

**LICENSING ACT 2003
APPLICATION FOR A NEW PREMISES LICENCE
SAWTRY EX SERVICE & WORKING MEN'S CLUB, GIDDING ROAD, SAWTRY,
HUNTINGDON, PE28 5TS
(Report by Head of Legal and Democratic Services)**

1. INTRODUCTION

1.1 To consider and determine this application for a new premises licence for Sawtry Ex Service and Working Men's Club, 10 Gidding Road, Sawtry, Huntingdon, PE28 5TS, taking into account the policy considerations detailed in paragraph 2 of the report and the representation detailed in paragraph 5.

1.2 Sawtry Ex Service & Working Men's Club is seeking a new premises licence to permit:

Live Music, Recorded Music, anything similar to Live Music, Recorded Music or Dance, (indoors)

Mon – Thur & Sun 11:00 to 00:00

Fri & Sat 11.00 to 01:00

Live Music, Recorded Music, anything similar to Live Music, Recorded Music or Dance, (outdoors)

Mon – Sun 11:00 to 20:00

Supply of alcohol (both on and off premises)

Mon – Thur & Sun 11:00 to 00:00

Fri & Sat 11.00 to 01:00

Hours premises are open to the public

Mon – Thur & Sun 11:00 to 00:30

Fri & Sat 11:00 to 01:30

1.3 A copy of the application and plan are attached to the summary of the application.

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 No description of the premises is given although the plan indicates a lounge, bar server, games room, concert hall, stage room and gardens. The Club currently operates under a Club Premises Certificate (HDC/CPC00017) which was converted and varied under grandfather rights upon the introduction of the Licensing Act 2003. Should the application for a new Premises Licence be granted, we understand that the Club intends to surrender the Club Premises Certificate.

4. LICENSING OBJECTIVES ADDRESSED BY THE APPLICANT

- 4.1 The operating schedule submitted by the applicant in Section M of the application addresses the four licensing objectives. Paragraphs 8.33-8.41 and Section 10 of the government guidance refer to the operating schedule and licence conditions. The applicant has proposed a number of measures in support of the licensing objectives. These include Challenge 25, attendance at Pubwatch, patrols around the club, a noise limiter and 14 days prior written notice of outdoor events. These proposals will be translated directly into conditions that will be attached to the premises licence. They should be appropriate, proportionate and justifiable in meeting the licensing objectives, be readily understood and enforceable.

5. REPRESENTATIONS

- 5.1 During the period for the receipt of representations, no representations were received from the Responsible Authorities. Eleven representations were received by the licensing authority from 'other persons'. One representation is in the form of a petition containing the signatures of fourteen residents of Abbey Close. 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 grant the licence subject to conditions, modified as necessary, to exclude a licensable activity, or to reject the application. Conditions are modified if they are altered, omitted or any new condition added (Licensing Act 2003 section 18(4) & (5)).

8. RECOMMENDATION

8.1 That Members determine the 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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