • arrangements for dispersal, i.e. when people leave the premises is there • potential for noise and disturbance near the venue? • Is the only means of dispersal a single route through residential areas? • whether the proposed extension applies only on the weekend or also during week days; • whether there will be new admittances during that period; • track record of the establishment whether positive or negative, e.g. complaints related to the licensing objectives, any enforcement action or conversely any evidence of good practice in carrying on the licensable activity, e.g. under temporary event notices; • whether the premises is already open during the extended period for other licensable activities; • proximity and density of public houses, nightclubs, etc. if customers from these premises are likely to be attracted to the proposed licensable activity in large numbers. For example, people visiting a takeaway after leaving a public house. 	<i>Section 182 Statutory Guidance 8.68</i>
4.11	These factors are not an exhaustive list and licensing authorities and officers should bring their own experience and knowledge of licensing to bear when considering applications.	<i>Section 182 Statutory Guidance 8.69</i>
4.12	Conditions which relate to the four licensing objectives could be used where necessary and appropriate to the particular circumstances of an individually licensed premises. It is important that they should not be applied universally and treated as standard conditions irrespective of circumstances.	<i>S182 Guidance Para 10.5</i>

- 4.13 The conditions that are necessary for the promotion of the licensing objectives should emerge initially from a prospective licensee's or certificate holder's risk assessment which applicants and clubs should carry out before making their application for a premises licence. *S182
Guidance
Para 10.7*
- 4.14 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it has been satisfied at a hearing of the necessity to impose conditions. It may then only impose conditions that are necessary to promote one or more of the four licensing objectives. Such conditions must also be expressed in unequivocal and unambiguous terms to avoid legal dispute. *S182
Guidance
Para 10.11*
- 4.15 It is perfectly possible that in certain cases, because the test is one of necessity, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions at all are needed to promote the licensing objectives. *S182
Guidance
Para 10.12*
- 4.16 The Act requires that licensing conditions should be tailored to the size, style, characteristics and activities taking place at the premises concerned. This rules out standardised conditions which ignore these individual aspects. It is important that conditions are proportionate and properly recognise significant differences between venues *S182
Guidance
Para 10.13*
- 4.17 Licensing authorities should therefore ensure that any conditions they impose are only those which are necessary for the promotion of the licensing objectives, which means that they must not go further than what is needed for that purpose. *S182
Guidance
Para 10.14*
- 4.18 Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for the licensing objectives. If other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be necessary to impose the same or similar duties. *S182
Guidance
Para 10.15*
- 4.19 Concentrations of young drinkers can result in queues at fast food outlets and for public transport, which may in turn lead to conflict, disorder and anti-social behaviour. In some circumstances, flexible licensing hours may reduce this impact by allowing a more gradual dispersal of customers from premises. *S182
Guidance
Para 10.19*
- 4.20 However, there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount considerations at all times. Where there are objections to an application and the committee believes that changing the licensing hours would undermine the licensing objectives, they may reject the application or grant it with appropriate conditions and/or different hours from those requested. *S182
Guidance
Para 10.20*
- 4.21 Members are reminded, however, that if conditions which do not precisely mirror the operating schedule are to be imposed, the Members must satisfy themselves that appropriate evidence exists to justify the imposition of these conditions.

4.22 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

5. Policy Considerations

5.1 Members must give due consideration to the merits of each individual case. Attention is drawn to the following sections of the 'Members' Information Pack';

- Council's procedure for Hearings under the Licensing Act 2003 (Hearings) regulations 2005 [extract from the Council's Constitution], *Part A*
- LACORS' Guidance: The role of elected members in relation to licensing committee hearings under the Licensing Act 2003, *Part B*
- CBC Licensing Policy for Liquor, Late Night Refreshment and Regulated Entertainment Licences 2008 – 2011, and *Part C*
- Home Office Guidance issued under s.182 of the Act (October 2010). *Part D*

5.2 The aim of Crawley Borough Council's Licensing Policy 2008 – 2011 ('the Policy') is to promote the licensing objectives set out in the Act whilst securing the safety and amenity of residential communities and facilitating a sustainable entertainment and cultural industry. *CBC Alcohol Licensing Policy 1.2*

5.2.1 Licensing is about control of licensed premises, qualifying clubs and temporary events, within the terms of the Act. The terms and conditions attached to various permissions will be focused on matters which are within the reasonable control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. *CBC Alcohol Licensing Policy 2.4*

5.2.2 The Licensing Authority will primarily focus on the direct impact the activities taking place at licensed premises will have on members of the public living, working and engaging in normal activity in the area concerned. Licensing law is not a mechanism for the general control of anti social behaviour by individuals once they are beyond the reasonable control of the licence holder. *CBC Alcohol Licensing Policy 2.5*

5.2.3 The Policy is also intended to ensure that the provision of additional opportunities for licensable activities is matched by additional measures enabling the police and responsible authorities to act promptly to maintain public order and safety. *CBC Alcohol Licensing Policy 2.7*

5.2.4 The key controls in respect of preventing crime and disorder arise from good operational planning and good management of activities at the premises *CBC Alcohol Licensing Policy 2.10*

5.2.5 The Policy states that conditions will be used if they can control issues that directly impact on the behaviour of those under the licensee's direction, when on his premises or in the immediate vicinity of the premises as they seek *CBC Alcohol Licensing Policy 2.14*

entry or leave. The Conditions laid down in Annex D of the Statutory Guidance will be used as a pool of conditions.

