

LICENSING AND GAMBLING ACTS SUB-COMMITTEE HEARING

Members' Record of Determination

RE: Jane Georgina Parslow

Stoneleigh House Boutique Hotel, 17 Castle Street, Buckingham MK18 1BP

Application for Premises Licence under s.17 of the Licensing Act 2003

Date: 31st July 2018 at 10.00 am in The Olympic Room at the Gateway Aylesbury
Vale District Council

Constitution of the Sub-Committee:	Cllrs Lambert and Sue Renshell
Chair:	Cllr Judy Brandis
Others present:	

Legal Advisor:	Ifty Ali
Licensing Officer:	Kerryann Ashton- Officer
Applicant:	Jane Parslow and Kenneth Webster (witness in support)
Responsible Authority:	-
Interested Parties:	Paul Meadowcroft Tony Seaton
Members of the Public:	None
Documentation:	Report and Appendices and additional paper from Tony Seaton dated 25 th July 2018
Apologies:	None
Disclosures of Interest:	Cllr Sue Renshell declared that one of the Representors, not in attendance, was a known acquaintance.

FINDINGS OF FACT

The Sub-Committee accepted the following findings of fact from the evidence available:

1. This hearing relates to an application for a new Premises Licence in respect of Stoneleigh House Boutique Hotel for the sale and supply of alcohol and regulated entertainment –namely provision of plays, films, live and recorded music and the performance of dance. All Regulated entertainment is to terminate at 2300 hours Monday to Sunday with closing time being 2330 on all days apart from New Years Eve when the terminal hour will be 0200. The Applicant amended the application at the hearing to clarify that last orders in respect of the sale and supply of alcohol on New Years Eve would be 0130.
2. The premises are situated next door to another hotel and restaurants in a residential area. The premises are not in a Cumulative Impact Area. In accordance with the Licensing Policy Statement applications for a premises licence in Buckingham Town Centre to open up to 1200 midnight will be dealt with on their own individual merits as the Buckingham Terminal Hours Policy does not apply.
3. There were no representations/comment made by the Responsible Authorities: Thames Valley Police; Environmental Health ; Bucks Fire and Rescue; Planning; Trading Standards; The Area Child Protection Committee or the Primary Health Care Trust.
4. Representations objecting to the application (more particularly described at Appendix 3) centred primarily around the concerns of noise nuisance; anti-social behaviour; parking; and ecology concerns. Those representors giving evidence at the hearing had no objection to the present use of the premises but were concerned about the potential future use and consequent future public nuisance if the application was granted.

Of the six representations 2 were in support of the premises application.

5. The Applicant confirmed that the intention was that there:
 1. Was to be table service only.
 2. That the regulated entertainment in terms of plays and film in the garden were to be on an ad hoc basis only, with live music only once a month.
 3. Any events would be ticketed and limited in numbers.
 4. That there would be no irresponsible drinks promotions.

5. That she had joined Hotel Watch and planned to join Challenge 25.
6. That children would not be welcome after 7pm unless guests/resident in the hotel.
7. That all drinks would be served in glasses and to seated patrons.

The Applicant further confirmed that she intended to inform the neighbours of any events that might impact on them as she wanted to keep her neighbours and her residents happy.

Taking into account the application and representations received together with the relevant law, section 182 guidance, the Licensing Policy Statement (Nov 2015) the Sub-Committee unanimously **RESOLVED**:

Application granted as applied for with no additional conditions other than those mandatory conditions and those incorporated as part of the operating schedule.

REASONS FOR DECISION

The Sub-Committee felt assured by the stated intentions of the Applicant and that as the result of deregulatory changes that amended the Licensing Act 2003 most of the regulated entertainment activity was contained within the exemptions under that deregulation. However, recorded music was applied for outside of those exemptions between 0730 and 0800 everyday, but as it is referred to as quiet background music the Sub-committee did not feel it necessary or proportionate to condition or exclude that activity given that this is a new premises licence.

The Sub-Committee is also mindful of the fact that any licence can be reviewed by a Responsible Authority or any other person (i.e. local resident, residents association etc) which represents a key protection for any community where there are problems associated with the licensing objectives.

The Sub-Committee is satisfied that the above decision and reasons given are a reasonable and proportionate response to the representations made.

RIGHT OF APPEAL

An appeal against the decision of the Sub-Committee may be made by:

- a) The applicant
- b) The person who made the relevant representations

Applications to appeal the decision of the Sub-Committee must be made to the local Magistrates' Court within 21 days from the receipt of this notice