

LICENSING SUB-COMMITTEE

A record of proceedings of the Licensing Sub-Committee held at Bodicote House, Bodicote, Banbury on 17 August 2006 at 10.00 am.

Members of the Sub-Committee (all Members present) – Councillors Gibbard (Chairman), O’Sullivan and Wyse.

Officers:	M Dudfield (Solicitor)	}	Advising the Sub-
	S Lodge (Democratic Services Officer)	}	Committee
	Mrs T Poke (Central Services Manager)	}	Representing the
	Mrs N Barnes (Senior Licensing Officer)	}	Licensing Authority

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. LICENSING HEARING PROCEDURE

The hearing was undertaken in accordance with the agreed Licensing Hearing Procedure.

3. APPEAL HEARING – HOOK NORTON SPORTS AND SOCIAL CLUB, THE BOURNE, HOOK NORTON

Present at hearing:	M Harmon	}	Environmental Services
	Ms J Wileman	}	Department, Cherwell District Council – Responsible Authority
	G James	-	(Club Secretary) Hook Norton Sports and Social Club
	Ms G Neilsen Jacobs	-	(Social Secretary) Hook Norton Sports and Social Club
	S Jackson	}	Interested parties making
	Ms E A White	}	representations

The Central Services Manager stated that an application had been received on 21 June 2006 from Geoffrey James, Secretary of the Hook Norton Sports and Social Club for a variation of the Premises Licence issued under the Licensing Act 2003.

The report set out:-

- (1) details submitted by the applicant which set out support for the promotion of the four licensing objectives, ie: (a) the prevention of crime and disorder; (b) public safety; (c) the prevention of public nuisance; and (d) the protection of children from harm. The Committee also noted a letter sent from Mr James to Miss E A White informing her of the reasons why Hook Norton Sports and Social Club wished to vary their licence;
- (2) representations received from the Head of Environmental Services; and
- (3) representations received from Mr S Jackson and Ms E A White.

The existing club premises certificate which came into force on 24 November 2005 allowed for:-

- Supply of alcohol to members and their guests Sunday to Thursday 11.00 to 23.00 Friday and Saturday 11.00 to 23.30 (for consumption on the premises);
- Provision of live music on Friday and Saturday 19:00 to 21:30 (indoors);
- Non-standard timings apply to the Provision of Facilities for Dancing (indoors) in addition to above activities as follows; pre-booked events (not exceeding 12 in any year) of which prior notification has been given to the Police and Licensing Authority.

The proposed variation was:-

- Supply of alcohol to members and their guests Sunday to Thursday 11.00 to 23.00 Friday and Saturday 11.00 to 23.30 (for consumption both on and off the premises);
- Provision of Films, Indoor Sporting Events and provision of facilities for Dancing Monday to Sunday 08.00 to 23.30 (indoors only);
- Provision of Plays, Live Music, Performance and Dance and Provision of Facilities for Making Music Monday to Sunday 08.00 to 23.30 (both indoors and outdoors);
- Provision for Recorded Music Sunday to Thursday 08.00 to 23.30 Friday and Saturdays 08.00 to 00.00 (both indoors and outdoors);
- Provision of regulated entertainment of a similar description to that falling within live and recorded music or performance of dance and provision of entertainment facilities of a similar description to that falling within making music or dancing Monday to Sunday 12.00 to 23.30 (both indoors and outdoors);
- Non-standard timings apply to provision of entertainment facilities of a similar description to that falling within making music or dancing only as follows; Summer Ball 18.00 to 02.00, Christmas Eve and Boxing Day 12.00 to 00.00 and New Years Eve 12.00 to 02.00 (both indoors and outdoors).

Mr James, on behalf of Hook Norton Sports and Social Club stated that an original licence application under the Licensing Act 2003 for the Sports and Social Club had come into force on 24 November 2005. It was not until this certificate arrived in May 2006 that it was noticed that the licence did not include consumption of alcohol off the premises. The new licence provided for live music but this did not allow for the provision of recorded music.

