

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Licensing Sub-Committee (2003 Act) 19 September 2006
AUTHORS: Executive Director/Ast Licensing Officer

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

The Application

1. The application (**APPENDIX A**) to vary the existing licence for the Shelford Rugby Club, Great Shelford was accepted by the licensing section on the 28th July 2006. The requirements for advertising and displaying relevant notices were carried out in accordance with the Licensing Act 2003 after alterations to the original date.

The premises are currently permitted to open:

- Monday to Saturday between 10.00am and 23.00pm,
- Sunday 12.00 Midday to 22.30 pm,
- Premises are licensed for both on and off licence sales to club members and their guests only.

There were no activities transferred under Grandfather Rights for this application.

Background

2. The premises are in a village location, at the end of a private road, with residential properties to both sides of the field and building. The premises gates open onto a main road leading through Great Shelford opposite Scotsdales Nursery. There are residential properties to either side of the gates leading from the premises. There is car parking to the front of the premises. (Map attached as **APPENDIX B**)
3. The variation application is for: -
 - **To allow the provision of Plays (Indoors only)**
Friday & Saturday 19.00 hours to 23.00 hours
 - **To allow for the provision of Films (Indoors only)**
Friday & Saturday 19.00 hours to 23.00 hours
 - **To allow Indoor Sporting Events**
Monday to Saturday 09.00 hours to 22.00 hours
 - **To allow Boxing and Wrestling (Outdoors only)**
Friday and Saturday 19.00 hours to 23.00 hours
 - **To allow Live Music (Inside & Outside)**
Friday & Saturday 19.00 hours to 02.00 hours
Sunday 19.00 hours to 23.00 hours
 - **To allow Recorded Music (Inside & Outside)**
Friday & Saturday 19.00 hours to 02.00 hours
Sunday 19.00 hours to 23.00 hours
 - **To allow Performance of Dance (Indoors only)**
Monday to Sunday 19.00 hours to 23.00 hours
 - **To allow Anything of a Similar Description to (e), (f) or (G)**
Thursday to Sunday 19.00 hours to 23.00 hours
 - **To allow the Provision of Facilities for Dancing (Indoors only)**

- Monday to Sunday 19.00 hours to 23.00 hours
- **To allow Provision of facilities for entertainment of a similar description falling within (i) or (J)**
Monday to Sunday 09.00 hours to 23.00 hours
- **To allow the Supply of Alcohol (Inside & outside)**
Monday to Thursday 09.00 hours to 23.00 hours
Friday 09.00 hours to Midnight
Saturday 09.00 hours to 01.00 hours
Sunday 09.00 hours to 23.00 hours
- **To allow Club Premises Open to Member and Guests**
Monday to Thursday 07.30 hours to 23.30 hours
Friday and Saturday 07.30 hours to 02.30 hours
Sunday 07.30 hours to 23.30 hours

Relevant Representations

3. Representations had been received from:

Environmental Health Officer
Local Residents
Letters attached as APPENDIX C.

Officer's Views

4. Members, when considering the application, should be aware that they may only take into consideration the parts of the application that represent a variation.
5. Below are conditions referred to within the South Cambridgeshire District council Licensing Policy in relation to the licensing objectives.

Policy Considerations

6. Guidance issued under section 182 of the Act outlines a number of conditions that may be used to promote the four objectives. Whilst this list is not exhaustive it is an indication to applicants of the conditions that may be considered appropriate in individual cases.
7. It should be noted that in addition to any relevant conditions placed on a premise that it is unlawful under the 2003 Act:
- (a) to knowingly sell or supply or attempt to sell or supply alcohol to a person who is drunk
 - (b) to knowingly allow disorderly conduct on licensed premises
 - (c) for the holder of a premises licence or a designated premises supervisor knowingly to keep or to allow to be kept on licensed premises any goods that have been imported without payment of duty or which have otherwise been unlawfully imported
 - (d) To allow the presence of children under 16 who are not accompanied by an adult between midnight and 5am at any premises licensed for the sale of alcohol for consumption on the premises, and at any time in premises used exclusively or primarily for the sale and consumption of alcohol.

Conditions enforcing these arrangements will therefore be unnecessary

Conditions relating to the prevention of public nuisance.

a) Consideration may be given to conditions that ensure that:

- 1) Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties
- 2) Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 3) The use of explosives, pyrotechnics and fireworks of a similar nature, which could cause disturbance in the surrounding areas are restricted.
- 4) The placing of refuse - such as bottles- into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.
- 5) Noxious smells from the licensed premises are not permitted (subject to existing legislation not providing adequate measures) so as to cause a nuisance to nearby properties and the premises are properly vented.
- 6) Flashing or particularly bright lights on or outside licensed premises (any such condition must be balanced against the benefits of providing lighting to promote the prevention of crime and disorder).

b) Hours

The hours during which the premises are permitted to be open to the public or to members and their guests can be restricted by the conditions of a premises licence or club premises certificate for the prevention of public nuisance:

- 1) Conditions may be placed on premises restricting (other than where they are protected by the transitional provisions of the Act) the hours during which premises are permitted to be open to the public or to members and their guests.
- 2) Restrictions may be necessary on the times when certain licensable activities take place even though the premises may be open to the public at such times
- 3) Restrictions may be necessary on parts of a premise used for certain licensable activities at certain times.

Legal Implications

8. All parties will maintain a right of appeal to a Magistrate's Court after the determination of this committee.

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