- 5.2.6 There is no statutory definition of Public Nuisance. The Licensing Authority will therefore, need to make judgements about what constitutes public nuisance and define the necessary controls. To decide this, Members will focus on whether impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity are disproportionate and unreasonable. *CBC Alcohol Licensing Policy 2.33*
- 5.3 Applicants are expected to conduct a thorough risk assessment with regards to the licensing objectives when preparing their applications. Any risk assessment to identify necessary measures should consider the individual circumstances of the premises (including local knowledge) and take into account a range of factors including: *Appendix A (Application Form –Part B) ‘Operating Schedule’*
- the nature and style of the venue;
 - the activities being conducted there;
 - the location; and
 - the anticipated clientele
- 5.4 In preparing ‘Operating Schedules’, the Licensing Authority expects that applicants should have regard to statements of licensing policy published by this authority for the Crawley area. *CBC Alcohol Licensing Policy*
- 5.4.1 It is also expected that applicants will seek the views of key responsible authorities before formally submitting applications and having completed drafts of their own operating schedules (after considering the effect on the four licensing objectives). For example, on matters relating to crime and disorder, the police and local authority safety officers and local community groups might be consulted. *CBC Alcohol Licensing Policy*
- 5.5 The Licensing Authority general principle will be to support later opening so that customers leave for natural reasons slowly over a longer period. This will prevent any artificial concentration. Specific issues will be dealt with by review of premises licence following representations based on evidence. *CBC Alcohol Licensing Policy 2.95*
- 6. Staffing, Financial and Legal Implications**
- 6.1 There are no extra staffing or financial implications to the Council, save for those laid out in Part 10 of the Information Pack in respect of possible appeals
- 6.2 The Council is required to consider the impact any decision may have on an individual’s Human Rights
- 6.3 The Council is required to consider the impact any decision may have on crime and disorder in the area (Section 17, Crime and Disorder Act, 1998).

7. Recommendations

- | | | |
|------------|---|---|
| 7.1 | Having regard to the relevant representations, to the extent that it relates to at least one or more of the four licensing objectives, Members may take such of the following steps mentioned (if any) as it considers necessary for the promotion of the licensing objectives;- | <i>Licensing Act
2003
s35(3)</i> |
| 7.2 | To modify the conditions of the licence. | <i>Licensing Act
2003
s35(4)(a)</i> |
| 7.3 | To reject the whole or part of the application. | <i>Licensing Act
2003
s35(4)(b)</i> |

8. Background Papers

All associated paper work regarding this application
The information pack
Statutory Guidance October 2010
Crawley Borough Council Licensing Policy 2008 - 2011

Contact Officer:- Mike Lyons
Direct Line:- 01293 438698

LICENSING

22 MAR 2011

A

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Punch Taverns Plc*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 07/00317/LAPRE
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Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description

Half Moon Brighton Road Southgate

Post town	Crawley	Post code	RH10 6SZ
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Telephone number at premises (if any)	01293 530068
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Non-domestic rateable value of premises	£45250
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Part 2 – Applicant details

Daytime contact telephone number	01283 501 600
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E-mail address (optional)	n/a
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Current postal address if different from premises address	Jubilee House Second Avenue
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Post Town	Burton Upon Trent	Postcode	DE14 2WF
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Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
To permit the sale of alcohol until 02:00h Friday and Saturday (current permission until 00:00h).

To permit films, live music, recorded music, karaoke and provision of facilities for dancing until 02:00h Friday and Saturday (current permission until 23:00h).

To permit late night refreshment until 02:00h on Friday and Saturday (current permission until 00:30h).

To maintain an additional 30 minutes drinking up time on top of the last permitted sale of alcohol.

For all of the above from the start of permitted hours New Years Eve until the end of permitted hours New Years Day.

Remove the condition "A no smoking area will be provided".

All other hours, licensable activities and conditions are to remain unchanged.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

0

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | <u>Provision of regulated entertainment</u> | Please tick yes |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |
| <u>Provision of entertainment facilities:</u> | |
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box L) | <input checked="" type="checkbox"/> |
| <u>Sale by retail of alcohol</u> (if ticking yes, fill in box M) | <input checked="" type="checkbox"/> |

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) As per the existing licence.		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	10:00				
Sat		02:00	As per the existing licence permission for the additional hour on 18 occasions a year.		
	10:00				
Sun		02:00	From the start of permitted hours New Years Eve until the end of permitted hours New Years Day.		

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Tue					
			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) As per the existing licence.		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) From the start of permitted hours New Years Eve until the end of permitted hours New Years Day.		
Fri	11:00				
Sat		02:00			
	11:00				
Sun		02:00			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) As per the existing licence.		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri	11:00		<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) From the start of permitted hours New Years Eve until the end of permitted hours New Years Day.		
Sat		02:00			
	11:00				
Sun		02:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u> As per the existing licence.</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur					
			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri	11:00				
Sat		02:00	<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5) From the start of permitted hours New Years Eve until the end of permitted hours New Years Day.</p>		
	11:00				
Sun		02:00			

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing As per the existing licence.		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Thur					
Fri	11:00		Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5) From the start of permitted hours New Years Eve until the end of permitted hours New Years Day.		
Sat		02:00			
	11:00				
Sun		02:00			

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur					
Fri			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Sat					
Sun			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) As per the existing licence.		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri	23:00		<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) As per the existing licence permission for the additional hour on 18 occasions a year.		
Sat		02:00			
	23:00				
Sun		02:00	From the start of permitted hours New Years Eve until the end of permitted hours New Years Day.		

