

ANGUS LICENSING BOARD – 5 NOVEMBER 2015

**(b) LICENCE NO. 33 – ESK HOTEL, 24 BROWNLOW PLACE, FERRYDEN, MONTROSE**

**Name and Address of Applicant**

Rory Thompson, Esk Hotel, 24 Brownlow Place, Ferryden, Montrose, DD10 9RN

**Type of Licence:** On/Off Sales

**Confirmation Notice**

If the confirmation notice is received before the Board date then this application will be dealt with. If the confirmation notice is not received the application may be deferred.

**Description of Variation Sought**

1. **Vary** the On/Off Sales operating hours for Sunday from the existing commencement hour of 12.30 to 11.00.

The Board is asked to note that the hours requested are within Board policy.

2. **Seasonal Variation** dates to include Christmas Day and New Year's Day.

The premises currently have seasonal variation dates for Christmas Eve and Hogmanay only.

The Board is asked to note that the seasonal dates requested are within Board policy.

**3. Activities**

(a) to add Recorded Music, Live Performances, Indoor/Outdoor Sports, Gaming and Televised Sport within core licensed hours.

(b) other activities to include charitable and fund raising events.

4. **Children and Young persons** to be permitted from 0 to 17 years within the Lounge area.

It is requested that the Board applies the Children's Model Local Conditions.

**Comments Received**

**ENVIRONMENTAL & CONSUMER PROTECTION** submitted a memorandum dated 6 October 2015.

The proposal is to include extending core hours within the premises as well as the addition of recorded and live musical entertainment. This division has concerns that due to the proximity of residential properties to the hotel (one neighbouring property is actually attached to the hotel) that its use during the entire period of the core hours could give rise to noise complaints. With this in mind, I would recommend that section 3.3.3 of the Statement of Licensing Policy be taken into account and restrictions be placed on the premises which ensures that all music and vocals, recorded or otherwise, shall be inaudible within any residential property as well as any associated external amenity space.

**The Board is asked to note that section 3.3.3 of the Statement of Licensing Policy states**

**Preventing Public Nuisance**

Nuisance may also be created by noise and applicants should plan their business to be as considerate as possible to neighbouring occupiers. Details of eg. external areas used for smoking and control of patrons whilst using those areas should be addressed in the operating plan. Premises offering music, either live or recorded, will be required to detail their proposals to limit noise emissions from the premises. These proposals should include measures aimed at controlling noise from amplified and non-amplified music, singing and speech so as to be inaudible within any adjacent noise sensitive property, particularly between 11pm and 7am. Such measures can include keeping doors and windows closed, and the installation of soundproofing measures and sound limiters. Advice can be obtained from Council Officers but it may also be necessary to contact acoustic consultants.