

**CHERWELL DISTRICT COUNCIL**

**LICENSING SUB COMMITTEE**

**14 July 2008**

**REPORT OF THE DIRECTOR OF ENVIRONMENT & COMMUNITY**

**CLUB PREMISES CERTIFICATE AND PREMISES LICENCE APPLICATION HEARINGS**

**1 Introduction and Purpose of Report**

- 1.1 The purpose of this report is to provide an outline of an application and details of representations received from The Head of Safer Communities and Community Development, Thames Valley Police and interested parties which has resulted in the necessity for a hearing.

**2 Wards Affected**

- 2.1 Hook Norton

**3 Effect on Policy**

- 3.1 None.

**4 Contact Officers**

- 4.1 Natasha Barnes (ext. 1599)  
Claire Bold (ext. 1791)

**5 Background**

- 5.1 This report contains details of two applications in respect of Hook Norton Sports & Social Club, The Playing Fields, The Bourne, Hook Norton, Banbury that is to be considered by the Committee.
- 5.2 The applications are for the grant of a new club premises certificate and the grant of a new premises licence to be issued under the Licensing Act 2003.
- 5.3 Hook Norton Sports and Social Club have built a new premise for which these applications relate. Previously, the Club has held a club premises certificate for another premise, located on the same road. The Club intends to surrender this licence should the new licences be agreed by the Committee. The purpose of holding two licences is to allow the Club to act as a club within its rules and regulations and also a premise that can be used by non club members, should such usage be required.
- 5.4 This report details the applications separately, sections 7 and 8 detail the application for the Club Premises Certificate and sections 9 and 10 detail the application for the Premises Licence.
- 5.5 The representations received all relate to both applications and therefore have been summarised only once at section 11.

- 5.6 Should any supplementary information be received from those making representations, it will be circulated in advance of the meeting of the Sub-Committee.

## **6 Applications in respect of Hook Norton Sports & Social Club, Hook Norton**

- 6.1 The applications for the grant of a club premises certificate and the grant of a premises licence were received on 20 May 2008, from Colette Warner of Resthaven, 1 Burycroft Road, Hook Norton, who is Secretary to the Club.

## **7 Details of Application for a Club Premises Certificate under the Licensing Act 2003**

- 7.1 Brief description of the nature of the proposed application:

Hook Norton Sports and Social Club is a single storey building set within a sports field complex on the near edge of the village, it is detached.

There are two main areas of the club.

- a) The social area consisting of club room (bar), meeting room/office, toilets and kitchen, to one side.
- b) Changing facilities for affiliated sports sections and their guests on the other side. Also officials changing rooms and storage rooms

It has a patio area to the front and rear and is shingled to adjoin sports fields and tennis courts. The bar area (Club Room) is used for members and their guests to drink in and dance in ad where social events take place.

The patio areas to front and rear are also to be used for social events, drinking and dancing.

- 7.2 The application for the **Club Premises Certificate** is briefly described as:

- Supply of alcohol to members and their guests from 11:00 to 23:00 Sunday to Thursday and 11:00 to 00:00 Friday to Saturday (For consumption both on and off the premises)
- The provision of regulated entertainment in the forms of plays, films and indoor sporting events from 08:00 to 23:00 Sunday to Thursday and 08:00 to 00:00 on Friday to Saturday (indoors only)
- The provision of regulated entertainment in the form of live music from 08:00 to 23:00 on Sunday, 08:00 to 23:30 Monday to Thursday and 08:00 to 00:00 Friday to Saturday (both indoors and outdoors)
- The provision of regulated entertainment in the forms of recorded music and the performance of dance and the provision of entertainment facilities in the forms of making music, dancing and entertainment of a similar description to making music or dancing from 08:00 to 23:30 Sunday to Thursday and 08:00 to 00:00 Friday to Saturday (both indoors and outdoors)
- The provision of regulated entertainment that is of a similar description to live or recorded music or the performance of Dance from 08:00 to 23:30 Sunday to Thursday and 08:00 to 00:00 Friday to Saturday(both indoors and outdoors)
- Non Standard Timings for the permissions for the supply of alcohol to members and their guests, live and recorded music, the performance of dance and the provision of entertainment facilities in the forms of making music, dancing and entertainment of a similar description to making music or dancing from 08:00 to 00:00 on Christmas Eve and Boxing Day and 08:00 to 02:00 the following morning on New Years Eve, Balls and Sportsperson's Dinners (both indoors and outdoors)

A summary of all the timings requested is attached at [Annex 1](#)

## **8 Promotion of the Four Licensing Objectives**

8.1 The applicant has stated the following in respect of promoting the four licensing objectives

- Staff training – ongoing
- Security and lighting and emergency procedures in place