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<p><u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)</p> <p><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>As per the existing licence permission for the additional hour on 18 occasions a year.</p> <p>From the start of permitted hours New Years Eve until the end of permitted hours New Years Day.</p>		
Mon					
Tue					
Wed					
Thur					
Fri	10:00				
Sat		02:00			
	10:00				
Sun		02:00			

N

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)</p> <p>As per the existing licence.</p>
--

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri	10:00		
Sat		02:30	
	10:00		
Sun		02:30	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) As per the existing licence permission for the additional hour on 18 occasions a year. From the start of permitted hours New Years Eve until the end of permitted hours New Years Day.

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
 Remove the condition "A no smoking area will be provided".

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

As per existing licence save for the condition requested to be removed.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

--

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	K. Macfarland, TLT
Date	21.03.11
Capacity	Solicitor to Applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) Barry Richards TLT Solicitors One Redcliff Street			
Post town	Bristol	Post code	BS1 6TP
Telephone number (if any)	0117 917 7612		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) barry.richards@tltsolicitors.com			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Part A
Licensing Act 2003
Premises Licence

<p>Crawley Borough Council</p> <p>Licensing Section, Town Hall, The Boulevard, Crawley, West Sussex. RH10 1UZ 01293 438279</p>	
--	--

PREMISES LICENCE NUMBER
05/00122/LAPRE

Application reference number

07/00317/LAPRE

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description: Half Moon Brighton Road Southgate	
Post town: Crawley, West Sussex	Post code: RH10 6SZ
Telephone number: 01293 530068	

Where the licence is time limited the dates: Not Applicable

Licensable activities authorised by the licence: SALE BY RETAIL OF ALCOHOL FOR CONSUMPTION ON & OFF THE PREMISES; FILMS; LIVE MUSIC; RECORDED MUSIC; ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC & RECORDED MUSIC; PROVISION OF FACILITIES FOR DANCING; PROVISION OF LATE NIGHT REFRESHMENT.	<table border="1"><tr><td>CRAWLEY BOROUGH COUNCIL</td></tr><tr><td>08 JUN 2007</td></tr><tr><td>LICENSING SECTION</td></tr></table>	CRAWLEY BOROUGH COUNCIL	08 JUN 2007	LICENSING SECTION
CRAWLEY BOROUGH COUNCIL				
08 JUN 2007				
LICENSING SECTION				

The times the licence authorises the carrying out of licensable activities:

Sale by retail of alcohol for consumption on & off the premises:

Standard days & timings:

Sunday- Thursday: 10.00 – 23.00
Friday & Saturday: 10.00 – 00.00

Non standard timings:

New Year's Eve: From the end of permitted hours to the start of permitted hours on New Year's Day.

On up to 18 occasions per year, on Fridays and/or Saturdays only, the hours during which the sale by retail of alcohol is permitted to take place may be extended by up to one hour to correspond with any extension to the opening hours. At least 14 days notice in writing shall be given to the Licensing Authority and the Police. The Police shall be able to withhold their consent. For the avoidance of doubt, New Year's Eve is not included within these 18 occasions.

Films:

Standard days & timings:

Monday – Sunday: 10.00 – 23.00

Non standard timings:

On up to 18 occasions per year, on Fridays and/or Saturdays only, the hours during which films are permitted to take place may be extended by up to one hour to correspond with any extension to the opening hours. At least 14 days notice in writing shall be given to the Licensing Authority and the Police. The Police shall be able to withhold their consent. For the avoidance of doubt, New Year's Eve is not included within these 18 occasions.

Live music, recorded music & anything of a similar description:

Monday – Saturday: 11.00 – 23.00
Sunday: 12.00 – 22.30

Provision of facilities for dancing:

Monday – Sunday: 10.00 – 23.00

Provision of late night refreshment:

Standard days & timings:

Sunday – Thursday: 23.00 – 23.30
Friday & Saturday: 23.00 – 00.30

Non standard timings:

New Year's Eve: 23.00 – 05.00

On up to 18 occasions per year, on Fridays and/or Saturdays only, the hours during which the provision of late night refreshment is permitted to take place may be extended by up to one hour to correspond with any extension to the opening hours. At least 14 days notice in writing shall be given to the Licensing Authority and the Police. The Police shall be able to withhold their consent. For the avoidance of doubt, New Year's Eve is not included within these 18 occasions.

The opening hours of the premises:

Standard days & timings:

Sunday – Thursday: 10.00 – 23.30
Friday & Saturday: 10.00 – 00.30

Non standard timings:

New Year's Eve: From the end of permitted hours to the start of permitted hours on New Year's Day.

On up to 18 occasions per year, on Fridays and/or Saturdays only, the opening hours may be extended by up to one hour. At least 14 days notice in writing shall be given to the Licensing Authority and the Police. The Police shall be able to withhold their consent. For the avoidance of doubt, New Year's Eve is not included within these 18 occasions.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:

For Consumption On & Off The Premises
Off Sales of alcohol shall not be sold in an open container or be consumed on the licensed premises

Part 2

Name, (registered) address, telephone number and email address (where relevant) of holder of premises licence:

Punch Taverns Plc
Jubilee House
Second Avenue
Burton Upon Trent
Staffordshire
DE14 2WE

01283 501600

Registered number of holder, for example company number, charity number (where applicable):

03752645

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Miss Alison Carr
Half Moon
Brighton Road
Southgate
Crawley
West Sussex
RH10 6SZ

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

05/00171/LAPER - Crawley Borough Council

Annex 1 – Mandatory Conditions (As specified in Section 19 of the Act)

