

North Yorkshire Council

Statutory Licensing Sub-Committee

Minutes of the meeting held on Wednesday, 2 April 2025 commencing at 10.00 am.

Councillors Kevin Foster, Tim Grogan and Angus Thompson.

Officers present: Tim Chadwick (Licensing Area Manager); Helen Tait (Licensing Enforcement Officer); Monique Jarvis-Legg (Senior Lawyer – Regulatory Legal Services); and Stephen Loach (Principal Democratic Services Officer) .

Other Attendees: Andrew Copland (Solicitor for the Applicant); Henry Dickson (for the Applicant); Chris Herron (Agent of Kitson and Sons Limited); Patrick Montgomery (Objector); Alan Mortimer (Parish Councillor) and David Hugill (Division Member/Councillor) .

Copies of all documents considered are in the Minute Book

1 Election of Chair

That Councillor Tim Grogan be elected as Chair, for the duration of the meeting.

2 Apologies for Absence

There were no other apologies for absence.

3 Disclosures of Interest

There were no declarations of interest.

4 Procedure for Licensing Hearings

Resolved

That the Sub-Committee agreed the procedure for the meeting as outlined by the Chair.

5 Application for Grant of Premises Licence - Bay Horse, 1 Northside, Hutton Rudby

A report seeking consideration of an application for the grant of a premises licence in respect of the Bay Horse, 1 Northside, Hutton Rudby seeking to authorise:

- a. Live and recorded music (indoors) 23.00 – 02.00 Mon-Sat and 23.00 – 00.00 Sun (no amplified live music will take place outdoors).
- b. Late night refreshment (indoor and outdoor) 23.00 – 02.00 Mon-Sat and 23.00 – 00.00 Sun.
- c. Alcohol (indoor and outdoor) 08.00 – 02.00 Mon-Sat and 08.00 – 00.00 Sun.

The applicant had subsequently suggested an amendment to the terminal hours for all licensable activities to 23.00 Sun-Thurs (closing at 23.30) and 24.00 Fri-Sat (closing

00.30).

Representations from all parties were considered alongside the report and cross questioning was undertaken.

Resolved

That the Sub-Committee considered all written and oral representations from all parties and taking into account all of the details provided, unanimously decided that it was appropriate and proportionate, having considered all of the representations, all the evidence presented to it, whilst also taking into account the Licensing Act 2003, the Secretary of State Guidance issued under section 182 of the Licensing Act 2003, North Yorkshire Council's Statement of Licensing Policy, and the promotion of the licensing objectives to grant the licence as requested with the additional amendments to the application.

The Sub-Committee resolved to grant the application to authorise:

- a. Live and recorded music (indoors) 23 – 00.00 Friday and Saturday (no amplified live music will take place outdoors).
- b. Late night refreshment (indoor and outdoor) 23.00 – 00.00 Friday and Saturday.
- c. Alcohol (indoor and outdoor) 08.00 – 23.00 Sunday to Thursday and 08.00 – 00.00 Friday and Saturday.
- d. On up to 20 occasions per year, upon giving the Licensing Authority 96 hours' notice per occasion, may open for all licensable activities up to 02.00 (closing 02.30) to cover bank holiday/Christmas extensions.

Subject to all relevant mandatory conditions and the following additional conditions:

1. A CCTV system shall be installed at the premises. The CCTV system shall be maintained in working condition and record the premises when they are conducting licensable activities.
 - (a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (b) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (c) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (d) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
2. The Premises Licence Holder or nomination person shall ensure that all relevant members of staff receive training in their responsibilities under the Licensing Act 2003. Such training shall be documented, and records made available upon request from the Police or an authorised officer of the Licensing Authority.
3. A record of refusals shall be maintained which documents every instance that a sale of alcohol (and any other age restricted product) is refused on the premises, indicating the date and time the refusal was made, and the member of staff making the refusal. The record of refusals shall be available for inspection by authorised officers of the Licensing Authority, officers of the Trading Standards service and officers of the Police.
4. An incident log shall be kept at the premises for at least 12 months, and made available on request to a Police officer or an authorised officer of the Licensing Authority, which will record the following:
All crimes reported to or by the premises to the Police.

All ejections of patrons.
Any incidents of crime and disorder.
Seizures of drugs, offensive weapons, fraudulent ID or other items.
Any faults with the CCTV system.
Any refusal of the sale of alcohol.

5. Drug prevention measures must be employed, and signs displayed.
6. Alcohol supplied between the hours of 08:00am and 11:00am must be part of a substantial meal.
7. The premises will have first-aid facilities available on site.
8. Clear legible notices are to be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
9. A direct telephone number for the premises shall be available upon request to residents in the vicinity, to call at all times the premises are open.
10. The doors (except for access and egress) and windows to the premises will be kept closed at all times when there is regulated entertainment.
11. The external bar will be closed from 11pm.
12. 'Challenge 25' policy shall be adopted, implemented, and maintained ensuring that all members of staff are trained to refuse to supply to anyone who appears to be under the age of 25 and who is seeking to obtain any age restricted product unless that person provides credible photographic proof of age evidence. Such credible evidence shall include a photograph of the customer and acceptable form of ID. Examples of acceptable ID are limited to photo card driving licence, passports, military identification, or proof of age cards bearing the 'PASS' hologram. No other evidence of age and identity may be accepted.
13. 'Challenge 25' posters shall be displayed at the premises.
14. Children are not permitted on the premises beyond 11pm unless attending a specific event or private function.

The meeting concluded at 11.15 am.