### **8.2 *The Prevention of Crime & Disorder***

8.3 Some representations received have stated concerns in relation to potential issues in respect of increased risk of crime and disorder being caused by the grant of this application for a club premises certificate. The applicant has stated the following in respect of promoting this licensing objective:

- Age restricts at certain events
- Accommodation/capacity limits
- Drugs policies and notices
- Bottle/glass bans at certain events

### **8.4 *The Prevention of Public Nuisance***

8.5 Some representations received have stated concerns in relation to potential issues in respect of public nuisance being caused by the grant of this application for a club premises certificate. The applicant has stated the following in respect of promoting this licensing objective:

- Double glazing, keeping doors open and windows closed after 10pm except for access and egress
- Litter facilities maximized
- Notices for patrons to leave premise quietly
- Prevention of light pollution and music at reasonable levels

### **8.6 *The Protection of Children from Harm***

8.7 One of the representations received stated concerns in relation to potential issues in respect of the need to protect children from harm being caused by the grant of this application for a club premises certificate. The applicant has stated the following in respect of promoting this licensing objective:

- Restricting children to adult entertainment
- CRB checks for staff involved in coaching or in sole charge of children
- Proof of age cards
- Policies relating to age limits and restrictions
- Requirements for adults in attendance at children's activities
- Provision of children's area

## **9 Details of Application for a Premises Licence under the Licensing Act 2003**

9.1 Brief description of the nature of the proposed application:

Hook Norton Sports and Social Club is situated within a sports field complex.

The reason for this application is to licence the premises for use by non-members of the club so that we can promote use of the club during times other than on our club premises licence. For this purpose we wish to include the sports fields, car parks and all areas outlined in red on the plan to maximise our usable area. We would also like to include any marquees and tents that are erected within the boundaries for use as and when appropriate, i.e. summer balls and fetes.

9.2 The application for the **Premises Licence** is briefly described as:

- The supply of alcohol from 08:00 to 23:30 on Sunday, 08:00 to 23:00 Monday to Thursday and 08:00 to 00:30 Friday to Saturday (For consumption both on and off the premises)
- The provision of regulated entertainment in the forms of plays, films, indoor sporting events and anything of a similar description to live or recorded music or performance of dance and the provision of facilities for making music, dancing and entertainment of a similar description to making music or dancing from 08:00 to 23:30 Sunday to Thursday and 08:00 to 01:00 the following morning on Friday to Saturday (both indoors and outdoors)
- The provision of regulated entertainment in the form of live and recorded music from 08:00 to 23:30 Sunday to Thursday and 08:00 to 01:00 the following morning on Friday to Saturday(both indoors and outdoors)
- The provision of regulated entertainment in the form of the performance of dance from 08:00 to 23:30 Sunday to Thursday and 08:00 to 01:00 the following morning on Friday to Saturday(both indoors and outdoors)
- The provision of late night refreshment from 23:00 to 23:45 Sunday to Thursday and 23:00 to 01:15 the following morning on Friday to Saturday(both indoors and outdoors)
- Non Standard Timings for the permissions for the supply of alcohol from 08:00 to 00:30 Boxing Day and 08:00 to 01:30 the following day on Winter & Summer Balls, Sportspersons Dinners, Christmas Eve and New Years Eve
- Non Standard Timings for the provision of regulated entertainment in the form of live music from 08:00 to 01:00 the following morning on Christmas Eve and Boxing Day & Sportspersons Dinners and 08:00 to 02:00 the following morning on New Years Eve and Winter & Summer Balls
- Non Standard Timings for the provision of regulated entertainment in the form of recorded music from 08:00 to 01:00 the following morning on Boxing Day and 08:00 to 02:00 the following morning on Christmas Eve, New Years Eve and Winter & Summer Balls & Sportspersons Dinners
- Non Standard Timings for the provision of regulated entertainment in the form of the performance of dance from 08:00 to 01:00 the following morning on Boxing Day & Sportspersons Dinners and 08:00 to 02:00 the following morning on Christmas Eve, New Years Eve and Winter & Summer Balls
- Non Standard Timings of the provision of late night refreshment from 23:00 to 00:45 on Christmas Eve and Boxing Day and 23:00 to 02:00 the following morning on New Years Eve, Balls and Sportspersons Dinners

A summary of all the timings requested is attached at [Annex 1](#)

## 10 Promotion of the Four Licensing Objectives

10.1 The applicant has stated the following in respect of promoting the four licensing objectives

- Staff training – ongoing
- Good security systems in place
- Operating policies known and adopted by all staff

## 10.2 ***The Prevention of Crime & Disorder***

10.3 Some representations received have stated concerns in relation to potential issues in respect of increased risk of crime and disorder being caused by the grant of this application for a club premises certificate. The applicant has stated the following in respect of promoting this licensing objective:

