

**Item 5 Application for the variation of a Club Premises
Certificate – Romsey Comrades Club, South Front,
Romsey SO51 8GJ**

1 The application

- 1.1 The application is by Romsey Comrades Club for premises by the same name situated at South Front, Romsey SO51 8GJ. The premises have traded as a members club for a number of years and currently benefit from a Club Premises Certificate which permits indoor sporting events, live music, recorded music, provision of facilities for dancing and sale and supply of alcohol for consumption on the premises under the terms of the Licensing Act 2003 between the hours of 1200 to 1500 and 1830 to 2300 Monday to Friday, 1100 to 1500 and 1830 to 2300 Saturday and 1200 to 2230 Sunday. In addition, on up to 12 occasions a year the final time for activities may be extended to 0000 hours subject to seven days notice being given to the Police and the Licensing Authority. The premises are open a further thirty minutes beyond the final times mentioned above to allow for drinking up time.
- 1.2 The applicant has now applied under section 84 of the Licensing Act 2003 for a variation of this certificate. This variation application has attracted representations necessitating the application to be determined at a hearing. The nature of the variation application as submitted is as follows:-
- a) To provide regulated entertainment by way of live music, recorded music and provision of facilities for dancing from 1000 to 2300 hours Monday to Saturday and 1100 to 2300 hours Sunday.
 - b) To supply alcohol for consumption on the premises during the times mentioned in a) above.
 - c) The premises to remain open for a further 30 minutes on Sunday to Friday and 60 minutes on Saturday after the times mentioned in a) above to allow drinking up.

The existing provision for extension of activities on up to 12 occasions a year would remain. The application is thus seeking to largely reinstate the hours provided by the Club Premises Certificate prior to its last variation (and also under the Licensing Act 1964) whereby licensable activities were permitted from 1100 to 2300 hours Monday to Saturday and 1200 to 2230 on Sunday i.e. without any break in the afternoon.

A copy of the application is attached as Annex 1 to this report and a copy of the current Club Premises Certificate as Annex 2.

2 Background

- 2.1 The premises comprise a members' club with main hall, lounge, games room and snooker room. There is a second story comprising the steward's accommodation.

3 Promotion of the Licensing Objectives

- 3.1 The applicant makes the following comments in relation to the steps taken to promote the four licensing objectives:-

- a) The prevention of crime and disorder – in association with Romsey Police the Club is a member of Pub Watch. Any drink/drug related problems are promptly reported to the Police. Staff and Committee Members are aware of procedures and 'symptoms' to watch out for to alleviate any crime and disorder.
- b) Public safety – Health and Safety procedures followed and monitored. Fire procedures followed in association with Hampshire Fire Service.
- c) The prevention of public nuisance – doors and windows to remain close during events involving live or amplified music and speech. Between hours of 2300 and 0800 the above mentioned will not be audible at the boundary of the nearest residential property. No disposal of empty bottles outside 1900 to 0800 hours.
- d) The protection of children from harm – children may attend the Club under the supervision of parents. Children are not served alcohol. Children are to be kept under control at all times.

The measures to promote the licensing objective of prevention of public nuisance are of relevance when considering the representations received.

4 Relevant Representations – Responsible Authorities

- 4.1 **Environment and Health Service** – The Pollution Team have no comments to make as the existing conditions have been repeated in the operating schedule.
- 4.2 The Health and Safety team have no observations to make in relation to the licensing objective of public safety.
- 4.3 **Hampshire Fire and Rescue Service** – No comments to make.

5 Relevant Representations – Interested Parties

- 5.1 Mrs Davis – Objection to the extension of hours on the grounds that objective of prevention of public nuisance will not be achieved. See Annex 3 to this report.
- 5.2 M I Chandler - Objection to the extension of hours on the grounds that objective of prevention of public nuisance will not be achieved. See Annex 4 to this report.
- 5.3 P J Bullivant - Objection to the extension of hours on the grounds that objective of prevention of public nuisance will not be achieved. See Annex 5 to this report.
- 5.4 J J Beazer - Objection to the extension of hours on the grounds that objective of prevention of public nuisance will not be achieved. See Annex 6 to this report.
- 5.5 E L Christensen - Objection to the extension of hours on the grounds that objective of prevention of public nuisance will not be achieved. See Annex 7 to this report.
- 5.6 A & I Blake - Objection to the extension of hours on the grounds that objective of prevention of public nuisance will not be achieved. See Annex 8 to this report.
- 5.7 M Wignall - Objection to the extension of hours on the grounds that objective of prevention of public nuisance will not be achieved. See Annex 9 to this report.
- 5.8 M Molloy - Objection to the extension of hours on the grounds that objective of prevention of public nuisance will not be achieved. See Annex 10 to this report.
- 5.9 B & G Maddick - Objection to the extension of hours on the grounds that objective of prevention of public nuisance will not be achieved. See Annex 11 to this report.
- 5.10 Mr and Mrs J Laffeaty - Objection to the extension of hours on the grounds that objective of prevention of public nuisance will not be achieved. See Annex 12 to this report.
- 5.11 H & M George - Objection to the extension of hours on the grounds that objective of prevention of public nuisance will not be achieved. See Annex 13 to this report. The comment in the third paragraph regarding Broadlands should be disregarded as it is not directly relevant to this application.
- 5.12 H Maddick - Objection to the extension of hours on the grounds that objective of prevention of public nuisance will not be achieved. See Annex 14 to this report.

6 Policy Considerations

6.1 It is considered that the following extracts from the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 are relevant.

5.46 – The operating schedule

5.47 – Steps to promote the licensing objectives

5.65 – Considering applications for new and major variations

7.38 – Public nuisance

9.2 – General (Club Premises Certificates)

9.11 – Applications for the grant or variation of club premises certificates

9.12 – Steps needed to promote the licensing objectives

6.2 It is considered that the following extracts from the Licensing Authority's own Statement of Licensing Policy are relevant to this application:

Section C: Prevention of Public Nuisance

The Statement of Licensing Policy is enclosed with a copy of this report for Members of the Committee. Additional copies will be provided at the hearing. Copies can also be obtained from the Licensing Section of the Administration Service or downloaded from the Council's website.

7 Observations

7.1 The Committee is obliged to determine this application with a view to promoting the four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. In making its decision, the Committee is also obliged to have regard to the national Guidance and the Council's own Statement of Licensing Policy. The Committee must also have regard to all of the representations made and the evidence it hears. The Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- a) Grant the application as requested
- b) Modify the conditions of the licence, by altering or omitting or adding to them. (The Committee may where appropriate attach different conditions to different parts of the premises concerned and/or to different licensable activities).
- c) Reject the whole or part of the application (in the case of the latter for example by only allowing some of the licensable activities or permitting them to take place at times other than those requested).

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote one or more of the four licensing objectives:-

- a. Prevention of crime and disorder
- b. Public safety
- c. Prevention of public nuisance
- d. Protection of children from harm

Background Papers (Local Government Act 1972 Section 100D)

Club Premises Certificate variation application for the Romsey Comrades Club, South Front, Romsey and all associated paperwork

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes: 14

Author: Michael White Ext: 8013

File Ref: Club-Cert\069

Report to: Licensing Sub-Committee Date: 28th April 2006