



**Statutory Licensing Sub-Committee  
02 April 2025**

**Title: Application for Grant of Premises Licence – Bay Horse, 1 Northside,  
Hutton Rudby, TS15 0DA**

**Report of the Corporate Director - Karl Battersby**

**1.0 PURPOSE OF REPORT**

- 1.1 This report asks the Sub-Committee to consider an application for the grant of a new premises licence in respect of Bay Horse Hutton Rudby.

**2.0 Background**

- 2.1 On 19 February 2025 North Yorkshire Council received an application for the grant of a new premises licence in respect of Bay Horse Hutton Rudby.
- 2.2 The application seeks to authorise live and recorded music (indoors) 23.00 – 02.00 Mon-Sat and 23.00 – 00.00 Sun. Late night refreshment (indoor and outdoor) 23.00 -02.00 Mon-Sat and 23.00 -00.00 Sun. Alcohol (indoor and outdoor) 08.00 – 02.00 Mon-Sat and 08.00 – 00.00 Sun. (No amplified live music will take place outdoors).
- 2.3 A copy of the application is attached at **Appendix 1** and a copy of the proposed premises plan is attached at **Appendix 2**.

**3.0 Promotion of the Licensing Objectives**

- 3.1 The four licensing objectives set out in the Licensing Act 2003 are:
- the prevention of crime and disorder;
  - public safety;
  - the prevention of public nuisance;
  - the protection of children from harm.
- 3.2 The Sub-Committee must carry out its functions with a view to promoting the licensing objectives. Each objective is of equal importance.

**4.0 Consultation and Representations**

- 4.1 Copies of the application were sent to all statutory responsible authorities in accordance with the provisions of the Licensing Act 2003. Copies of the application were also sent to Hutton Rudby Parish Council and the relevant District Councillor.
- 4.2 In accordance with Regulation 25 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005, applicants are required to publish a notice in a local newspaper and to display a brief summary of the application on an A4 size notice in a prominent position immediately on or outside the premises for at least 28 consecutive days. A record of the application was also published on the Council's website and the full application was made available for inspection at the Council offices.

- 4.2 A consultation of the application took place between [19 February 2025 and 19 March 2025.
- 4.3 Relevant representations have been made by 18 local residents and Hutton Rudby Parish Council. Copies of the representations are attached at **Appendix 3** to **Appendix 20**.
- 4.4 The representations express concerns relating to noise, crime and disorder and traffic.
- 4.5 No representations have been lodged by any responsible authority.

## **5.0 Alternative Options Considered**

- 5.1 All of the Sub-Committee's options are outlined in paragraph 12.0. No alternative options are available.

## **6.0 Financial Implications**

- 6.1 No financial implications have been identified.

## **7.0 Legal Implications**

- 7.1 In accordance with section 18 of the Licensing Act 2003, the licensing authority must hold a hearing to consider the application and any relevant representations.
- 7.2 In making its decision, the Sub-Committee must have regard to the applicant's submissions, the relevant representations, the Council's Statement of Licensing Policy and the Revised Guidance issued under section 182 of the Licensing Act 2003.
- 7.3 The Sub-Committee must have regard to the promotion of the four licensing objectives in exercising its functions under the Licensing Act 2003.
- 7.4 The Sub-Committee's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 7.5 In accordance with Schedule 5 to the Licensing Act 2003, the applicant and any person who has made a relevant representation may appeal against the decision of the Sub-Committee.
- 7.6 The applicant and interested parties have a right of appeal to the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision.

## **8.0 Equalities Implications**

- 8.1 No equalities implications have been identified.

## **9.0 Climate Change Implications**

- 9.1 No climate change implications have been identified.

## **10.0 Policy Considerations**

- 10.1 Part 5 of the Council's Licensing Act 2003 Policy relates to premises licences] and is attached at **Appendix 23**.

10.2 Chapters 8 and 9 of the Home Office Guidance published in February 2025 under section 182 of the Licensing Act 2003 are attached at **Appendix 24**.

### **11.0 Reason for recommendations**

11.1 The Sub-Committee must, having regard to the above, determine the application and take any steps that are appropriate for the promotion of the licensing objectives.

### **12.0 Recommendations**

12.1 Members are advised to take any of the following steps as the Sub-Committee considers appropriate for the promotion of the licensing objectives:

- a) to grant the licence as applied for (subject to any conditions consistent with the applicant's operating schedule);
- b) to grant the licence subject to any modifications or additional conditions that Members consider appropriate for the promotion of the licensing objectives;
- c) to refuse the whole or part of the application.

### **Appendices:**

Appendix 1 – Application for the grant of a premises licence  
Appendix 2 – Proposed premises plans  
Appendix 3 – Representation  
Appendix 4 – Representation  
Appendix 5 – Representation  
Appendix 6 – Representation  
Appendix 7 – Representation  
Appendix 8 – Representation  
Appendix 9 – Representation  
Appendix 10 – Representation  
Appendix 11 – Representation  
Appendix 12 – Representation  
Appendix 13 - Representation  
Appendix 14 – Representation  
Appendix 15 - Representation  
Appendix 16 - Representation  
Appendix 17 - Representation  
Appendix 18 - Representation  
Appendix 19 - Representation  
Appendix 20 - Representation  
Appendix 21 - Proposed amendment to applicant's operating schedule  
Appendix 22 - Proposed amendment to applicant's operating schedule  
Appendix 23 - Extracts from Council's Statement of Licensing Policy  
Appendix 24 - Extracts from statutory guidance

### **Background Documents**

Revised Guidance issued under section 182 of the Licensing Act 2003  
Licensing Act 2003 Statement of Licensing Policy

Karl Battersby  
Corporate Director of Environment  
County Hall  
Northallerton  
25 March 2025

Report Author: Sue Iceton Licensing Enforcement Officer  
Report Presenter: Tim Chadwick Licensing Manager

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.