

LICENSING ACT 2003
APPLICATION TO VARY A CLUB PREMISES CERTIFICATE
EATON SOCON CRICKET CLUB, PEPPERCORN LANE, EATON SOCON, ST
NEOTS, PE19 8HL
(Report by Head of Legal and Democratic Services)

1. INTRODUCTION

1.1 To consider and determine this application for a variation to an existing Club Premises Certificate for Eaton Socon Cricket Club taking into account the policy considerations detailed in paragraph 2 of the report and the representations detailed in paragraph 5.

1.2 Mr Robert Humphrey, the Secretary of the Club, is seeking a to vary the existing Club Premises Certificate as follows:

Provision of Live Music, (indoors & outdoors, but subsequently clarified to indoors only)

Seasonal/Non-standard timings: Christmas Eve, New Year's Eve and on six occasions during the year-with 14 days written notice given to the Licensing Authority. From 1900 to 23.30 hours.

Recorded Music, (indoors & outdoors, but subsequently clarified to indoors only)

Saturdays: from 19:00 to 21:30

Seasonal/Non-standard timings: Christmas Eve, New Year's Eve and on six occasions during the year-with 14 days written notice given to the Licensing Authority. From 19:00 to 23:30 hours.

Supply of alcohol (on the premises)

Mon – Sun 11:00 – 23:30

Seasonal/Non-standard timings: Christmas Eve, New Year's Eve and on six occasions during the year-with 14 days' written notice given. From: 11:00 to 24:00; continuing from 00:00 to 02:00 hours on Sunday.

Hours premises are open

Mon - Sun 11:00 – 23:45

Seasonal/Non-standard timings: Christmas Eve, New Year's Eve and on six occasions during the year-with 14 days written notice given to the Licensing Authority. From 11:00 to 24:00; continuing from 00:00 to 02:00 on Sunday.

Removal of Existing Conditions

All conditions imposed at Annex 2 of the current Club Premises Certificate,

All conditions imposed at Annex 4 of the current Club Premises Certificate with the exception of - (f) On New Year's Eve, from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December);

1.3 A copy of the application is attached to the summary of the application.

- 1.4 Following discussions with Trading Standards, the applicant has requested that the application be amended to include the following conditions on the Operating Schedule:
- a. A signed and dated "Challenge 25" age verification document will be kept on the premises and will be made available to police officers and authorised Council County Trading Standards Officers upon request.
 - b. Staff will be trained in the law about age restricted products before serving on the premises and all records of the age restricted training shall be kept and will be made available to police officers and authorised Council County Trading Standards Officers upon request.
 - c. Refresher training for staff should take place and be recorded.
 - d. The refusals register shall be made available to police officers and authorised Council County Trading Standards Officers upon request.

2. GENERAL DUTY/ POLICY CONSIDERATIONS

2.1 The Sub-Committee's is reminded that the licensing authority must carry out its functions under the Act with a view to promoting the licensing objectives which are –

- (a) the prevention of crime and disorder,
- (b) public safety,
- (c) the prevention of public nuisance, and
- (d) the protection of children from harm.

2.2 The licensing authority must also have regard to –

- (a) its statement of licensing policy, and
- (b) any statutory guidance issued under Section 182 of the Licensing Act 2003.

3. BACKGROUND

3.1 A Club Premises Certificate was first granted in 2005 under the transitional provision of the Licensing Act 2003. There have been no changes to the Club Premises Certificate since the initial grant. A copy of the existing Club Premises Certificate is attached to this report.

The application describes the premises as a cricket club with its own club house. It is located away from residential and commercial premises. There is a private lane that provides access.

4. LICENSING OBJECTIVES ADDRESSED BY THE APPLICANT

4.1 The operating schedule submitted by the applicant in Part M of the application addresses the four licensing objectives. Paragraph 6.13 and Section 10 of the government guidance refer to the operating schedule and licence conditions. The applicant has outlined a number of steps they propose to take in support of the Licensing Objectives.

5. REPRESENTATIONS

- 5.1 During the period for the receipt of representations, no representations were received from the Responsible Authorities. Four valid representations were received by the licensing authority from 'other persons'. The representations have been attached in their entirety. Not all matters raised within the representation may be relevant matters for consideration under the Licensing Act 2003.
- 5.2 A person who has submitted a relevant representation is entitled to address the Licensing Sub-Committee at the hearing and ask questions of any other party appearing at the hearing.

6. ACTION BY THE LICENSING AUTHORITY

- 6.1 The Licensing Authority has a duty under the Licensing Act 2003 by promoting the Licensing Objectives. Each objective has equal importance. In carrying out its licensing functions, the Licensing Authority must also have regard to its Statement of Licensing Policy, any Statutory Guidance under the Licensing Act 2003 and is bound by the Human Rights Act 1988. The Council must also fulfil its obligations under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in its district.

7. OPTIONS

- 7.1 Having regard to the representations and supporting documentation contained and attached to this report and any other information presented at the hearing, the Licensing Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The steps are to modify the conditions of the certificate, or to reject the whole or part of the application. Conditions are modified if they are altered, omitted or any new condition added (Licensing Act 2003 section 85 (4)).

8. RECOMMENDATION

- 8.1 That Members determine the variation application on its individual merits.

BACKGROUND INFORMATION

Licensing Act 2003.

Guidance issued under section 182 of the Licensing Act 2003.

The Council's Statement of Licensing Policy.

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