- (1) If this premises licence authorises the supply/sale of alcohol, the following conditions apply:
 - i. No supply of alcohol may be made under the premises licence at a time when there is no designated premises supervisor in respect of the premises licence, or at a time when the designated supervisor does not hold a personal licence or his personal licence is suspended.
 - ii. Every supply/sale of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
- (2) If this premises licence authorises the exhibition of film(s), the admission of children under the age of 18 years is restricted in accordance with the age restrictions of the British Board of Film Classification (BBFC) or authority designated under Section 4 of the Video Recordings Act 1984.
- (3) If this premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity (as defined by the Private Security Industry Act 2001) then such individuals must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the Operating Schedule

- (1) Where existing, CCTV will be operated and maintained throughout the times that the premises are open for licensable activities.
- (2) Text and/or radio pagers, where already used will continue to be used throughout the times that the premises are open for licensable activities and will be monitored by a responsible member of staff.
- (3) All instances of crime and disorder will be reported to the police and a record will be kept in an incident log book.
- (4) Children remain the responsibility of the accompanying adult at all times when using the premises.
- (5) Any person who appears to be under 18 years of age will be required to prove their identity by producing a recognised proof of age card or other acceptable proof such as a photo-driving licence or passport.
- (6) A 'no smoking' area will be provided.
- (7) If a disc jockey is used on any night, he/she will make announcements asking customers to leave the premises and surrounding area quietly.
- (8) The use of the external drinking areas must cease at 23:00, except for a Designated Smoking Area
- (9) A designated smoking area may be provided. If provided, the designated smoking area shall not be used until its size and location have been agreed with the Licensing Authority.
- (10) The designated smoking area shall only be used for the purpose of smoking between 23:00 and the time that the premises closes to the public.

- (11) No food or drink shall be consumed in the designated smoking area between 2300 and the time the premises closes to the public.
- (12) The designated smoking area shall be clearly demarcated using signage. The signage shall also request that patrons use the area quietly.
- (13) The designated smoking area shall be provided with suitable and sufficient receptacles for the disposal of cigarettes and litter.

Annex 3 – Conditions attached after a hearing by the licensing authority

- (1) Prominent, clear and legible signage shall be displayed at all exits requesting patrons to respect the right of local residents to a peaceful night and to leave the premises and the area quietly. Announcements to the same effect shall be made to patrons at appropriate times.
- (2) Prominent, clear signage shall be displayed within the premises requesting that patrons keep their children under control and not to enter the playing area adjacent to the premises. The signage shall also state that customers who do not properly supervise their children may be asked to leave.
- (3) All refuse and bottles shall be disposed of quietly so as not to disturb neighbours or local residents. There shall be no disposal of glass bottles between 21.00 hours and 09.00 hours.
- (4) A noise limiter shall be fitted to the musical amplification system in agreement and to the satisfaction of an authorised officer of the Environmental Health responsible authority. The noise limiter shall be set and maintained at a level to be decided upon by the said officer. The operational panel shall then be secured and the noise limiter shall not be altered without the prior agreement of an authorised officer of the Environmental Health responsible authority.
- (5) The Sub Committee agreed that, in accordance with the application submitted by the applicant to vary the licence under the Licensing Act 2003 in respect of these premises (Part B), the following embedded restrictions inherent in the Licensing Act 1964 be removed from the licence:
 - i. Sections 168 and 171 (Children in bars);
 - ii. Section 63 (1) (Drinking up time);
 - iii. Section 166 (Credit Sales).

NOTE:

Embedded Restrictions under the Licensing Act 1964 apply to this licence unless otherwise indicated at Annex 2 – Conditions consistent with the Operating Schedule.

This licence is issued pursuant to the legislation/regulations specified in it only and does not constitute a licence, approval or consent for any other purpose whatsoever, including other legislation, etc., administered by Crawley Borough Council.

The recipient of this licence is responsible for ensuring that all necessary licences, consents, approvals, planning permissions, etc., are obtained and the grant of this licence does not constitute a representation that any necessary licences, consents, approvals, planning permissions, etc., will be granted, because each application must be considered separately.

Lyons, Michael

From: Lyons, Michael
Sent: 08 April 2011 13:25
To: 'Paul Uren'
Cc: Guest, Jackie; 'Chris.boyle@sussex.pnn.police.uk'
Subject: RE: The Half Moon, Brighton Road - Application to vary Premises Licence [TLT-TLT.FID1687651]

Tracking:	Recipient	Delivery	Read
	'Paul Uren'		
	Guest, Jackie	Delivered: 08/04/2011 13:25	Read: 08/04/2011 13:48
	'Chris.boyle@sussex.pnn.police.uk'		

Many thanks Paul,

Will amend the application accordingly and issue the licence to that effect after the 'public notice' period has expired and if no relevant reps are received. If reps are received and a hearing is necessary the sub committee will be made aware of any amendment(s) and the cooperation of both parties to seek agreement to which they may give due consideration.

Regards

Mike Lyons
Senior Licensing Officer
01293 438698

-----Original Message-----

From: Paul Uren [mailto:paul.uren@TLTsolicitors.com]
Sent: 08 April 2011 12:31
To: Lyons, Michael
Subject: FW: The Half Moon, Brighton Road - Application to vary Premises Licence [TLT-TLT.FID1687651]

Hi Mike,

Thanks for the email.

Please take this as authorisation to amend the Operating Schedule as per agreed Police amendment.

