

Licensing (2003 Act) Sub-Committee

Tuesday, 19 September 2006

DECISION

Set out below is the decision taken at the Licensing (2003 Act) Sub-Committee hearing held on Tuesday, 19 September 2006 regarding the application to vary existing licence conditions for SHELFORD RUGBY CLUB, DAVEY FIELD, CAMBRIDGE ROAD, GREAT SHELFORD. The wording used does not necessarily reflect the actual wording that will appear in the minutes but is an exact reproduction of the decision notice read out at the hearing and given to the Applicant and Objectors at the end of the hearing.

APPLICATION TO VARY EXISTING CLUB PREMISES CERTIFICATE CONDITIONS, SHELFORD RUGBY CLUB, GREAT SHELFORD

Date of Hearing:	19 September 2006
Members of Panel:	Councillor Mrs A Elsby – Chairman Councillor Mrs Mrs PM Bear Councillor Mrs CAED Murfitt
Applicant(s) Name:	Shelford Rugby Club
Premises Address:	Davey Field Cambridge Road Great Shelford Cambridge CB2 5JJ
Date of Application:	15 July 2006
Application for:	To vary existing club premises certificate conditions

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
Plays – Indoors only		Approved	
Monday			
Tuesday			
Wednesday			
Thursday			
Friday	19:00 – 23:00		
Saturday	19:00 – 23:00		
Sunday			

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
Films – indoors only		Approved	
Monday			
Tuesday			
Wednesday			
Thursday			
Friday	19:00 – 23:00		
Saturday	19:00 – 23:00		
Sunday			

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
Indoor sporting events		Approved	
Monday	09:00 – 22.00		
Tuesday	09:00 – 22.00		
Wednesday	09:00 – 22.00		
Thursday	09:00 – 22.00		
Friday	09:00 – 22.00		
Saturday	09:00 – 22.00		
Sunday			

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
Live Music Both Indoors and Outdoors		Approved for Sunday Modified Friday and Saturday timings from 19:00 – 01:30*.	To prevent public nuisance
Monday			
Tuesday			
Wednesday			
Thursday			
Friday	19:00 – 02:00		
Saturday	19:00 – 02:00		
Sunday	19:00 – 23:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
Recorded Music Both Indoors and Outdoors		Approved for Sunday Modified Friday and Saturday timings from 19:00 – 01:30 music*.	To prevent public nuisance
Monday			
Tuesday			
Wednesday			
Thursday			
Friday	19:00 – 02:00		
Saturday	19:00 – 02:00		
Sunday	19:00 – 23:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
Anything of a similar description to Live or Recorded Music Indoors only		Approved*	To prevent public nuisance
Monday			
Tuesday			
Wednesday			
Thursday	19:00 – 23:00		
Friday	19:00 – 23:00		
Saturday	19:00 – 23:00		
Sunday	19:00 – 23:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
Provision of facilities for dancing – Indoors only		Approved	
Monday	19:00 – 23:00		
Tuesday	19:00 – 23:00		
Wednesday	19:00 – 23:00		
Thursday	19:00 – 23:00		
Friday	19:00 – 23:00		

Saturday	19:00 – 23:00		
Sunday	19:00 – 23:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
Provision of facilities for entertainment similar to that for Dancing – Indoors and Outdoors		Indoors approved as applied for.	To prevent public nuisance
Monday	09:00 – 23:00	Outdoors to be limited to Friday, Saturday and Sundays only, hours as applied for*.	
Tuesday	09:00 – 23:00		
Wednesday	09:00 – 23:00		
Thursday	09:00 – 23:00		
Friday	09:00 – 23:00		
Saturday	09:00 – 23:00		
Sunday	09:00 – 23:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
Supply of Alcohol Both on and off the premises		Approved	
Monday	09:00 – 23:00		
Tuesday	09:00 – 23:00		
Wednesday	09:00 – 23:00		
Thursday	09:00 – 23:00		
Friday	09:00 – 00:00		
Saturday	09:00 – 01:00		
Sunday	12:00 – 23:00		

Hours Sought		Decision (e.g. approve, modify or exclude)	Reason
Hours premises open to members and guests		Approved Monday to Thursday and Sunday. Modified Friday and Saturday from 07:30 – 02:00	To prevent public nuisance
Monday	07:30 – 23:30		
Tuesday	07:30 – 23:30		
Wednesday	07:30 – 23:30		
Thursday	07:30 – 23:30		
Friday	07:30 – 02:30		
Saturday	07:30 – 02:30		
Sunday	07:30 – 23:30		

* The maximum number of regulated entertainment events held outdoors including any such events held in the marquee shall be limited to a total of six per annum.

The Sub-Committee has considered your application very carefully and has had due regard to the Licensing Act 2003, the accompanying Guidance and Regulations and the SCDC Licensing Policy. We have heard the evidence of the applicant, considered three letters of objection received in respect of the application and a representation made by the Council's Environmental Health Officer, which were on the grounds of the prevention of public nuisance.

The Sub-Committee has decided to **approve** the licence application to allow the licensable activities during the hours set out in the operating schedule as partly modified and subject to the restrictions detailed above. During the hearing the applicant withdrew Part D of their application relating to Boxing and Wrestling entertainments and Part G of their application relating to Performance of dance.

We have decided to attach the following conditions to promote the prevention of public

nuisance, these conditions were suggested by the Environmental Health Officer and agreed by the applicant at the hearing:

1. Clear, prominent and legible notices shall be posted on all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
2. Whilst licensable activities take place, regular checks should be made at points X, Y and Z, (marked on Figure 1 on the map attached to this decision) to ensure that nearby residential properties are not adversely affected by noise from events held within the licensed area, as indicated with a thick black line on the map attached to this decision.
3. All residents within the area encompassed on Figure 2 on the map attached to this decision notice, shall be notified in writing of any proposed outdoor music events, at least 14 days in advance.

We have decided to impose a modified condition relating to the doors as follows:

4. During licensed entertainment events all doors in the premises shall be kept closed, except to allow for ingress and egress.

We heard from the applicant that there is already a noise limiting device installed in the premises which is calibrated by members of the rugby club; we have decided to impose a condition ensuring that the device is calibrated independently as follows:

5. An appropriate electronic noise-limiting device shall be fitted to control levels of noise from regulated entertainment. This device shall be kept locked with access available only to the Club President. The noise-limiter shall be set and documented in agreement with the Environmental Health Officer and levels shall not change except in the presence of and with the agreement of the Environmental Health Officer.

Local residents may apply for a review of the licence on a ground relating to one or more of the licensing objectives should there be any relevant issues arising from the operation of the new premises licence. The four licensing objectives are: the Prevention of Crime and Disorder; Prevention of Public Nuisance; Public Safety; and Protection of Children from Harm.

The applicant and objectors have a right of appeal to the Cambridge Magistrates' Court within 21 days of receiving notification of this decision.

Signed:

Councillor Mrs A Elsby – Chairman

Councillor Mrs PM Bear.....

Councillor Mrs CAED Murfitt.....

Dated: 19 September 2006