- Drugs polices and drinking law posters clearly displayed
- Licensing laws adhered to when supplying alcohol i.e. right to refuse a drunk, underage with no ID etc;
- Age restrictions on certain events
- On going staff training to address any new legislation

## 10.4 ***The Prevention of Public Nuisance***

10.5 Some representations received have stated concerns in relation to potential issues in respect of public nuisance being caused by the grant of this application for a club premises certificate. The applicant has stated the following in respect of promoting this licensing objective:

- Double glazing fitted on buildings doors and windows closed except for access and egress after 10pm
- Litter bins maximized
- Prevention of light pollution
- Outdoor use restricted after certain times for certain events
- Notices and communications to ask patrons to leave quietly

## 10.6 ***The Protection of Children from Harm***

10.7 One of the representations received stated concerns in relation to potential issues in respect of the need to protect children from harm being caused by the grant of this application for a club premises certificate. The applicant has stated the following in respect of promoting this licensing objective:

- Restrictions to adult entertainment
- Policies relating to times children allowed on premises
- Need for accompanying adults
- Proof "21" cards
- Prevention of children to gaming machines

## 11 **Representations Received and Relevant Licensing Objectives**

11.1 The Head of Safer Communities and Community Development objects to the grant of both licence applications in their current forms. However, they would remove this objection should the Panel see fit to reduce the times of the application and implement the following conditions as additional measures to control public nuisance from noise related issues:

- Live music to be played inside the building until 22:30 hrs (10.30pm), Sunday, Monday, Tuesday, Wednesday, Thursday and 2300 hrs (11.00pm), Friday and Saturday
- Live music, any amplified music or speeches are to cease by 2100hrs (9.00pm) outside the building on any night of the week

- Amplified music to be played inside the building until 2330hrs (11.30pm) Sunday, Monday, Tuesday, Wednesday, Thursday and 0030hrs (12.30am), Friday and Saturday.
- PN12 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.
- PN16 Prominent, clear notices shall be displayed at [*all exits / in the beer garden*] requesting customers to respect the needs of local residents and leave the premises and the area quietly.
- PN24 The Designated Premises Supervisor or a nominated representative shall receive and respond to complaints throughout the duration of all noisy events.

The applicant has advised the Head of Safer Communities and Community Development that they agree to the terms outlined above.

- 11.2 The response from the Head of Safer Communities and Community Development is attached as Annex 2.
- 11.3 The email from Collette Warner, on behalf of Hook Norton Sports and Social Club, confirming her agreement is attached as Annex 3.
- 11.4 Thames Valley Police have objected to the grant of both licence applications in their current forms. However, they would remove this objection should the Panel see fit to implement a number of conditions that they deem will address any possible issues surrounding crime and disorder related issues.
- 11.5 The response from Thames Valley Police is attached as Annex 4.
- 11.6 There are 3 interested parties who have submitted representations;
- The representation from E. A. White of Scotland Bungalow, Round Close Road, Hook Norton is attached as Annex 5.
  - The representation from Steve Jackson of 37 The Bourne, Hook Norton is attached as Annex 6.
  - The representation from Doug Marshall of 39 The Bourne, Hook Norton is attached as Annex 7.

## 12 Relevant sections of the Guidance and Licensing Authority Policy issued under the Licensing Act 2003

- 12.1 The relevant sections of the Guidance and Licensing Authority Policy issued under the Licensing Act 2003, which are applicable to the representations for all the cases are as follows:

### Guidance:

Pages 72 - 73	Sections 10.11 – 10.18	Imposed Conditions, Proportionality, Duplication with other statutory provisions
Page 73	Sections 10.19 – 10.21	Hours of Trading
Pages 16 – 19	Sections 2.1 – 2.18	Crime and Disorder
Pages 21 - 23	Sections 2.32 – 2.40	Public Nuisance
Pages 23 - 25	Sections 2.41 – 2.51	Protection of Children from Harm
Pages 117 – 121	Annex D	Part 1. Conditions relating to the prevention of crime and disorder

Pages 128 - 129	Annex D	Part 4. Conditions relating to the prevention of public nuisance
Pages 130-133	Annex D	Part 5. Conditions relating to the protection of children from harm

**Cherwell District Council Statement of Licensing Policy:**

Page 15	LH 3 - 8	Sections 5.3 – 5.7	Licensing Hours
Page 19	CH5	Section 6.2	Prevention of under-age consumption
Page 23	LA5	Section 7.3.9	Addressing local concerns
Page 23	LA6	Section 7.3.10	General Management and control

12.2 Members have been issued with copies of the Guidance, the Statement of Licensing Policy and the Council's pool of conditions and are asked to bring them with them to the meeting.

**13 Options**

13.1 There is no recommendation. However, the panel is reminded that they are required to determine two separate applications on this occasion.