Kind regards

Paul Uren
Real Estate Group
for TLT LLP
Tel: 0117 9177734
Fax: 0117 9177566
www.tltsolicitors.com

From: Lyons, Michael [mailto:Mike.Lyons@crawley.gov.uk]
Sent: 08 April 2011 12:13
To: Paul Uren
Cc: Chris.boyle@sussex.pnn.police.uk; Guest, Jackie

Message

Subject: RE: The Half Moon, Brighton Road - Application to vary Premises Licence [TLT-TLT.FID1687651]

Good afternoon Paul,

Many thanks for the info, do you wish to amend your 'operating schedule' to reflect the change(s) as agreed with Sussex Police, if so, please forward an email outlining the time(s) to be changed (from and to) and your authorisation for us to implement such a change. No reps received so far, still some time to go, will contact you if anything is submitted

Regards

Mike Lyons
Senior Licensing Officer
01293 438698

-----Original Message-----

From: Chris.boyle@sussex.pnn.police.uk [mailto:Chris.boyle@sussex.pnn.police.uk]

Sent: 08 April 2011 11:53

To: paul.uren@TLTsolicitors.com

Cc: Lyons, Michael

Subject: RE: The Half Moon, Brighton Road - Application to vary Premises Licence [TLT-TLT.FID1687651]

Good day Paul

Many thanks for the email, I can now confirm that Sussex Police are happy for the application to be granted to the amended hours

Regards

Chris

Chris Boyle

Divisional Licensing Officer

Licensing Dept, Horsham Police Station, RH12 2DJ

Direct Tel: 01293 583991 Mobile: 07786 747 987

-----Original Message-----

From: Paul Uren [mailto:paul.uren@TLTsolicitors.com]

Sent: Friday 08 April 2011 11:33

To: Boyle Chris 63176

Cc: Mike.Lyons@crawley.gov.uk; Matt.Pocock@punchtaverns.com; alison_carr@btconnect.com

Subject: The Half Moon, Brighton Road - Application to vary Premises Licence [TLT-TLT.FID1687651]

Chris,

Further to your email, I can confirm our Client has agreed the following amendments to the application:-

- o Supply of alcohol 10:00 until 01:00hrs
- o Premises open to the public 10:00 until 01:30hrs

Can you kindly confirm that your representation is now withdrawn.

Kind regards

Paul Uren
Real Estate Group
for TLT LLP
Tel: 0117 9177734
Fax: 0117 9177566



WEST SUSSEX FIRE & RESCUE SERVICE
CRAWLEY DISTRICT OFFICE
COUNTY BUILDINGS
NORTHGATE AVENUE
CRAWLEY
WEST SUSSEX
RH10 1XG
TEL: (01293) 535753
FAX: (01293) 895148

West **D**
Sussex
Fire &
Rescue
Service

E-mail: crawleydistrictoffice@westsussex.gov.uk
Website: www.westsussex.gov.uk

FILE No: E0084

DATE: 22nd March 2011

TO: Jackie Guest, Licensing Officer
Via Email: Jackie.Guest@crawley.gov.uk

COPIES: Barry Richards, TLT Solicitors, One Redcliff Street, Bristol, BS1 6TP
Via Email: Barry.Richards@tltsolicitors.com

PREMISES: Halfmoon Public House, Brighton Road, Southgate, Crawley, West Sussex, RH10 6SZ

LEGISLATION: Licensing Act 2003

INSPECTING OFFICER: Fire Safety Engineer David Shaw

Receipt is acknowledged of your variation application under the above legislation demonstrating compliance with the licensing objective 'public safety'.

The premises are regulated for the fire safety under The Regulatory Reform (Fire Safety) Order 2005. The order places a duty on the Responsible Persons on, or in the vicinity of, the premises.

They must take such general fire precautions as necessary to ensure the safety of all Relevant Persons. The Responsible Person must make an assessment of the risks to which Relevant Persons are exposed and provide a record of the significant findings and action taken.

The Responsible Persons must also record the Fire Safety Policy and Fire Emergency Plan.

The Fire Service will assess your application, and any information already held, to determine if a Fire Safety Audit is considered necessary. Where appropriate, arrangements to visit the premises will be made.

Further details of the legislation are available on www.westsussex.gov.uk and also on www.dclg.gov.uk

Further guidance, including the guide book relevant to your premises, can be obtained from www.firesafety.communities.gov.uk

Should you wish to discuss the contents of this correspondence, please contact the office above.

A handwritten signature in black ink, appearing to read 'David Shaw'.

INSPECTING OFFICER

MEMO



TO:	Mike Lyons Licensing Officer	Your ref:	
		Our ref:	11/00654/JPEL
		Ext:	8210
FROM:	Robert Burns. Pollution and Public Health (Responsible authority for prevention of public nuisance)	Date:	18 th April 2011

The Licensing Act 2003

Representation regarding the application for variation of premises licence for The Half Moon, Brighton Road

I make the following representation with regard to the above

The applicant did not consult the pollution and public health team for advice prior to this application, as advised by local policy and the guidance to the Act.

The application does not adequately address the statutory objective of prevention of public nuisance. It is recommended that no extension in hours is granted for provision of regulated entertainment and that no extension in opening hours is granted beyond that currently allowed.

The application seeks to extend the hours for regulated entertainment categories:

- b) film
- e) live music
- f) recorded music
- h) anything of a similar description to e) f) or g)
- and j) Dance

Till 2am on Friday and Saturday nights (i.e finishing at 2am on Saturday and Sunday mornings).

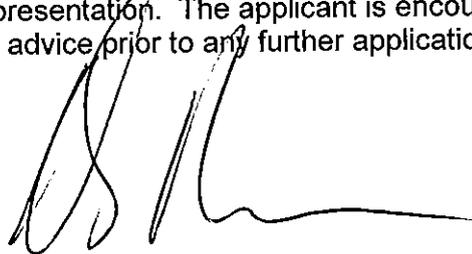
The premises are unsuitable for this purpose. The application contains no proposals for additional measures either physical or operational to control noise and no evidence that any risk assessment with respect to public nuisance has taken place.

