

## LICENSING SUB-COMMITTEE

At a meeting held on Wednesday, 24 March 2021

Present:-

Councillor S Campbell (Chairman) in the Chair;  
Councillors S B Green and S Sharma

**1. ELECTION OF CHAIRMAN**

**RESOLVED** that Councillor Stewart Campbell be elected Chair of this meeting.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. EXCLUSION OF THE PUBLIC**

There was no application for the exclusion of the public.

**4. APPLICATION FOR VARIATION OF A PREMISES LICENCE - CAYTON BAY HOLIDAY PARK, CAYTON BAY, SCARBOROUGH, YO11 3NJ**

The Licensing Sub-Committee considered a report of the Environment and Regulation Manager (Reference 21/45). In addition to the afore-mentioned report the Sub-Committee had sight of; the application, the existing premises licence, the maps of the current licence and the proposed variation, the representations and the sound report.

**RESOLVED** that the Licence be varied in the following terms

Activity	Current hours	Requested hours
Plays	<b>Indoors only</b> Mon to Sun 10:00 to 02:00	Mon to Sun 10:00 to 02:00 Outdoors 10:00 to 23:00 <i>An additional hour to the standard and non-standard timings on the day when British Summertime commences.</i> <i>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</i>
Films Indoors & Outdoors	Mon to Sun 10:00 to 2:00 Outdoors restricted 14:00 to 23:30	Mon to Sun 10:00 to 2:00 Outdoors restricted 10:00 to 23:30 <i>An additional hour to the standard and non-standard timings on the</i>

		<p>day when <i>British Summertime</i> commences.</p> <p><i>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</i></p>
Indoor sporting events	<p>Mon to Sun 10:00 to 02:00 New Year's Eve <i>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</i></p>	<p>Mon to Sun 10:00 to 02:00 <i>An additional hour to the standard and non-standard timings on the day when British Summertime commences.</i> <i>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</i></p>
Boxing or wrestling Indoors & Outdoors	<p>Mon to Sun 09:00 to 19:00</p>	<p>Mon to Sun 10:00 to 02:00 Outdoors restricted 10:00 to 23:00 <i>An additional hour to the standard and non-standard timings on the day when British Summertime commences.</i> <i>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</i></p>
Live music Indoors & Outdoors	<p>Mon to Sun 10:00 to Midnight Outdoors restricted 11:30 to 19:00 New Year's Eve <i>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</i></p>	<p>Mon to Sun 10:00 to Midnight Outdoors restricted 10:00 to 23:00 <i>An additional hour to the standard and non-standard timings on the day when British Summertime commences.</i> <i>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</i></p>
Recorded music Indoors & Outdoors	<p>Mon to Sun 10:00 to 02:00 Outdoors 11:30 to 19:00 New Year's Eve <i>From the end of permitted hours on New Year's Eve to the start of permitted hours on</i></p>	<p>Mon to Sun 10:00 to 02:00 Outdoors restricted 10:00 to 23:00 <i>An additional hour to the standard and non-standard timings on the day when British Summertime commences.</i> <i>From the end of permitted hours on New Year's Eve to the start of</i></p>

	<i>New Year's Day</i>	<i>permitted hours on New Year's Day.</i>
Performance of dance Indoors & Outdoors	Mon to Sun 10:00 to 02:00 Outdoors 11:30 to 19:00 New Year's Eve <i>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</i>	Mon to Sun 10:00 to 02:00 Outdoors restricted 10:00 to 23:00 <i>An additional hour to the standard and non-standard timings on the day when British Summertime commences. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</i>
Anything of a similar description to live/recorded music or performance of dance  Indoors & Outdoors	Mon to Sun 10:00 to 02:00 Outdoors 11:30 to 19:00 New Year's Eve <i>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</i>	Mon to Sun 10:00 to 02:00 Outdoors restricted 10:00 to 23:00 <i>An additional hour to the standard and non-standard timings on the day when British Summertime commences. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</i>
Late night refreshment	<b>Indoors only</b> Mon to Sun 23:00 to 02:00	<b>Indoors &amp; Outdoors</b> Mon to Sun 23:00 to 02:00 Fish/Chip Shop restricted 23:00 to 02:00 <i>An additional hour to the standard and non-standard timings on the day when British Summertime commences. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</i>
Supply of alcohol for consumption on or off the premises	Mon to Sun 10:00 to 02:00 New Year's Eve <i>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</i>	Mon to Sun 10:00 to 02:00 Outdoors restricted to 10:00 to 23:00 <i>An additional hour to the standard and non-standard timings on the day when British Summertime commences. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</i>
Hours open to the public	Mon to Sun	Mon to Sun

	24 Hours	24 Hours
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The hours of licensable activity are varied as per the application.

The existing conditions on the licence will apply other than those that have been varied listed below.

1. The application to vary the premises licence map is granted in accordance with the plan submitted by the applicant.

#### CCTV

2. A colour digital CCTV system shall be installed within the premises and be operational and recording at all times when licensable activities take place.

3. The CCTV equipment shall have constant time/date generation which must be checked on a daily basis for accuracy.

4. CCTV cameras shall be installed to provide adequate cover of all public areas in the premises (excluding toilets).

5. The CCTV system must be capable of providing quality images of good evidential value. Recordings must be kept for a minimum of 28 days.

6. North Yorkshire Police or a Responsible Authority (as defined in the Licensing Act 2003) may at any time request a recording. This should be complied with within 24 hours of the request being made.

7. It is responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the CCTV system at the request of the police or responsible authority.

8. The cameras which provide identification images should be lit to provide true colour rendition.

9. The CCTV is only to cover areas where licensable activity is permitted.

#### Protection of children from harm

10. The premises shall operate the challenge 25 policy for sale of alcohol.

### **Members Reasons**

In coming to its decision, the sub-committee has considered the application on its own merits and has also had due regard to the National Guidance issued under section 182 of the Licensing Act 2003 and Scarborough Borough Councils Licensing Policy. The sub-committee has had due regard to the 4 licensing objectives namely: The prevention of crime and disorder, Public Safety, Prevention of public nuisance and The protection of children from harm. After hearing the issues today, it is the licensing objectives of; The prevention of public nuisance and public safety that are relevant and consideration has been given to these today.

**The sub-committee believe that**

We have heard a very credible application today. The senior management have attended and have a very responsible attitude and outlined comprehensively how the management operate. They have consented without objection to conditions being put on the licence in relation to CCTV and a challenge 25 policy which will strengthen the terms of the licence. No people making representations attended and the written representations were considered.

In relation to noise the report states that activities will be limited to 81 decibels and management have stated that a noise limiting device will be used. It provides evidence that will not affect residents and there are caravans on site that would be highly likely to complain first in any event if problems were to arise. There have been no complaints made to the site re. existing noise from residents and Environmental Health have not raised any objections. The sub-committee accept the evidence given by the applicant that residents will not be disturbed by activities and it is crucial that management ensure that problems do not occur.

LED lighting will be used and there will be compliance with the dark skies policy.

In relation to yobbish behaviour there is security on site to control any problems that may arise and we have no evidence of problems on site. The activities are aimed at holidaymakers and non residents should not be able gain access to the licensable areas. In relation to complaints from residents about drunken louts outside the premises there is no evidence to suggest that these are caused by holidaymakers from the site.

The site will not be attracting more traffic as a result and vehicle access will be by fob access. There will not be cars from the wider community attempting to gain access. There are no public safety issues in relation to vehicles that are raised as a result of the application.

**Chairman**