

Licensing Sub Committee

held at Ryedale House, Malton
at 9.30am on Friday 23 November 2007

Present

Councillors: Maud (in the Chair), Mrs Keal and Mrs Frank.

Mr I Roe	-	Youth Hostel Association
Mr T Ward	-	Agent for Flint Bishop Solicitors
Mr M Leighton	-	Representative of Lockton Residents
Mrs S Warriner	-	Representative of Lockton Residents
Mr R McClure	-	Licensing Officer (Ryedale District Council)
Mrs F Brown	-	Assistant Solicitor (Ryedale District Council)
Miss C Gaynor	-	Committee Administrator

LS.73 **Declarations of Interest**

No declarations of interests were made.

LS.74 **To Determine an Application for a new Premises Licence from YHA (England and Wales) Limited for the premises known as The Lockton Youth Hostel, Old School, Lockton, Pickering, YO18 7PY**

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

The Chairman explained that the hearing was subject to the prescribed procedure, copies of which had been circulated with the agenda. Representatives were reminded that opening statements were to be brief as all parties had had the opportunity to make detailed written submissions and to consider the submissions of other parties. The Chairman also advised those present that additional information produced at the hearing without prior disclosure may not be heard if, following objections to its submission, the Sub-Committee so determined.

The Chairman also reminded those present that their representations should be relevant to the licensing objectives under the Licensing Act 2003, namely:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The Council's Licensing Officer then presented the report which had been circulated with the

agenda and referred to the relevant points contained in the guidance.

An application had been received from Yorkshire Housing Association (England and Wales) Limited for the Lockton Youth Hostel, Old School, Lockton, Pickering, YO18 7PY. Initially, the application included the supply of alcohol and the provision of late night refreshment, however, these were subsequently removed from the application by way of a letter received on 17 October 2007. Lockton Youth Hostel currently had no licence as it did not offer licensable activities.

Details of the Proposal

- The provision of the following regulated entertainment:- Plays, Films, Indoor sporting events, Live music, Recorded music, Performance of Dance and anything of similar description to that of live music, recorded music or performance of dance 24 hours a day each day of the week
- The provision of facilities for making music, dancing and facilities for entertainment of a similar description to making or dancing 24 hours a day each day of the week
- No licensable activities will be provided between the hours of 23:00 and 01:00 the following day other than to residents, bonafide guests of residents or persons attending a bonafide function booked at least 48 hours in advance
- Hours premises are open to the public:- 24 hours a day each day of the week.

All Responsible Authorities had been consulted and the Licensing Authority had received relevant representations from:

- Environmental Health Officer on the Public Nuisance Licensing Objective. The Pollution Officer withdrew his representation as the applicant had agreed to place his proposed conditions on their licence.
- North Yorkshire Police on a combination of the Prevention of Crime and Disorder and Public Nuisance Licensing Objectives. North Yorkshire Police also withdrew their representation as the applicant has varied their application so as to remove the sale/supply of alcohol.
- Fourteen interested parties mainly on the Public Nuisance Licensing Objective but also the Prevention of Crime and Disorder Licensing Objective

Representatives put their respective cases to the Sub Committee Members.

The Environmental Health Officer had withdrawn his representation as the applicant had agreed to place his conditions on their licence. North Yorkshire Police had also withdrawn their representation as the applicant had varied their application so as to remove the sale/supply of alcohol.

Following questions from Members the representatives summed up their cases prior to the Committee retiring to consider the application, after which the following decision was announced:

Resolved

Having considered the representations made today by both the applicant, interested parties present and the written representations received.

The application will be granted in line with the conditions suggested by the Environmental Health department and accepted by the applicant, these being:

1. The provision of regulated entertainment and entertainment facilities to be permitted from 10.00 to 23.00 hours Sunday to Thursday and 10.00 to 23.30 hours Friday and Saturday.
2. All doors and windows to be kept closed during the provision of regulated entertainment music.
3. Premises to be open to the public an additional half hour after times permitted in (1)

It was noted that the application for the sale of alcohol and late night refreshment has been withdrawn.