

Present

Councillor R A Baker (In the Chair)

Councillor D M Blades
A Robinson

Councillor Mrs I Sanderson
Mrs S A Shepherd

LHP.9

MINUTES

THE DECISION:

That the minutes of the meeting of the Panel held on 25 July 2012 (LHP.6 - LHP.8), previously circulated, be signed as a correct record.

LHP.10

APPLICATION TO VARY PREMISES LICENCE – WHINSTONE VIEW COUNTRY CLUB, GREAT AYTON

All Wards

The subject of the decision:

This report sought consideration of an application to vary the premises licence at Whinstone View Country Club, Great Ayton.

Alternative options considered:

Not to vary the premises licence.

The reason for the decision:

The Panel considered the relevant representations of the parties, the Licensing Act 2003, the Council's Statement of Licensing Policy, the guidance issued under Section 182 of the Licensing Act 2003 and the four Licensing Objectives.

Having considered the above the Panel decided that the noise from the premises had in the past constituted a public nuisance. The reasons being that the noise had adversely affected people living locally, namely by its intrusive nature and its interference with neighbours' quiet enjoyment.

The Panel noted however, that the nuisance occasioned by the noise may be largely historic in nature given the steps the applicant had already taken, and the further concessions made, to address the issue of noise.

In the circumstances of this case, the Panel believed the noise issue going forward could be prevented by the imposition of appropriate conditions. By imposing such conditions the Panel believed the licensing objectives would be promoted, namely the prevention of public nuisance.

THE DECISION:

That the application to vary the premises licence is granted, subject to the following additional conditions:-

1. The marquee shall only be used for pre-booked events.
2. The use and/or provision of fireworks shall be prohibited.
3. All regulated entertainment must only use the premise's calibrated sound limiting equipment and speakers, the level of which is to be agreed with Hambleton District Council's Environmental Health Department. For the avoidance of doubt, no additional equipment shall be used for regulated entertainment.
4. All live music and/or amplified music of any kind shall cease at 11.30pm.
5. There shall be no live music and/or amplified music of any kind before 7.00pm.
6. Any regulated entertainment before 7.00pm shall be limited to acoustic artists only.

The meeting closed at 12.45 pm.

Chairman of the Panel