

North Yorkshire Council

Statutory Licensing Sub-Committee

Minutes of the meeting held on Thursday, 24th August, 2023 commencing at 10.00 am.

Councillors Tim Grogan, Andy Paraskos and Mike Schofield.

Officers present: Lynne Ashton, Gareth Bentley, Harriet Clarke, Wan Malachi and Tahir Rafik.

Copies of all documents considered are in the Minute Book

42 Election of Chair

Resolved:-

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

(Councillor Tim Grogan in the Chair)

43 Apologies for Absence

There were no apologies for absence.

44 Disclosures of Interest

There were no declarations of interest.

45 Procedure for Licensing Hearings

The attached procedure was noted.

46 Crimple Hall Garden Centre - Application for the variation of a Premises Licence

The Sub-Committee considered the report of the Corporate Director of Environment which sought determination of a variation of a premises licence application in respect of Crimple Hall, Leeds Road, Pannal, Harrogate, HG3 1EW.

The Licensing Enforcement Officer, Wan Malachi, introduced the report which had been circulated to all parties. The Applicant had requested a licence to extend the retail sale of alcohol, live music and recorded music until 0200 hours on Fridays and Saturdays. A copy of the application and premises plan were provided at Appendix 1. It was highlighted that the Applicant had utilised Temporary Events Notices (TENs) on three occasions in 2023. It was also confirmed that there had been no noise complaints concerning the premises in 2023 for either the current premises licence activities or the periods covered by the TENs.

Correspondence between the Applicant and Environmental Protection had resulted in the agreement of additional conditions in order to promote the licensing objectives which were attached at Appendix 5. Three representations had been received from other persons which were indicated at Appendices 7.1 – 7.3. The options available to the panel were outlined at paragraph 13.0 of the report.

In response to questions from the panel, it was confirmed that the last recorded noise complaint was received by Environmental Protection in September 2021 however this complaint was unsubstantiated. The Licensing Enforcement Officer confirmed that the current premises licence authorised licensable activities until 2330 hours. In response to a query from the other person, Councillor Howard West, it was confirmed that in accordance with section 13 of the Licensing Act 2003 and the North Yorkshire Statement of Licensing Policy, Pannal and Burn Bridge Parish Council were not deemed to be a responsible authority and had therefore not been consulted on this particular application.

Submission by the Applicant

Tori Watson, the Applicant from Crimple Ltd addressed the Sub-Committee and explained that the current premises licence had been in place since 2014 and Crimple Hall was continuing to hold more and more events as their reputation continued to grow. Ms Watson confirmed that no complaints had been received directly in relation to the premises and there had been no issues with customers requiring police intervention. Crimple Ltd fully supported adhering to and promoting all of the licensing objectives. It was confirmed that staff training would continue, and that CCTV was operated throughout the premises. A Challenge 25 age verification policy was operated throughout the premises and a log of refusals and any incidents was maintained.

The Applicant reported that a winding down period was in place on an evening to minimise noise and light pollution by ensuring that limited numbers of guests left the premises at the same time. Ms Watson explained that the events held at Crimple Hall were usually always private events and in the case that an in-house event was arranged, pre-booked tickets would be required. Due to a shortage of taxis within the area, the Applicants encouraged customers to pre-book taxis home. Signage instructing customers to leave the premises quietly had been positioned throughout the building and it was reported that the outdoor garden was cleared by 2200 hours. The Applicant explained that she often tested music related noise levels from a DJ or band by walking to the other side of the premises to check sound levels.

It was confirmed that the Applicant's written responses to the submissions from the other persons would be circulated to all parties present.

In response to questions from the Sub-Committee, it was confirmed that the capacity of the events space within the premises was approximately 150 guests plus staff. The Applicant confirmed that she became the DPS in February 2023 and that she had several years of experience within the industry. No noise complaints had been received directly by Crimple Ltd. It was clarified that there was no specific arrangement between the premises and a particular taxi company, but that staff frequently assisted in the booking of taxis after private events. In response to a query regarding the off-sales of alcohol until 0200 hours, it was confirmed that this was a typographical error on the application form, and that this had not been requested in the variation of the premises licence.

Submission by the Other Person

Councillor Gordon West, who confirmed he appeared on behalf of Pannal and Burn Bridge

Parish Council, addressed the Sub-Committee and raised concerns that residents of All Saints Court, which overlooked Crimple Hall, might experience difficulties in sleeping due to noise pollution emanating from the premises. He queried that the local residents might not know how to raise a complaint in relation to noise levels late at night. Councillor West also commented that Pannal and Burn Bridge Parish Council were unaware that the variation to the premises licence had been advertised. Councillor West also brought the Sub-Committee's attention to correspondence sent to the Council's Environmental Protection team from a nearby events venue however the Chair confirmed that this matter was not relevant to the Crimple Hall application that was yet to be determined.

In response to questions from the Sub-Committee, Councillor West confirmed that he was willing to communicate the contact details of Crimple Hall to the nearby residents of All Saints Court in the event that a noise complaint needed to be raised. Councillor West queried the time in which customers usually left the premises after the winding down period. In reply the Applicant confirmed that within half an hour of the premises' licenced operating hours ending, customers had either left the venue or remained inside the premises whilst awaiting taxis. The Applicant confirmed that the premises would not stay open until 0200 hours every Friday and Saturday, but the application was merely to allow for events such as weddings where a TEN would otherwise be required. It was also confirmed that children would not be allowed on site after 2330 hours. On this point the Licensing Enforcement Officer advised that for the purposes of licensing legislation 16 year olds and under were classed as children, whereas 17 year olds were classed as young adults and 18 year olds as adults. In response to Councillor West's query in relation to the advertisement of the application, the Licensing Enforcement Officer confirmed that the applicant had advertised the application correctly and in accordance with regulations required for advertising a licence application to include a notice in a local newspaper, and advertising via a pale blue notice in the locality of the premises. It was clarified that additional notices were also displayed throughout the consultation period.

Resolved-

The Sub-Committee resolved to grant the variation to the licence application in full subject to:

The conditions consistent with the operating schedule as follows:

The conditions on the current premises licence and additional conditions agreed with North Yorkshire Council Environmental Protection Team.

Mandatory Licensing conditions as required by the Licensing Act 2003.

The meeting concluded at 10.51 am