To have regular music entertainment after 11pm a premises must be able to demonstrate that noise will be inaudible at residential property. The Half Moon is in close proximity to residential property and has a poor structure with respect to noise insulation. It is not suitable for noisy forms of entertainment after 11pm. There has been a history of noise complaint from the premises due to music break out which the author has witnessed.

With regard to an extension in opening hours. The pub and its car park are close to residential property. I have no evidence at this stage to show that neighbours in the vicinity are disturbed by late night vehicle movements from the pub car park. However an increase in opening hours is likely to lead to an increased risk of late night sleep disturbance from vehicle and people. The operating schedule should address this issue, but it does not. Potential mitigation measures could include, closure of all or parts of the car park after certain times, an acoustically effective barrier, signage and basic traffic calming measures.

Although not clear, it would appear that application has been made for removal of condition (6) of annex 2 relating to provision of a no smoking area (a designated smoking area is mentioned in other conditions on the licence). There is no objection to removal of this **as long as condition (8) of annex 2 is restated without reference to the designated smoking area** e.g. "The use of external drinking areas shall cease at 2300". This will deal with the risk of late night disturbance from patrons using areas outside premises.

Prior consultation in relation to the above issues may have given the opportunity to avoid representation. The applicant is encouraged to contact the pollution and public health team for advice prior to any further application for variation.



Robert Burns
Senior Environmental Protection Officer

G:\Environmental Health - Pollution\CORRESPONDENCE\Premises\Brighton_Road\Half_Moon\2011_00654_REP_01.doc



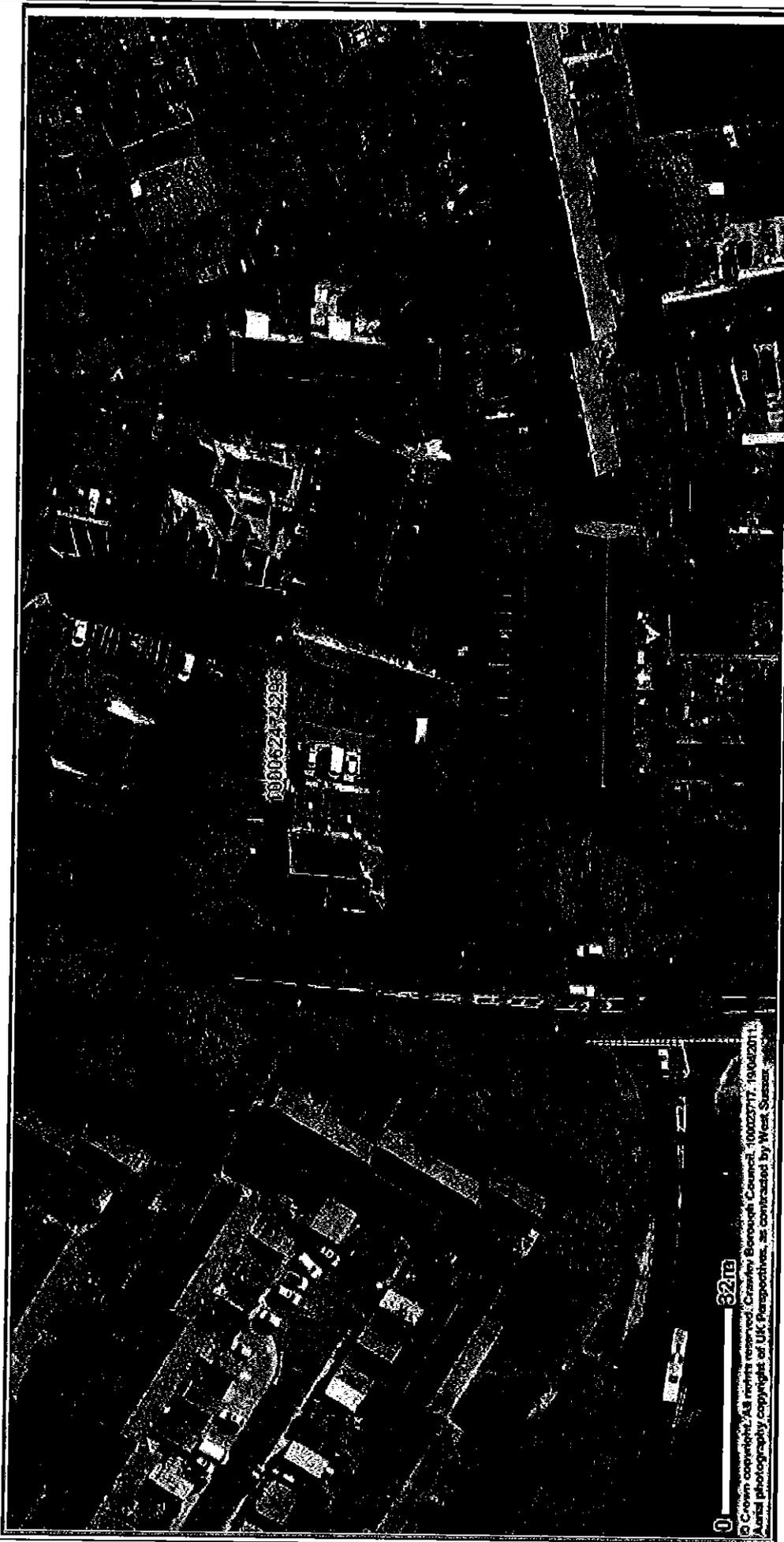
Crawley
Borough Council

Crawley Borough Council,
Town Hall,
The Boulevard,
Crawley,
West Sussex RH10 1UZ

Tel: 01293 438000
Fax: 01293 438603

Date 19/4/2011

Approx. Scale 1:916



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Infringes Crown copyright and may lead to prosecution or civil proceedings. Crawley Borough Council. 100023717. 19/04/2011.

