

LICENSING COMMITTEE (HEARING) – 10 JUNE 2011

APPLICATION FOR A PREMISES LICENCE FROM THE EDENBRIDGE RUGBY FOOTBALL CLUB, THE PAVILION AND RECREATION GROUND, LINGFIELD ROAD, EDENBRIDGE, KENT. TN8 5DY FOR APPLICATION UNDER THE LICENSING ACT 2003

APPLICATION REFERENCE NO: 11/00611/LACPC

Report of the:	Community and Planning Services Director
Status:	For Decision
Portfolio Holder	Cllr. Mrs Bracken
Head of Service	Head of Environment & Operational Services – Mr. Richard Wilson

Recommendation: Members' instructions are requested

Background

- 1 The procedure for Hearings of Sub-Committees of the Licensing Committee established in accordance with Section 9 of the Licensing Act 2003 is attached at Appendix A.
- 2 The application is made by Edenbridge Rugby Football Club, The Pavilion And Recreation Ground, Lingfield Road, Edenbridge, Kent. TN8 5DY) The playing of Rugby Union and other organised sports such as football.
- 3 Purpose built, brick elevations, sheet metal roof, 2 car parks, 90 spaces. residential area behind, sports fields to front and sides. Internal social area including bar, kitchen, storage area, cellar, changing rooms and showers, toilets. Security locks, monitored intruder/fire alarms. Security and emergency lighting. Disabled access. Access from Combe field and Lingfield Road.
- 4 The club also extends to the recreation ground as per plans.

The application is to:

Section E	To allow live music indoors on Monday to Saturday from 10:00 hours until 00:00 hours and on Sunday from 11:00 hours until 23:00 hours.
Section F	To allow recorded music indoors on Monday to Saturday from 10:00 hours until 00:00 hours and on Sunday from 11:00 hours until 23:00 hours.
Section H	To allow anything of a similar description to that falling within (e), (f) or (g) music indoors on Monday to Saturday from 10:00 hours until 00:00 hours and on Sunday from 11:00 hours until 23:00 hours.
Section I	To allow the provision of facilities for making music indoors on Monday to Saturday from 10:00 hours until 00:00 hours and on Sunday from 11:00 hours until 23:00 hours.
Section J	To allow the provision of facilities for dancing indoors on Monday to Saturday from 10:00 hours until 00:00 hours and on Sunday from 11:00 hours until 23:00 hours.
Section L	To allow sale of alcohol for consumption on the premises on Monday to Saturday from 10:00 hours until 00:00 hours and on Sunday from 11:00 hours until 23:00 hours.
Section M	Hours premises are open to the public on Monday to Saturday from 08:00 hours until 02:00 hours and on Sunday from 08:00 hours until 00:00 hours.

The applicant intends to take the following action in order to promote the four licensing objectives if the proposed variation/application (delete as appropriate) is granted:

General

- 5 On site supervision by management committee and official of member club. Membership restricted to bona fide sports clubs with other members at discretion of membership committee

The Prevention of Crime and Disorder

- 6 Members of management committee must be on premises when bar is open. Use of trading standards guidance notes. Training manual. Proof of age is required (photo type driving licence or citizenship card). Town Council provide and empty litter bins outside. Provision of external lighting. Bar is restricted to

members and their guests, visiting teams and their supporters. Active encouragement of responsible behaviour

Public Safety

- 7 Bar staff act as fire wardens. Fire exits, signs, emergency lighting and fire extinguishers. Hours of operation limited by sporting events/members demand i.e. during/after matches. Active encouragement of responsible behaviour.

The Prevention of Public Nuisance

- 8 Member clubs events observe licensing hours. At the end of any event members will be asked to leave quietly so not to disturb surrounding residents

The Protection of Children from Harm

- 9 Children under 16 are permitted in social area where licensed bar is located. Children are normally supervised by parents or relevant club official, bar staff would provide back up for this. A minimum standard of behaviour is enforced in the social area.

Representations received from statutory consultees:

Fire Safety	NO OBJECTIONS
Trading Standards	NO ADVERSE COMMENTS
Social Service	NO ADVERSE COMMENTS
Police	NO OBJECTIONS
Commercial	NO OBJECTIONS
Environmental Protection	NO OBJECTIONS
Development Control	SEE COMMENTS ATTACHED AT APPENDIX B

Representations received from interested parties:

- 10 One letter from Planning (attached at Appendix B), 12 letters from local residents (attached at Appendix C) and one letter from Edenbridge Town Council (attached at Appendix D).

Conclusions

- 11 Without prejudice, the Officer would like to draw to Members attention issues that they may wish to consider:

- 12 Mandatory conditions – the following conditions will be added to the club premises certificate when it is issued.
- 13 Supply of alcohol for consumption off the premises - A club premises certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises.
- 14 A club premises certificate which authorises the supply of alcohol for consumption off the premises must include the following conditions:-
- 15 the supply of alcohol must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
- 16 Any alcohol supplied for consumption off the premises must be in a sealed container.
- 17 Any supply of alcohol for consumption off the premises must be made to a member of the club in person.
- 18 The decision is to be made with regard to the Licensing Act 2003, Secretary of State's Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy. Where the decision departs from the Policy or Guidance the departure must be directed solely at the attainment of the licensing objectives, and such departure must be supported by clear and cogent reasons.

Risk Assessment Statement

- 19 This Hearing is regulated by The Licensing Act 2003 (Hearings) Regulations 2005 No. 44.
- 20 The decision of this Hearing will be encompassed within the issued premises licence, and the licence will take effect on the 10th June 2011, subject to any appeal to a Magistrates Court or higher Court.

Sources of Information: <http://www.culture.gov.uk/alcohol> and entertainment

Contact Officer(s): Mrs. Leeann Leeds X7270

**KRISTEN PATERSON
COMMUNITY AND PLANNING SERVICES DIRECTOR**