13.2 In considering the representations received and what is appropriate for the promotion of the licensing objectives, the options open to the Sub-Committee are, in broad terms:

- 1) approve the application(s) as submitted
- 2) reject the application(s) in whole or part
- 3) place conditions on the club premises certificate/premises licence and/or require changes to the details sought.

1)

## Club Premises Certificate Application Summary

<p><b>Provision of Regulated Entertainment</b>  Plays  Films  Indoor Sporting Events</p> <p>All of the above from 08:00 – 23:00 Sunday to Thursday  08:00 – 00:00 Friday to Saturday</p>
<p><b>Provision of Regulated Entertainment</b>  Live Music</p> <p>All of the above from 08:00 – 23:00 Sunday  08:00 – 23:30 Monday to Thursday  08:00 – 00:00 Friday to Saturday  08:00 – 00:00 Christmas Eve and Boxing Day  08:00 – 02:00 New Years Eve, Balls and Sportsperson's Dinners</p>
<p><b>Provision of Regulated Entertainment</b>  Recorded Music  Performance of Dance</p> <p><b>Provision of Entertainment Facilities for:-</b>  Making Music  Dancing  Entertainment of a similar description to Making Music or Dancing</p> <p>All of the above from 08:00 – 23:30 Sunday to Thursday  08:00 – 00:00 Friday to Saturday  08:00 – 00:00 Christmas Eve and Boxing Day  08:00 – 02:00 New Years Eve, Balls and Sportsperson's Dinners</p>
<p><b>Provision of Regulated Entertainment</b>  Anything of a similar description to Live or Recorded Music or Performance of Dance</p> <p>All of the above from 08:00 – 23:30 Sunday to Thursday  08:00 – 00:00 Friday to Saturday</p>
<p><b>Supply of Alcohol to Member or Guest of member</b></p> <p>All of the above from 11:00 – 23:00 Sunday to Thursday  11:00 – 00:00 Friday to Saturday  11:00 – 00:00 Christmas Eve and Boxing Day  11:00 – 02:00 New Years Eve, Balls and Sportsperson's Dinners</p>
<p><b>Opening Hours</b></p> <p>All of the above from 08:00 – 23:45 Sunday to Thursday  08:00 – 00:15 Friday to Saturday  08:00 – 00:15 Christmas Eve and Boxing Day  08:00 – 02:15 Balls and Sportsman's Dinners</p>



## Premises Licence Application Summary

### Provision of Regulated Entertainment

Plays  
Films  
Indoor Sporting Events  
Anything of a similar description to Live or Recorded Music or Performance of Dance

### Provision of Entertainment Facilities for:-

Making Music  
Dancing  
Entertainment of a similar description to Making Music or Dancing

All of the above from 08:00 – 23:30 Sunday to Thursday  
08:00 – 01:00 Friday to Saturday

### Provision of Regulated Entertainment

Live Music

All of the above from 08:00 – 23:30 Sunday to Thursday  
08:00 – 01:00 Friday to Saturday  
08:00 – 01:00 Christmas Eve and Boxing Day & Sportspersons Dinners  
08:00 – 02:00 New Years Eve and Winter & Summer Balls

### Provision of Regulated Entertainment

Recorded Music

All of the above from 08:00 – 23:30 Sunday to Thursday  
08:00 – 01:00 Friday to Saturday  
08:00 – 01:00 Boxing Day  
08:00 – 02:00 Christmas, New Years Eve and Winter & Summer Balls & Sportsperson's Dinners

### Provision of Regulated Entertainment

Performance of Dance

All of the above from 08:00 – 23:30 Sunday to Thursday  
08:00 – 01:00 Friday to Saturday  
08:00 – 01:00 Boxing Day & Sportspersons Dinners  
08:00 – 02:00 Christmas, New Years Eve and Winter & Summer Balls

### Late Night Refreshment

All of the above from 23:00 – 23:45 Sunday to Thursday  
23:00 – 01:15 Friday to Saturday  
23:00 – 00:45 Christmas and Boxing Day  
23:00 – 02:00 New Years Eve, Balls and Sportspersons Dinners

### Supply of Alcohol

All of the above from 08:00 – 23:30 Sunday  
08:00 – 23:00 Monday to Thursday  
08:00 – 00:30 Friday to Saturday  
08:00 – 01:30 Winter & Summer Balls, Sportspersons Dinners, Christmas Eve and New Years Eve  
08:00 – 00:30 Boxing Day

## **Opening Hours**

All of the above from 08:00 – 23:45 Sunday to Thursday

08:00 – 01:15 Friday to Saturday

08:00 – 00:45 Christmas Eve

08:00 – 02:15 Summer & Winter Balls, New Years Eve and Sportsman's  
Dinners