Under the previous licence prior to the Licensing Act 2003 consumption off the premises had been allowed as had the playing of recorded music and it was hoped that the proposed variation would restore the activities to those which had previously been available.

The consumption of alcohol off the premises would be for people within the immediate environs who were watching sport and he would be happy to accept a condition restricting consumption to within 20 metres in front of the clubhouse.

He hoped that the extension of activities would encourage the use of the premises without causing nuisance to neighbours. The club relied on fund raising from such activities to encourage the development of cricket and football in the area. He was happy to accept the conditions which were proposed by the Head of Environmental Services. In response to a question from the Head of Environmental Services he stated that during music events two people served behind the bar together with 3 or 4 responsible people supervising the event. He also outlined the steps that would be taken to reduce noise and disturbance to neighbours when people were leaving such events.

M Harmon, on behalf of the Head of Environmental Services stated that he had no records of complaints in the past relating to Hook Norton Sports and Social Club. The Head of Environmental Services was recommending that no objections to the application be made subject to the following conditions:-

- PN.12
- (i) All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place;
 - (ii) the applicant must give the Licensing Authority 14 days notice of any event involving the playing of live music outdoors and for this notice to contain details of how the licensing objective of the prevention of public nuisance would be achieved;
 - (iii) that amplified music terminates at the same time as live music on all days, ie 23.30. The comments relating to live music above apply equally to amplified music;
 - (iv) the applicants must provide the Local Authority with an operating schedule detailing how youth club discos were to be stewarded;
 - (v) whilst the rehearsal of music in the absence of an audience was not a licensable activity the applicant should be aware that this type of activity required close supervision in order to prevent nuisance arising. In addition comments relating to live amplified music details should apply;
 - (vi) whilst noting the applicant's comments that the club does not intend to actively seek to promote "adult entertainment" in the event of such entertainment being planned the club shall provide the Licensing Authority with an event management plan 14 days prior to the event taking place.

Mr S Jackson and Ms E A White who were interested parties made representation in respect of:

- (1) the length of time that amplified music could be played outside the clubhouse;
- (2) concerns regarding the consumption of alcohol outside the premises; and
- (3) concerns regarding noise and vandalism at night caused by people leaving the premises.

The Sub-Committee then retired to consider the application in accordance with Regulation 14(2) of the Hearings Regulations. Upon return of the Sub-Committee it was

RESOLVED that the variation of the existing licence be granted as follows:

Supply of alcohol to members and guests for the time requested off the premises to the extent that such alcohol shall be consumed within 20 metres of the north west boundary of the premises;

The other regulated entertainment sought shall be approved;

Sunday to Thursday 09.00 to 22.30 Friday and Saturday 09.00 to 23.30.

The non-standard timings are agreed.

Subject to conditions:-

- (i) all existing doors/windows must be kept closed other than for access and egress in all rooms when events involving amplified music or speech are taking place (PN.12 Pool of Conditions);
- (ii) any external event to be the subject of 14 days prior written notice to the Licensing Authority together with a management plan for the event;
- (iii) any representations made by the Head of Environmental Services in response to such a 14 day notice to be addressed by the Club;
- (iv) a minimum of 5 authorised stewards to be in attendance for regulated entertainment involving live or amplified music and dance and those stewards to display some form of authority;
- (v) should the Club wish to provide adult entertainment such event to be subject to 14 days prior written notice to the Licensing Authority, together with a management plan of the event;
- (vi) any representations made by the Head of Environmental Services in response to such a 14 day notice to be addressed by the Club.

REASONS – the Sub-Committee has considered the intentions expressed by the applicant for the variations and the representations that have been made. The application has been allowed to a lesser extent than that requested. In respect of the off premises request the limitation proposed that morning has been agreed. The additional entertainment requested has been limited during the week to 22.30 and on Fridays and Saturdays to 23.30. This coupled with the additional conditions addresses the issues raised by those making representations and gives the applicant the opportunity of operating a reasonably satisfactory manner. Should this prove not to be the case the terms of the licence can be made the subject of a review.

4. **END OF MEETING**

The proceedings ended at 11.44.