

Statutory Licensing Sub-Committee

04 September 2025

Application for a Full Variation of a Premises Licence Aysgarth Falls Hotel, Leyburn, DL8 3SR.

Report of the Corporate Director - Environment

1.0 PURPOSE OF REPORT

- 1.1 This report asks the Sub-Committee to consider an application for the Full Variation of a premises licence in respect of Aysgarth Falls Hotel, Leyburn, DL8 3SR.

2.0 BACKGROUND

- 2.1 On 10 July 2025, North Yorkshire Council received an application for the variation in respect of Aysgarth Falls Hotel, Leyburn. The licence was first granted in 2014 under the Licensing Act 2003.
- 2.2 The Applicant seeks to extend the existing Licence to include the grounds of the hotel in which the Chalets will be located. Also, the Applicant seeks to include the existing hotel accommodation with the Licence area, for the same purpose. As part of the Application, the following plans:
- i. 4735 – 02 – Hotel floor plan
 - ii. (505)2225-GWP-01-01-D-A-(00)-0057 Rev PO1 (Site Plan)
 - iii. 505)2225-GWP-01-01-D-A-(00)-0058 Rev PO1 (Chalet plans)

The chalets fall into one of six designs described on plan 505)2225-GWP-01-01-D-A-(00)-0058 Rev PO1. The designation of the chalet type is marked on the site plan.

In addition to the layout updates the Applicant seeks the following alterations to the terms of the Licence:

- i. To allow the sale of alcohol to residents and their bona fide guests 24/7 (commonly known as a resident's exemption).
 - ii. To allow the provision of late-night refreshment to the bona fide guests or residents from 23:00 hrs to 05:00hrs.
 - iii. To remove the capacity condition from the Licence. This condition is no longer applicable for public safety purposes following the enactment of the Regulatory Reform (Fire Safety) Order 2005. The Applicant will operate to the capacity as dictated by their fire risk assessment.
 - iv. To amend the child access restrictions to read:
 - a. Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre booked function or resident at the hotel or on-site accommodation.
- 2.3 A copy of the application is attached at Appendix 1 along with supporting documents and a copy of the proposed premises plans as outlined in 2.2 of this report.

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.

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.

4.2 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.

4.3 Relevant representations have been made by nine local residents and one Responsible Authority (North Yorkshire Dales National Park) Copies of the representations are attached at Appendix 2.

4.4 The representations express concerns specifically relating to noise nuisance.

4.5 The applicant has reached an agreement with North Yorkshire Police in order to promote the licensing objectives. Attached at Appendix 3.

4.6 A copy of the original premises licence is attached at Appendix 4.

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 As a relevant representation has been received, the Sub-Committee must hold a hearing to determine the application.

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 Guidance issued under section 182 of the Licensing Act 2003.

7.3 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.

7.4 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.

7.5 Any appeal must be made 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.

10.2 Chapters 8 and 9 of the Home Office Guidance published in December 2023 under section 182 of the Licensing Act 2003.

11.0 REASONS FOR OPTIONS

11.1 In accordance with section 35 of the Licensing Act 2003, determination of an application made under section 34 (variation application), the licensing authority must hold a hearing to consider the application and any relevant representations.

11.2 The Sub-Committee must, having had regard to the application and any relevant representations, take such steps (if any) as it considers appropriate for the promotion of the licensing objectives.

12.0 OPTIONS

12.1 The Licensing Committee has the following options:

- a) to modify the conditions of the licence;
- b) to reject the whole or part of the application;
- c) and for this purpose the conditions of the licence are modified if any of them are altered or omitted or any new condition is added.

12.2 In making its decision, the Sub-Committee must act with a view to promoting the licensing objectives. The Sub-Committee must also have regard to its Statement of Licensing Policy and the Statutory Guidance issued under Section 182 of the Act.

Appendices:

Appendix 1 – Application for the Variation of a premises licence & plans

Appendix 2 – 10 x Representations - redacted

Appendix 3 – North Yorkshire Police agreed conditions

Appendix 4 – Current Premises Licence

Background Documents

Guidance issued under section 182 of the Licensing Act 2003

Licensing Act 2003 Statement of Licensing Policy

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20 August 2025

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