

Licensing Hearing – 10 June 2011

LICENSING COMMITTEE

Minutes of the meeting of the Licensing Hearing
held on 10 June 2011 commencing at 10.00 a.m.

Present: Cllrs. Abraham, Mrs. Parkin and Pett.

Also present: Dr. Bob Sterritt - Representing the Applicant
Cllr. Clive Pearman - Representing Edenbridge Town Council
Mr. A. Stanfield - Legal Services Manager
Mrs. L. Leeds - Licensing Officer
Mr. D. Lagzdins - Democratic Services Officer
Cllr. Clark observed the Hearing.

1. ELECTION OF CHAIRMAN

Resolved: That Cllr. Pett be appointed Chairman of the meeting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest in respect of any matter discussed or voted on at the meeting.

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

The Hearing gave consideration to a report by the Community and Planning Services Director giving details of an application under the Licensing Act 2003 for a club premises certificate at the Edenbridge Rugby Football Club, The Pavilion and Recreation Ground, Lingfield Road, Edenbridge, Kent. It was noted that objections had been received and that accordingly the application had been referred to the Sub-Committee for determination.

The Hearing heard from the applicant's representative who explained it would be helpful if the Club was licensed to be open for longer hours and provide music so as to allow flexibility. Use of facilities tended to be during the daytime.

The Hearing heard from the objector who raised the concerns of residents. He accepted the Club did not have a history of causing disturbances and that he usually raised any concerns residents had at the Parish Council's quarterly meetings with the Club. He felt most concerns raised in the report could be resolved through the quarterly meetings.

The Chairman offered the parties a short adjournment to discuss in the absence of the Sub-Committee whether a solution acceptable to both the parties could be put to the Sub-Committee.

At 10.27 a.m. the Hearing adjourned.

At 10.35 a.m. the Hearing reconvened.

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The applicant's representative and the representative of the local Parish Council informed the Sub-Committee that they had agreed on possible conditions for the licence.

It was moved, seconded and unanimously-

Resolved: That a Club Premises Certificate in respect of The Edenbridge Rugby Football Club, The Pavilion and Recreation Ground, Lingfield Road, Edenbridge, Kent, subject to the conditions contained in the licence attached as an appendix to these minutes, be granted.

THE MEETING WAS CONCLUDED AT 10:45 A.M.

Notice of determination for application club premises certificate

To: The Edenbridge Rugby Football Club

Of: Edenbridge Rugby Football Club, The Pavilion and Recreation Ground, Lingfield Road, Edenbridge, Kent TN8 5DY

Ref: 11/00611/LACPC

Sevenoaks District Council being the licensing authority, on the 17 March 2011 received an application for a premises licence in respect of premises known as the Edenbridge Rugby Football Club, The Pavilion and Recreation Ground, Lingfield Road, Edenbridge, Kent TN8 5DY.

On the 10 June 2011 there being valid representations which were received had not been withdrawn, a hearing was held to consider these representations, and having considered them the Licensing Sub-Committee determined as follows:

To grant the Club Premises Certificate:

Section E To allow live music indoors on Sunday to Friday from 10:00 hours until 23:00 hours and on Saturday from 10:00 hours until 00:00 hours.

Section F To allow recorded music indoors on Sunday to Friday from 10:00 hours until 23:00 hours and on Saturday from 10:00 hours until 00:00 hours.

Section H To allow anything of a similar description to that falling within (e), (f) or (g) music indoors on Sunday to Friday from 10:00 hours until 23:00 hours and on Saturday from 10:00 hours until 00:00 hours.

Section I To allow the provision of facilities for making music indoors on Sunday to Friday from 10:00 hours until 23:00 hours and on Saturday from 10:00 hours until 00:00 hours.

Section J To allow the provision of facilities for dancing indoors on Sunday to Friday from 10:00 hours until 23:00 hours and on Saturday from 10:00 hours until 00:00 hours.

Section L To allow sale of alcohol for consumption on the premises on Sunday to Friday from 10:00 hours until 23:00 hours and on Saturday from 10:00 hours until 00:00 hours.

Section M Hours premises are open to the public on Sunday to Friday from 08:00 hours until 23:30 hours and on Saturday from 08:00 hours until 00:30

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hours.

To add the conditions on the Licence as follows:

Mandatory Conditions in force from 06 April 2010}

1. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

Irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -

(i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) Drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or

discounted fee to the public or to a group defined by a particular characteristic (other than

any promotion or discount available to an individual in respect of alcohol for

consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly

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by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

Reason for the decision:

(i) the Applicant and interested parties present at the Hearing reached agreement as to the hours during which licensable activities may take place; and

(ii) the Committee was satisfied that the agreed hours would not undermine the promotion of the Licensing Objectives.

This licence granted at the Hearing is effective from 10 June 2011.

Dated: 10 June 2011

Signed -----

Chair – Licensing Hearing

Signed -----

Designation – Licensing Officer

Please address any communications to:

Licensing Partnership
Community and Planning Services
Council Offices

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PO Box 182
Argyle Road
Sevenoaks
Kent TN13 1GP

Note: Pursuant to Part 1 of Schedule 5 of the Licensing Act 2003 as amended, any party eligible to appeal must appeal to a magistrates' court within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.