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12 February 2008



To: Chairman – Councillor Mrs CAED Murfitt  
Members of the Licensing (2003 Act) Sub-Committee – Councillors EW  
Bullman and NJ Scarr

Applicant: Mr RC Hall on behalf of Beach Social Club, 33 Cambridge Road, Waterbeach

Representee(s): Ms D Meadows, 27 Cambridge Road, Waterbeach, CB5 9NJ  
Mr P Meadows, 27 Cambridge Road, Waterbeach, CB5 9NJ  
S & J Binge, The Stables, 36 Cambridge Road, Waterbeach, CB5 9NJ  
Dr & Mrs Lachlan-Cope, 38 Cambridge Road, Waterbeach, CB5 9NJ  
Mr P Gillson, 35 Cambridge Road, Waterbeach, CB5 9NJ  
Ms M Harris, 60 Cambridge Road, Waterbeach, CB5 9NJ

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, Beach Social Club, 33 Cambridge Road, Waterbeach. The hearing will be held in the **MEZZANINE, SECOND FLOOR** meeting room at South Cambridgeshire Hall on **WEDNESDAY, 20 FEBRUARY 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.

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## AGENDA

	<b>PAGES</b>
<b>1. INTRODUCTION</b> As per the attached Licensing (2003 Act) Committee procedure	<b>1 - 2</b>
<b>2. DECLARATIONS OF INTEREST</b>	
<b>3. APPLICATION TO VARY THE EXISTING CLUB PREMISES CERTIFICATE, BEACH SOCIAL CLUB, WATERBEACH</b> Appendices A, B, C, D and E are not available electronically	<b>3 - 8</b>

## **GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL**

Whilst the District Council endeavours to ensure that you come to no harm when visiting South Cambridgeshire Hall you also have a responsibility to ensure that you do not risk your own or others' safety.

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Visitors should report to the main reception desk where they will be asked to sign a register. Visitors will be given a visitor's pass that must be worn at all times whilst in the building. Please remember to sign out and return your pass before you leave. The visitors' book is used as a register in cases of emergency and building evacuation.

### **Emergency and Evacuation**

In the event of a fire you will hear a continuous alarm. Evacuate the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park.

Do not use the lifts to exit the building. If you are unable to negotiate stairs by yourself, the emergency staircase landings are provided with fire refuge areas, which afford protection for a minimum of 1.5 hours. Press the alarm button and wait for assistance from the Council fire wardens or the fire brigade.

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### **Toilets**

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### **Banners / Placards / Etc.**

No member of the public shall be allowed to bring into or display at any Council meeting any banner, placard, poster or other similar item. The Chairman may require any such item to be removed.

### **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.

### **Smoking**

The Council operates a NO SMOKING policy.

### **Food and Drink**

Vending machines and a water dispenser are available on the ground floor near the lifts. There shall be no food and drink in the Council Chamber.

### **Mobile Phones**

Please ensure that your phone is set on silent / vibrate mode during meetings.

**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) 20 February 2008  
**AUTHOR/S:** Corporate Manager Health and Environmental Services/ Assistant Licensing Officer

**APPLICATION TO VARY EXISTING CLUB PREMISES CERTIFICATE  
 BEACH SOCIAL CLUB, WATERBEACH**

**The Application**

1. The application (**APPENDIX A**) to vary the existing certificate for the Beach Social Club was accepted on the 8 January 2008. The requirements for advertising and displaying relevant notices were carried out in accordance with the Licensing Act 2003.

**Background**

2. This Hearing is in place of a previous one cancelled on the 10 January 2008, due to the applicants withdrawing the application.
3. The Club is located in a residential area of the village of Waterbeach, with neighbours situated in close proximity to the premises (**APPENDIX B**). The internal layout of the premises can be seen attached (**APPENDIX C**). The Beach Social Club currently holds the following permissions under a club premises certificate;

**Opening Hours**

Monday to Saturday	10.00	to	23.20
Sunday	12.00	to	22.50
New Years Eve	10.00	to	00.00
New Years Day	00.00	to	23.20

**Supply of Alcohol by or on behalf of a club, or to the order of, a member of the club for consumption on and off the premises.**