F

Crawley Borough Council
Planning Department
Town Hall
Crawley
West Sussex

10 APR 2011

14th April 2011

Dear Sir

I object to the application for week end bar extensions by the Half Moon Public House Brighton Road Crawley for the following reasons:-

The Half Moon is situated in a residential area

We already suffer early morning deliveries and amenity collections

Noise from customers speaking loudly, shouting and swearing in their smoking area at the front of the building starts at 10am and continues often until an hour after closing time

At weekends unbearably loud music blasts out every time customers open the door to enter or leave the premises or to reach the smoking area. This music blasts out continually if the doors are propped open

At closing time there is noise from car doors being banged and people shouting when cars and taxis load and leave also even later noise when the band load up their equipment

Not forgetting the usual noisey arguments in the roadway that happen on a regular basis some requiring Police attendance

Enclosed are photographs of the Half Moon's car park fence which is on a busy junction close to a school (Which no longer has a Lollipop Crossing Person due to recent Government cuts)
The fence has various advertisements including cheap alcoholic drinks which I understand is against government policy

Plus there is always a car for sale in the gap of the fencing

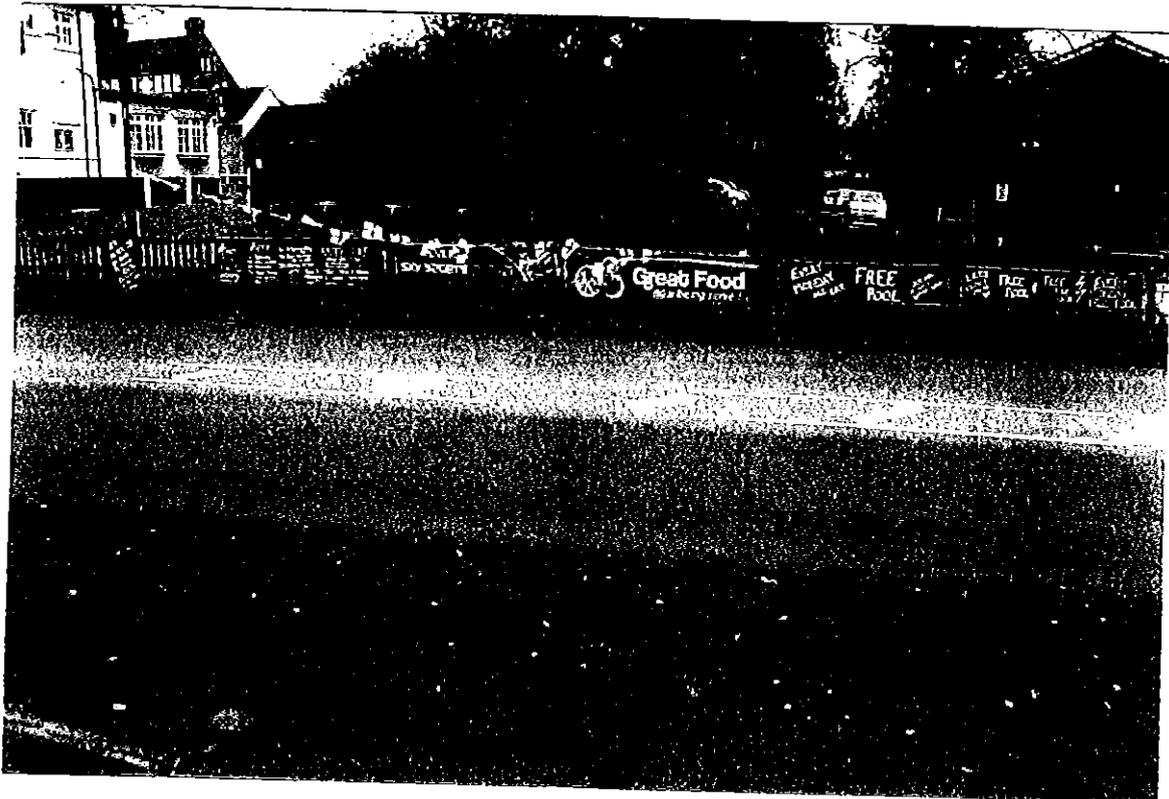
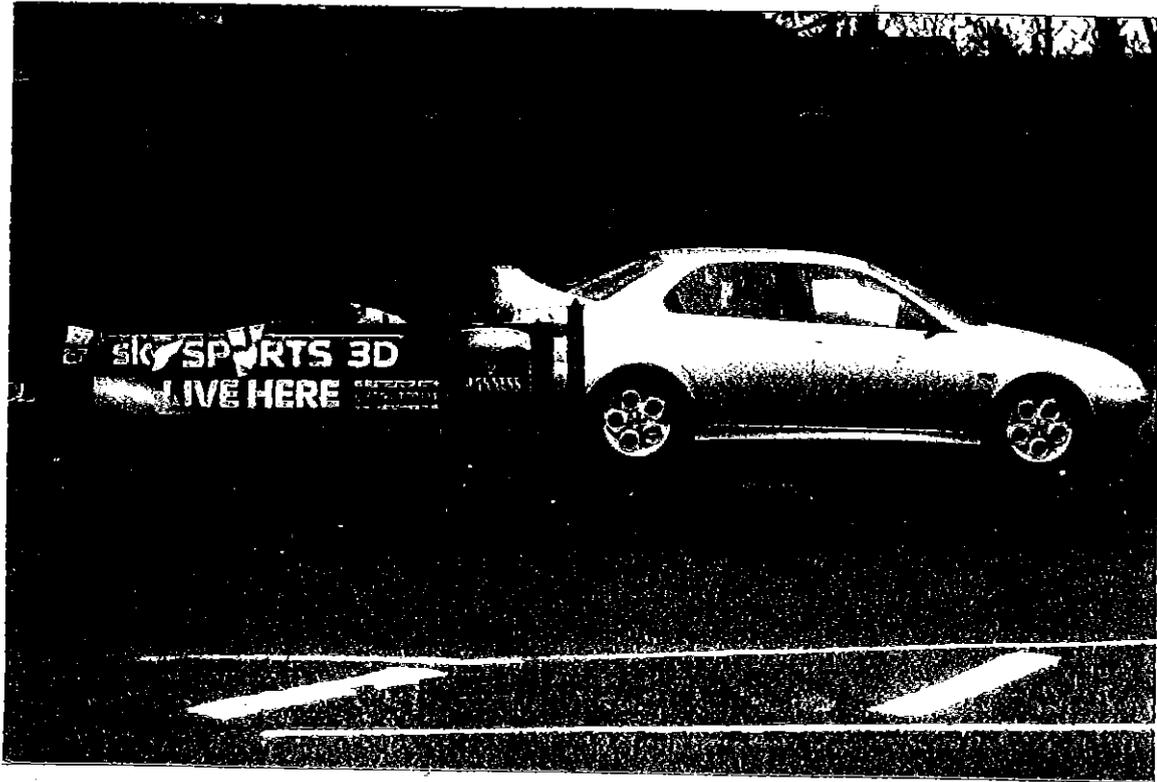
All of which could be a distraction to drivers causing them to break concentration and result in accidents (one of which you will have seen recently in the local press)

