

THE ROYAL HOTEL, MAIN STREET, HEYSHAM

APPLICATION FOR VARIATION OF PREMISE LICENCE

DECISION OF LICENSING ACT SUB-COMMITTEE

THURSDAY 10TH NOVEMBER 2016

The Sub-Committee comprised of Councillor Claire Cozler (Chairman), Councillor June Ashworth and Councillor Susan Sykes

The Legal Adviser was Luke Gorst, Solicitor.

The Democratic Support Officer was Jane Glenton.

An application for variation had been made under Section 34 of the Licensing Act 2003 by Daniel Thwaites Plc in respect of The Royal Hotel, Main Street, Heysham.

The hearing was held in light of relevant representations received from other persons as defined under the 2003 Act.

The applicant was represented by Malcolm Ireland of Napthens Solicitors who was accompanied by Caroline Matthews, Area Manager for Thwaites.

Of the other persons Mr King and Mr Street, who had made relevant representations, were present.

The chairman explained the procedure to those present, and stated that the hearing would be a discussion led by the licensing authority.

David Eglin, Licensing Enforcement Officer, introduced the report stating that the application sought to amend the plans, remove conditions and amend timings for licensable activities.

Mr Ireland then presented the applicant's case and Mrs Matthews helped answer questions.

The other persons present then presented their objections.

The Sub-Committee then withdrew to make its decision, and sought advice from its legal adviser as to the appropriate phraseology of the decision.

DECISION

The Sub-Committee carefully considered all the written information before it, and the representations and views expressed at the hearing by the other persons and the applicant.

The Sub-Committee noted that the objection from other persons related mainly to the potential impact of extending the hours in what is a residential area. The concerns were

that this may lead to an increase in noise nuisance and alcohol-fuelled disruptive behaviour.

The Sub-Committee however has no evidence before it that the application would in fact lead to such problems and is satisfied that the venue is unsuitable for large functions.

Importantly no representations were received from Environmental Health.

The Sub-Committee very much welcomes the approach taken by the applicant in listening to the residents' concerns and amending their application to reduce hours back to more appropriate times, which generally mirror the original licence.

In light of the above, the Sub-Committee was of the opinion that it was appropriate for the licence to be varied in line with the conditions offered by the applicant and the times as amended.

In accordance with Section 181 and Schedule 5 of the Licensing Act 2003, the parties have a right of appeal against this decision.

Importantly, the parties are reminded of the statutory right of responsible authorities and other persons to seek a review of a licence on the basis that the licensing objectives are not being met. This would be particularly relevant in the event of any ongoing complaints about noise.

Signed.....Dated.....

Councillor Claire Cozler (Chairman)

**Any queries regarding these Minutes, please contact
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