

LICENSING PANEL

Date: 7 December 2009

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 9:30am

Present: Councillors: -

Andy Mercer (Chairman)
Rupert Reichhold

Robin Underwood

PART A ITEMS

1. APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor Andy Mercer be appointed Chairman for this Hearing.

2. DECLARATION OF INTERESTS

Councillor Andy Mercer declared a personal interest in Agenda Item 3 because he had occasionally visited the premises. He remained in the meeting and took part in the discussion and voting on the item.

3. APPLICATION FOR THE VARIATION OF THE PREMISES LICENCE – COURTYARD LUXURY LODGE, WEST STREET, STANWICK

The Panel considered an application for the variation of a Premises Licence for The Courtyard Luxury Lodge, West Street, Stanwick, under the Licensing Act 2003.

The application sought to extend the licensed area to encompass a new extension and a relocated marquee; to add plays, films and performances of dance to the list of regulated entertainment. The timings being requested were: -

Films 12:00 – 23:00

Plays 12:00 – 23:00

Performances of dance 12:00 – 23:00

Live music indoors 12:00 – 00:00

Live music marquee 12:00 – 23:00.

The Licensing Officer showed the Panel a site map of the premises for its information.

The statutory bodies had been consulted and representations were received from Stanwick Parish Council about public nuisance issues. (The representations had been analysed and extracts placed under the relevant licensing objective are attached as Appendix 1 to these minutes at page 4).

A representation from Mr Darren Hale, the District Council's Environmental Protection

Manager had been withdrawn following discussions with the applicants and the proposed conditions agreed with the applicants were submitted for consideration.

Mrs Josephine Bates, one of the applicants, spoke in support of the application. She and her husband had agreed some additional conditions with Mr Hale in an attempt to reduce outside noise from the marquee and other buildings on the site. The marquee had also been moved 60 metres further away into the site from nearby residential properties to reduce potential noise nuisance. The new function room would be ready in February or March 2010 and the main events would be held there. She asked the Panel to grant the variation as requested.

The Panel asked Mrs Bates a number of questions about her submission and then asked her to sum up her case.

After considering the submitted report and the representations made at the Hearing from Mrs Bates, including advice from the Solicitor to the Council, the Panel retired to consider the application and evidence presented, and it was

RESOLVED:

That the application for the variation of a Premises Licence for the Courtyard Luxury Lodge, West Street, Stanwick, be granted with existing conditions and additional conditions detailed below.

The Chairman read out the following statement giving the reasons why the Panel had granted the application: -

“The variation of the Premises Licence was determined after carefully considering the submitted reports, representations and evidence presented from all interested parties and bearing in mind the Licensing Objectives, in particular prevention of public nuisance, the Panel has agreed to grant the application to vary the times and locations displayed on the Premises Licence for licensable activities with minor alterations as follows:

Changes to supply of alcohol

Alcohol may be supplied at the same times as the existing License but in the extended area that is the subject of the variation application.

Changes to timings (except for alcohol)

The timings (except for alcohol) that the premises may be used for licensable activities are as follows:

Films - 12:00 to 23:00

Plays - 12:00 to 23:00

Performance of dance - 12:00 to 23:00

Live and recorded music indoors - 12:00 to 23:00

Recorded music in the marquee - 12:00 to 23:00.

No music shall be played in the marquee on Sundays or any Bank Holiday.

Doors and windows of the function room shall remain closed when live or amplified music is being played except for background music that is no greater than 35db(a) at the boundary of the licensed premises.

No noise from any live or amplified music shall be audible inside noise sensitive premises.

These conditions have been added to meet the licensing objective of prevention of public

nuisance and apply to the area of the premises subject to the variation application.

All conditions on the existing Premises License shall remain unchanged.

The Decision Notice will be sent in writing to the applicants within 21 days and they have the right of appeal within 21 days of receiving the Notice. The decision becomes effective 21 days after the applicants receive the Notice, or on the date when any appeal is determined.”

Chairman

**APPLICATION FOR THE VARIATION OF THE PREMISES LICENCE – COURTYARD,
LUXURY LODGE, WEST STREET, STANWICK**

The representations received had been analysed by the Licensing Officer and extracts placed under the relevant licensing objectives:-

Public Nuisance

Stanwick Parish Council

“The Parish Council objects to music in the marquee as it does not have sound proofing and can cause a noise nuisance”