I look forward in the near future to hearing that this application has been refused

Yours faithfully

HALF MOON PUBLIC HOUSE

Photographs of car park fencing
on edge of Brighton Road





13/4/2011

Dear sirs

It has recently come to my notice that the owners of the Half Moon public house on the Brighton road have applied for extension of hours on Friday and Saturday nights until 2am .

I wish to object strongly to this application,we have only recently, through the environmental health department (Mr Burns) to get the landlord to comply with the terms of the licence regarding excessive noise.

Our sleep is still disturbed at closing time with anti social behavior shouting,swearing ,car doors slamming . this is a residential area and the granting of any extensions to the licence would I feel be a retrograde step and would infringe our right to a peaceful nights sleep

Yours Sincerely

14th April 2011

15 APR 2011

Dear Sir

I have just heard that the Half Moon Pub on the old Brighton Road has applied for a extension until 2am on a Friday and Saturday night.

I Strongly object to this as we have only just managed to quieten the Pub down slightly.

Having lived opposite the Pub for 28 years I am now totally fed up with the NOISE, FIGHTS and Car Horns

Please do not allow this extension to happen.

Yours Sincerely,

To: The Licensing Department
Crawley Borough Council
Town Hall
The Boulevard
Crawley
RH10 1UZ

19th April 2011

To Whom It May Concern:

I am writing to you to register my objection to extension to closing times at the Half Moon Public House, Southgate, Crawley. West Sussex.

I live a matter of meters away from the Half Moon Public House and feel that extending their closing times on a Monday and Friday until 2AM is unreasonable as they are located in a highly residential area.

It's unacceptable for local residents to be exposed to longer periods of excessive noise, taxi and car door slamming and unruly customers behavior at closing time. We already experience litter and empty glasses bottles left within our close and around the entrance to the close that shatter when not seen in time by vehicles.

I feel the situation will only get worse if closing time was extended on either of the days in question.

Please could you be so kind as to confirm receipt of this letter and let me know what the next steps in the process are (if there are any)?

Many thanks in advance,



19 APR 2011
ENVIRONMENT AND
HOUSING DIRECTORATE

18/4/11

Ref Extension Times
of Half Moon Public House.

Dear Sir,

This is to inform you that we are concerned about the half moon public house extending its hours Monday's and Friday's until 2am.

We live in a residential area. Can the half moon guarantee no noise at that time of the morning?

Yes! we do object.

yours

RECEIVED
19 APR 2011
ENVIRONMENT AND
HOUSING DIRECTORATE

Dear Sir,

In reply to the letter concerning the extension to closing hours of the 'Half Moon' Public House Mondays and Fridays, I would like to say both my daughter and I have strong objections to this.

Parking outside our own home is by chance on the dreaded football days, due to the football stadium supporters who park absolutely everywhere with impunity. The customers that go to the 'Half Moon' are often too intoxicated to drive home and it seems to take some of them several days to remember where they left their vehicle – outside our houses.

Noise – it doesn't help me to sleep when young girls often very 'merry' find it necessary to scream as they make their way home. The men too, enjoy shouting to each other and leaving broken bottles in the road or gutter and of course the inevitable litter in our gardens.

Brighton road is a RESIDENTIAL area so these two residents are pleading for it to remain so – let the party go on in town please. We have lived here several years, are proud of our homes and gardens. We just want to live our lives as peaceably as we can.

Yours in trepidation,

