

NEW FOREST DISTRICT COUNCIL

LICENSING ACT 2003

APPLICATION: BRAMSHAW GOLF CLUB, THE CLUB HOUSE, BROOK

Decision of the Licensing Sub-Committee hearing held at Appletree Court, Lyndhurst on Tuesday 16 August 2005 at 9.30 a.m.

1. Members of the Licensing Sub-Committee

CLlr Walmsley - Chairman
CLlr Hutchins
CLlr Penwarden

2. Parties and their Representatives attending the Hearing

Applicant:

Mr Ian Baker – Manager
Mrs M Whittington speaking for Mr Baker

Objectors:

Mr R Blackham
Mr D Lock
Mr A Lowth
Mr P Reynolds
Mrs J Robinson

3. Other Persons attending the Hearing

Mrs Blackham – observer
Mrs Reynolds – observer

4. Parties not attending the Hearing

L Meynell – represented by P Reynolds
A O'Brien – represented by P Reynolds

5. Officers attending to assist the Sub-Committee

Ms J Mutlow – Legal Advisor
Ms K Mason – Committee Administrator

6. Decision of the Sub-Committee

The application is granted on the following terms and conditions.

Licensable activities and times permitted:

B. Films:

Limited to 2 events per annum. Such events shall be limited to the hours between 19.00 and 23.00.

C. Indoor sporting events:

Limited to 3 events per annum. Such events shall be limited to the hours between 19.00 and 23.00.

E. Live music:

Limited to 5 events per annum. Such events shall be limited to the hours between 19.00 and 00.30.

F. Recorded music / I. Provision of facilities for making music

Limited to 12 events in total per annum. Such events shall be limited to the hours between 19.00 and 00.30.

J. Provision of facilities for dancing

Limited to 17 events per annum. Such events shall be limited to the hours between 19.00 and 00.30.

These events shall coincide with the events permitted under sections E, F and I above and shall not be in addition to them.

L. Supply of alcohol:

Monday 10.00 to 23.00

Tuesday 10.00 to 23.00

Wednesday 10.00 to 23.00

Thursday 10.00 to 23.00

Friday 10.00 to 23.00

Saturday 10.00 to 23.00

Sunday 10.00 to 23.00

Non-standard hours:

- a. on the 17 days per annum where licensable activities are permitted under sections E, F I and J above, the licensable activity listed at section L (supply of alcohol) shall be permitted for one further hour until 24.00.
- b. on a further 3 days per annum in addition to those 17 days listed at (a) the licensable activity listed at Section L (supply of alcohol) shall be permitted for one further hour until 24.00 hours.

On New Years Eve the licensable activity listed at section L (supply of alcohol) shall be extended until 01.00 on the following Day.

Mandatory conditions:

As provided in the Licensing Act 2003

7. Reasons for the Decision

The Sub-Committee carefully considered the evidence, both written and oral, supplied by the parties in light of the Applicant's revised application.

The Sub-Committee considered that at the current time there was extremely limited evidence of public nuisance although it accepted that on occasions annoyance may be caused by the vehicular movement associated with patrons leaving the premise. However, in light of the information provided by the Applicant relating to the typical usage and times of usage of the premise it did not consider that extending the hours of licensable activities on a limited number of occasions a year was unreasonable.

As most of the points raised were speculative the Sub-Committee did not consider that these were relevant. Should a statutory nuisance in the future be established, action could be taken under the appropriate statutory regimes including the Environmental Protection Act.

As the Applicant was proposing little more than he currently benefited from under the current licensing regime the Sub-Committee was of the view that granting the revised application was not inconsistent with the licensing objectives.

Date 16 August 2005

Licensing Sub-Committee Chairman: Cllr G M Walmsley

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Decision noted to interested parties on 17 August 2005