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9 January 2008

To: Chairman – Councillor RB Martlew
Members of the Licensing (2003 Act) Sub-Committee – Councillors Mrs CAED
Murfitt and A Riley

Applicant: Mr D O'Dell on behalf of Linton Granta Football Club, Linton

Representee: Mr & Mrs D Nulty, 36 Palmers Close, Linton, CB21 4JA

Dear Sir/Madam

Please find below the agenda, and attached the relevant papers, for the hearing by the **LICENSING (2003 ACT) SUB-COMMITTEE** of the application to vary the existing club premises certificate conditions at Linton Granta Football Club, Meadow Lane, Linton. The hearing will be held in the **JEAVONS ROOM, FIRST FLOOR** meeting room at South Cambridgeshire Hall on **FRIDAY, 18 JANUARY 2008** at **10.00 a.m.**

Yours faithfully
GJ HARLOCK
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

AGENDA

	PAGES
1. INTRODUCTION As per the attached Licensing (2003 Act) Committee procedure.	1 - 2
2. DECLARATIONS OF INTEREST	
3. APPLICATION TO VARY THE EXISTING CLUB PREMISES CERTIFICATE CONDITIONS, LINTON GRANTA FOOTBALL CLUB, MEADOW LANE, LINTON Appendices A, B and C are not available electronically.	3 - 8

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Disturbance by Public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**LICENSING ACT 2003 COMMITTEE****HEARING PROCEDURE****1. Introduction**

- The Chairman of the sub-committee will welcome and introduce everyone present, giving explanations of roles where necessary, and outline the procedure to be followed.
- The hearing will take the form of a discussion to be led by the sub-committee.
- Members of the sub-committee will be able to ask questions of any party, or the Licensing Officer, at the hearing. They will try, so far as possible, to ask their questions at the conclusion of each party's submission.
- The sub-committee will consider any requests for permission to ask questions of other parties. It will decide if questions are required in order for it to consider the case properly. If permission is given to one party, it will usually be given to all other parties.
- The Chairman may ask any person behaving in a disruptive manner to leave and may refuse to permit that person(s) to return or may permit them to return with specified conditions. Such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.
- Members of the sub-committee will be asked to make any Declaration of Interests.

2. Witnesses

The sub-committee will consider any requests from any of the parties to call witnesses.

3. New evidence/information

The sub-committee will consider any requests for permission to present new evidence or information not previously disclosed to all the parties and the sub-committee prior to the hearing. The general rule is that such information or evidence must not be considered unless all parties at the hearing agree to it being considered on the day of the hearing. A request may be made for a short adjournment to allow time for everyone to receive copies of the extra information and time to read it.

4. Allocation of time

Each party will be asked for a time estimate for the presentation of their case. The sub-committee will hear all estimates and then allocate each party an equal amount of time to speak.

5. Licensing Officer's report

The Council's Licensing Officer will outline details of the application and representations received by the council. No recommendation to members will be made.

6. Applicant's case

The applicant will present their case first. They have a right to:

- address the sub-committee on any points of clarification the council has sought;
- address the committee generally; and
- call any witnesses that they have been given permission to call. Witnesses may be cross-examined if permission is granted. If this happens, the time taken for questions will count towards the allocated time of the party asking the questions, not the party answering them.

Members of the sub-committee may ask questions of the applicant.

7. Police representations

The Police will make any representations about the application, with the same rights as listed at s.6. Members of the sub-committee may ask questions of the police representative.

8. "Responsible authorities" representations

Other "responsible authorities" (Police/Fire/Environmental Health Officer/Social Services/Trading Standards/Planning Directorate) will then make representations, with the same rights as listed at s.6. Members of the sub-committee may ask questions of those authorities represented.

9. Any other representations

Anybody else making representations will go last, with the same rights listed at s.6.

Members of the sub-committee may ask questions of any person who has made a representation.

10. Legal advice

Once all parties have presented their cases to the sub-committee, and the members of the sub-committee have no more questions for any of the parties, the Council's Legal Officer will be asked to outline any relevant legal guidance.

11. Decision-making

The sub-committee will then retire to another room to make its decision. The Council's Legal Officer and Clerk will accompany members to advise where necessary and take notes of the decision.

12. Notification of decision

Depending on the nature of the application, a determination of the case will either be made at the conclusion of the hearing, or within 5 working days. In most cases, all parties will be notified of the decision in writing.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Licensing Sub-Committee (2003 Act)	18 January 2008
AUTHOR/S:	Corporate Manager, Health and Environmental Services / Assistant Licensing Officer	

**APPLICATION TO VARY THE EXISTING CLUB PREMISES CERTIFICATE CONDITIONS:
LINTON GRANTA FOOTBALL CLUB, MEADOW LANE, LINTON**

The Application

1. The application (**APPENDIX A**) to vary the existing licence for the Linton Granta Football Club was accepted by the licensing section on the 23 November 2007. The requirements for advertising and displaying relevant notices were carried out in accordance with the Licensing Act 2003.

The premises are currently permitted to open:

- Monday to Saturday between 10.00am and 23.20pm,
- Sunday - Midday to 22.50 pm,
- New Years Eve 10.00am – midnight
- New Years Day 00.00 hrs – 23.00pm
- Premises are licensed for both on and off licence sales to club members and their guests only.