Monday to Saturday	10.00	to	23.00
Sunday	12.00	to	22.30
New Years Eve	10.00	to	00.00
New Years Day	00.00	to	23.00

**The Variation Application is:**

**Films (Indoors only)**

Monday to Saturday	12.00	to	23.00
Sunday	12.00	to	22.00

**Indoor sporting Events**

Monday to Sunday	12.00	to	23.00
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**Live Music (Indoors only)**

Monday to Thursday	12.00	to	23.00
Friday and Saturday	12.00	to	00.00
Sunday	12.00	to	22.30
New Years Eve	12.00	to	02.00

**Recorded Music (Indoors only)**

Monday to Thursday	12.00	to	23.00
Friday and Saturday	12.00	to	00.00
Sunday	12.00	to	22.30
New Years Eve	12.00	to	02.00

**Performance of Dance (Indoors only)**

Monday to Thursday	12.00	to	23.00
Friday and Saturday	12.00	to	00.00
Sunday	12.00	to	22.30

**Anything of a similar description to that falling within (e), (f) or (g) (Indoors only)**

Monday to Thursday	12.00	to	23.00
Friday	12.00	to	00.00
Saturday	12.00	to	00.00
Sunday	12.00	to	22.30

**Provision of facilities for making music (Indoors only)**

Monday to Thursday	12.00	to	23.00
Friday and Saturday	12.00	to	00.00
Sunday	12.00	to	22.30

**Provision of facilities for dancing (Indoors only)**

Monday to Thursday	12.00	to	23.00
Friday and Saturday	12.00	to	00.00
Sunday	12.00	to	22.30
New Years Eve	12.00	to	02.00

**Provision of facilities for entertainment of a similar description to that falling within (i) or (j) (Indoors only)**

Monday to Thursday	12.00	to	23.00
Friday and Saturday	12.00	to	00.00
Sunday	12.00	to	22.30

**Supply of Alcohol (On Licence)**

Monday to Thursday	10.00	to	23.00
Friday and Saturday	10.00	to	00.00
Sunday	10.00	to	22.30
Boxing Day	10.00	to	23.30
Bank Holidays (Sat, Sun, Mon)	10.00	to	23.30

**Hours Premises are Open to Members and Their Guests**

Monday to Thursday	10.00	to	23.30
Friday and Saturday	10.00	to	00.30
Sunday	10.00	to	23.00
Boxing Day	10.00	to	00.00
Bank Holidays (Sun & Mons)	10.00	to	00.00

### **Relevant Representations**

4. Relevant representations have been received from local residents (**APPENDIX D**). The representations are linked to the Licensing Objectives stated in s.4(2) of the Licensing Act 2003 and primarily concern Public Nuisance and Crime and Disorder.
5. A representation from the Environmental Health Officer was withdrawn as the applicant agreed to all conditions to be added to the licence (**APPENDIX E**).
6. No other representations have been received from any of the Responsible Authorities.

### **Officer's Views**

7. Members have the right under the Licensing Act 2003 to determine this application after considering any representations. Members may accept the application as submitted, reject the application for variation or impose conditions that promote the relevant Licensing Objectives. The representations made are based on the public nuisance and crime and disorder objectives and decisions imposed must relate to these objectives only. Guidance in the South Cambridgeshire District Council Licensing Policy in relation to such issues states conditions maybe considered and examples are listed under the relevant sections below.

### **Policy Considerations**

8. Conditions referred to within the South Cambridgeshire Licensing Policy relating to the prevention of Public Nuisance.

### **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.

### **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
9. Members should be aware that at page 5 of the Councils Licensing Policy it stresses that every application will be dealt with impartially and on its individual merits. It also points out in the same paragraph that it is aware of its new powers under the Anti Social Behaviour Act (s.40, 41 noise causing a public nuisance) and is also aware that the use of conditions and the application of Licensing Law should be used as a tool in the control of anti – social behaviour either by groups or individuals once these groups or individuals are beyond the direct control of a person or organisation responsible for licensed premises.

**Legal Implications**

10. Both 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  
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