

Licensing Sub Committee

held at Ryedale House, Malton
at 10.00am on Friday 15 June 2007

Present

Councillors Mrs V Arnold (in the Chair), Mrs D Keal and G Hawkins.

Mr T Stuttard	-	Environmental Health Officer (Ryedale District Council)
Mr B Mills	-	Representative of Malton Residents
Mr L Postlethwaite	-	Kings Head, Market Place, Malton
Mr N Waugh	-	Kings Head Inn Focus Ltd
Mr R McClure	-	Licensing Officer (Ryedale District Council)
Mrs F Brown	-	Assistant Solicitor (Ryedale District Council)
Miss C Gaynor	-	Committee Administrator

LS.65 Declarations of Interest

No declarations of interests were made.

LS.66 To Determine an Application for a Review of a Premises Licence from Mr A Stuttard for the premises known as Kings Head, 5 Market Place, Malton, YO17 7LP

The Chairman welcomed all representatives to the meeting and appropriate introductions were made.

The Chairman explained to the representatives that opening statements were to be brief.

The Licensing Officer reported that Mr Stuttard had submitted an application on 30 April 2007 for a review of a Premises Licence for the premises known as Kings Head, 5 Market Place, Malton. The grounds for the review being that the Prevention of Public Nuisance Licensing Objective was not being promoted. Mr Stuttard alleged that noise emitted from the regulated entertainment at the premises was audible at a noise sensitive property after 23:00 hours contrary to licence condition number 9 at Annex 3 of the Premises Licence.

Mr Stuttard expressed to Members that despite previous correspondence and discussions with the Kings Head Inn Focus and the premises supervisor, which were still ongoing, there did not appear to be any significant attempt to reduce the music noise levels from DJ music at weekends. Mr Stuttard made a small suggestion to insert a seal around the door frame as this would have helped to reduce the noise at present.

Mr Mills, a nearby resident, confirmed that he continued to experience noise disturbance from the Kings Head most weekends up to 01:00hours.

Mr Waugh of the Kings Head Focus Ltd informed Members that he had recently received a quote for secondary glazing to be installed onto the front windows of the building. He assured Members that this would be completed within one to two weeks having now received the quote.

Members raised concern regarding the door of the premises and queried whether the door was permanently open throughout the evening. Mr Postlewaite confirmed that the door was permanently closed and only opened for customers entering and exiting the premises.

Resolved

An additional condition will be added to the Premises Licence that secondary glazing will be installed to the front ground floor windows of the premises within 6 weeks from the date of this hearing.

Condition 6 of annex 3 of the premises licence will be amended for a temporary period of 6 weeks from the date of this hearing or until the secondary glazing and noise limiter conditions have been satisfied to state that regulated entertainment at the premises on a Friday and Saturday evening will cease at 12 midnight.

Condition 10 of annex 3 shall be amended to include a provision that the noise limiting device will be set to a level approved by the Pollution Section of Ryedale District Council.

Condition 13 of annex 2 will be amended to include reference to the licensee monitoring at regular intervals, the level of noise at the premises to ensure compliance with condition 9 of annex 3.