

NEW FOREST DISTRICT COUNCIL

LICENSING ACT 2003

APPLICATION: HYTHE AND DISTRICT CLUB, HYTHE

**Decision of the Licensing Sub-Committee hearing held at Appletree Court,
Lyndhurst on Monday, 3 October 2005 at 9.00 am.**

1. Members of the Licensing Sub-Committee

Councillor G Beck – Chairman
Councillor L R Puttock
Councillor J M Hoy

2. Parties and their Representatives attending the Hearing

Mr R Young – Applicant
Mr A Hickman – in support of applicant
Mr G Thompson – in support of applicant

3. Other Persons attending the Hearing

None.

4. Parties not attending the Hearing

Ms C P Bargeron
Mr & Mrs Wilkes

5. Officers attending to assist the Sub-Committee

Ms J Mutlow – Legal Advisor
Mrs M Dunsmore - Clerk

6. Decision of the Sub-Committee

The application is granted on the following terms and conditions.

Licensable activities and times permitted:

- A. Plays:
Saturday 13.00 to 16.00
Sunday 13.00 to 16.00

These events will be limited to 1 event per calendar year.

- B. Films:
Monday 12.00 to 16.00
Saturday 12.00 to 16.00
Sunday 12.00 to 16.00

These events will be limited to 8 events per calendar year.

- C. Indoor sporting events:
Monday 20.00 to 23.00
Tuesday 20.00 to 23.00
Wednesday 20.00 to 23.00
Thursday 20.00 to 23.00
Friday 20.00 to 23.00
Saturday 20.00 to 23.00
Sunday 20.00 to 23.00

- E. Live music:
Wednesday 20.30 to 23.00
Thursday 20.00 to 23.30
Friday 20.00 to 23.15
Saturday 20.00 to 23.15

These events will be limited to 2 events per week.

- F. Recorded music:
Monday 20.00 to 23.30
Tuesday 20.00 to 23.30
Wednesday 20.00 to 23.30
Thursday 20.00 to 23.30
Friday 20.00 to 23.30
Saturday 20.00 to 23.30
Sunday 12.00 to 16.00 and 20.00 to 23.30

These events will be limited as follows:

- Occasional discos/childrens' discos in the concert hall will be limited to a maximum of 12 events per year.
- Occasional private parties in the function room will be limited to a maximum of 3 events per week.

- J. Provision of facilities for dancing:
Wednesday 20.00 to 23.15
Thursday 20.00 to 23.15
Friday 20.00 to 23.15
Saturday 20.00 to 23.15

- L. Supply of alcohol:
Monday 11.00 to 23.30
Tuesday 11.00 to 23.30
Wednesday 11.00 to 23.30
Thursday 11.00 to 23.30
Friday 11.00 to 23.30
Saturday 11.00 to 23.30
Sunday 11.00 to 23.30

Non-standard hours:

The licensable activities listed at sections E. and J. (live music and provision of facilities for dancing) above shall be permitted between 20.00 hours on New Year's Eve and 00.30 hours on New Years Day.

The licensable activity listed at section L. (supply of alcohol) above shall be permitted between 11.00 hours on New Year's Eve and 01.30 hours on New Years Day.

The licensable activity listed at sections E. (live music) above shall be permitted between 20.00 hours and 23.30 hours on Christmas Eve.

On a further 12 occasions per calendar year the licensable activity listed at section L. (supply of alcohol) above shall be permitted between 11.00 hours and 00.30 hours. These occasions shall only be permitted to occur on Fridays or Saturdays and must be notified to the Licensing Authority at least 7 days in advance.

Mandatory conditions:

As provided in the Licensing Act 2003

Other conditions:

1. Notices shall be displayed in prominent positions within and outside the premises requiring patrons to leave quietly and respect local residents.
2. All external doors and windows shall be kept closed after 23.00 hours, other than for access and egress, when events involving live and/or amplified music (including speech) are taking place.

7. Reasons for the Decision

The Sub-Committee carefully considered the evidence, both written and oral, supplied by the parties.

In respect of the finish time for the licensable activities the Sub-Committee had particular regard to representations concerning public nuisance. However, they noted that no objections to the application for increased opening hours had been made by the Environmental Health Department and the extension of hours applied for was modest.

In light of the above, the Sub-Committee considered that it would be consistent with the licensing objectives if the application were granted, but decided that certain conditions should be imposed, which would ameliorate concerns as to nuisance at this stage.

However, should a statutory nuisance be established in the future, action may be taken under the appropriate statutory regime including the Environmental Protection Act 1990 and the Licensing Act 2003.

Date: 03.10.05

Licensing Sub-Committee Chairman: Cllr G Beck

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Decision notified to interested parties on