

LICENSING ACT 2003
LICENSING SUB-COMMITTEE

DECISION NOTICE

Greenway Hall Golf Club, Stanley Road, Stockton Brook, Staffordshire, ST9 9LJ

Meeting: Friday 19th June 2020 at 10.00 am

Present: Councillor D Shaw (Chairman)

Councillor L Swindlehurst

Councillor I Plant

(N de Bruin Legal Services Officer)

Applicant: Ms D Burton with Mr G Cross, agent, on her behalf

Objector: Mr Denis Colgan, Environmental Services Officer Staffordshire
Moorlands District Council

For the Licensing Authority: M Towers, Senior Officer (Housing, Public Health
and Licensing) and Ms S Bradbury, Licensing Officer

The meeting was held by way of Microsoft Teams and webcast simultaneously on the Council's website.

The Sub-Committee considered the written report, further information submitted by the applicant that had been circulated to all parties and the S182 guidance before coming to a decision.

It was noted that in accord with 182 guidance para 16.43 that the beer garden, though not licensed, was considered to be a workplace and so would be able to host amplified live music in accordance with Schedule 1 of the Licensing Act 2003 as amended by the Live Music Act 2012 to 23:00 every day. Extension of the licensable area to the outside of the premises would automatically allow recorded music in the outside area up to 23:00. Since variation of the licence to allow live or recorded music outside the premises after 23:00 had not been applied for there was no need to consider further licence conditions in this respect. Regarding sales of alcohol it was further noted that this would be permitted in the outside areas if the variation were granted to the terminal hour of 00:30am in accordance with the current licence.

Introduction

The hearing was called to consider an application for a Variation of the current Premises Licence in respect of Greenway Hall Golf Club, Stanley Road, Stockton Brook, Staffordshire, ST9 9LJ.

No interests were declared.

Mr G Cross, Ms D Burton, Mr Denis Colgan and Mr Towers all addressed the Sub-Committee.

Decision

1. Approve with condition the part of the variation application relating to the external areas as follows; No licensable activities to take place after 11pm in any external licensed areas.

And,

2. Approve the variation application as applied for relating to amended internal areas.

Reasons for the decision

The objector's primary concern related to the external areas. There was no reason to believe that the amendment to the internal licensed area would undermine any of the licensing objectives and it should therefore be approved.

In relation to the proposed variation to include the external areas the Sub-committee noted that the premises in question are situated in a semi rural area with a number of residential properties close by. The Golf Club had been subject to a number of complaints regarding noise in the past although it appeared that these complaints had diminished significantly of late through adherence by the applicant to an informal agreement on operation of temporary events granted under TEN's and good communication with local residents.

No conditions could be imposed regarding unregulated entertainment before 11pm and it was noted that the premises could (as a workplace) already host amplified live entertainment to 11pm. The licensing of the external area would also allow the playing of recorded music up to 11pm, however, the licensee had taken responsible steps to work with the community regarding noise issues so there was no reason to suppose that recorded music as well as live music would be problematic either and it would have to cease at 11pm.

However, there would also be external noise from the bar, such as glasses and bottles clinking it which would generate additional activity outside. The noises from the bar could continue as late as half past midnight and it would not be possible to contain the noise from the bar in an outside area. The Sub-Committee considered that after 11pm these noises would be very likely to cause a noise nuisance to residential occupiers close by.

It was considered that reduction in the hours applied for sale of alcohol outside to 11pm externally would be sufficient (particularly given live music was already

permitted there) to control any noise nuisance to neighbours with responsible management and application of existing conditions.

Informative

The applicant was asked to note that the area was very noise sensitive and any complaints would be likely to lead to a review which could lead to more restrictions being put on the licence or removal of certain licensable activities.

Right of Appeal

The applicant may appeal against this decision. Any appeal must be made in writing to the Staffordshire Magistrates Court within 21 days from the date of receipt of the written Decision Notice.

The objector may appeal against this decision. Any appeal must be made in writing to the Staffordshire Magistrates Court within 21 days from the date of receipt of the written Decision Notice.

The meeting closed at 11am

Dated 19th June 2020

Chairman of the Licensing Sub-Committee