Background

2. The premises are located on a large open space area used for the recreation ground and Bowling Green, with residential properties to one side of the club building. The premises doors open onto the main central area of the green. There is no car parking on the premises. (Map attached as **APPENDIX B**)

The variation application is for: -

- **To allow Live Music (Indoors and Outdoors)**
Monday to Thursday 10.00 hours to 23.00 hours
Friday 10.00 hours – 01.00 hours
Saturday 10.00 hours – 00.00 hours
Sunday 12.00 hours to 23.00 hours
New Years Eve 10.00 hours to 01.00
- **To allow Recorded Music (Indoors and Outdoors)**
Monday to Thursday 10.00 hours to 23.00 hours
Friday 10.00 hours – 01.00 hours
Saturday 10.00 hours – 00.00 hours
Sunday 12.00 hours to 23.00 hours
New Years Eve 10.00 hours to 01.00
- **To allow Performance of Dance (Indoors and Outdoors)**
Monday to Thursday 10.00 hours to 23.00 hours
Friday 10.00 hours – 01.00 hours
Saturday 10.00 hours – 00.00 hours
Sunday 12.00 hours to 23.00 hours

- New Years Eve 10.00 hours to 01.00
- **To allow Anything of a Similar Description to (e), (f) or (G) (Indoors and Outdoors)**
 - Monday to Thursday 10.00 hours to 23.00 hours
 - Friday 10.00 hours – 01.00 hours
 - Saturday 10.00 hours – 00.00 hours
 - Sunday 12.00 hours to 23.00 hours
 - New Years Eve 10.00 hours to 01.00
- **Provision of Facilities for making Music (Indoors only)**
 - Monday to Thursday 10.00 hours to 23.00 hours
 - Friday 10.00 hours – 01.00 hours
 - Saturday 10.00 hours – 00.00 hours
 - Sunday 12.00 hours to 23.00 hours
- **Provision of Facilities for Dancing (Indoors and Outdoors)**
 - Monday to Thursday 10.00 hours to 23.00 hours
 - Friday 10.00 hours – 01.00 hours
 - Saturday 10.00 hours – 00.00 hours
 - Sunday 12.00 hours to 23.00 hours
 - New Years Eve 10.00 hours to 01.00
- **Provision of Facilities for Entertainment similar to (i) or (j) (Indoors and Outdoors)**
 - Monday to Thursday 10.00 hours to 23.00 hours
 - Friday 10.00 hours – 01.00 hours
 - Saturday 10.00 hours – 00.00 hours
 - Sunday 12.00 hours to 23.00 hours
 - New Years Eve 10.00 hours to 01.00
- **To allow the Supply of Alcohol on or on behalf of a club member**
 - Monday to Thursday 10.00 hours to 23.00 hours
 - Friday 10.00 hours – 23.30 hours
 - Saturday 10.00 hours – 23.30 hours
 - Sunday 12.00 hours to 23.00 hours
 - New Years Eve 10.00 to 00.00 hours
 - New Years Day 00.00 – 23.00 hours
- **To allow Club Premises Open to Member and Guests**
 - Monday to Thursday 10.00 hours to 23.30 hours
 - Friday 10.00 hours to 01.30 hours
 - Saturday 10.00 hours to 00.30 hours
 - Sunday 12.00 to 23.30
 - New Years Eve 10.00 to 00.00 hours
 - New Years Day 00.00 – 23.00 hours

Relevant Representations

3. Representations have been received from local residents; their letter is attached at **APPENDIX C.**

Officer's Views

4. When considering the application, Members should be aware that they may only take into consideration the parts of the application that represent a variation. The representations submitted by the general public relate to Public nuisance and Prevention of Crime & Disorder, guidance from the SCDC Licensing Policy and Secretary of State Guidance is offered on these matters below.

Policy Considerations

5. 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.
6. It should be noted that in addition to any relevant conditions placed on a premise that it is unlawful under the 2003 Act:
 - 1) to knowingly sell or supply or attempt to sell or supply alcohol to a person who is drunk
 - 2) to knowingly allow disorderly conduct on licensed premises
 - 3) 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
 - 4) 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

4. ***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.*

2. Conditions relating to Crime and Disorder

a) Door Supervisors (registered with the Security Industries Authority)

The Local Authority recognises that in applications where door supervisors are referred to in the operating schedule conditions relating to door supervisors are mandatory. Where conditions are attached relating to the provision of door supervisors and security they may be valuable in:

1. preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
2. keeping out excluded individuals (subject to court bans or bans imposed by licence holder);
3. Searching and excluding those suspected of carrying illegal drugs or carrying offensive weapons and;
4. maintaining orderly queuing outside venues

Where door supervisors are to be a condition of a licence they are required to be licensed through the Security Industries Authority in line with the Securities Industry Act 2000.

b) Bottle bans

It is recognised that glass vessels (ie bottles and glasses) may be used as weapons inflicting serious harm during incidents of disorder. Conditions may include:

1. No bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar
2. No customer carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.

In appropriate circumstances conditions may exempt bottles containing wine or similar sold for consumption with a table meal by customers who are seated in a separate area from the bar.

c) CCTV

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions may include:

1. The need to have CCTV cameras on the premises
2. The precise positioning of each camera
3. The requirement to maintain cameras in good working order
4. The requirement to retain recordings for an appropriate period.

d) Other conditions that may be considered relevant to promote the reduction of crime and disorder may include:

1. Restriction on drinking areas
2. Capacity limits
3. Proof of age cards
4. Crime prevention notices
5. Signage at or immediately outside the premises
6. Use of plastic containers and toughened glass

Legal Implications

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

Contact Officer: Juli Stallabrass – Assistant Licensing officer
Telephone: (01954) 713024

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