

Licensing Sub-Committee 3 – 21st August 2012

Report of the Director of Corporate Resources

Application for a Club Premises Certificate

Purpose of Report

1. To consider the application for the grant of a club premises certificate in respect of Coombs Wood Sports and Social Club.

Background

2. On the 2nd July 2012, an application was received from Coombs Wood Sports & Social Club, Stewarts & Lloyds House, Stewarts Road, Halesowen, West Midlands for the grant of a club premises certificate. A copy of that application has been forwarded to the Committee Members and interested parties in accordance with the Licensing Act 2003.
3. The application had the following documents enclosed:-
 - Plan of the premises
 - Correct fee of £100.00
4. The application for a club premises certificate is as follows:-

Supply of Alcohol/Indoor Sporting Events

Monday – Sunday 10.00 – 01.00

New Years Eve – 36 hours. To extend the hours to cover big sporting events such as the world cup giving the police licensing officer 7 days prior notice in writing of the event and times.

Live Music/Recorded Music/Performance of Dance

Monday – Thursday 18.00 – 23.30

Friday & Saturday 18.00 – 00.00

Sunday 18.00 – 23.30

Christmas Eve until 01.00

New Years Eve until 02.00

Bank Holiday Sundays until 00.00

5. Confirmation that copies of the application form and supporting documentation have been served on the relevant authorities has been received.
6. Representations were received from Councillor Mrs Shakespeare and Councillor Hill on the 12th July 2012 on behalf of local residents. Further representations have also been received from Councillor Mrs Shakespeare on behalf of local residents. A copy of those representations have been forwarded to the Committee Members, the applicant and interested parties in accordance with the Licensing Act 2003.
7. This application falls within the Council's recent responsibility for liquor licensing which has a direct link to the Council's key corporate priority that safety matters.

Finance

8. There are no financial implications.

Law

9. The law relating to the determination of applications for the grant of a club premises certificate is governed by the Licensing Act 2003, section 72.
10. Pursuant to Section 72(3) of the Licensing Act 2003, where a relevant authority has made representations, the Licensing Authority must:-
 - (a) hold a hearing to consider them, unless the authority, the applicant each person who has made such representations agree that a hearing is unnecessary, and
 - (b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the Licensing objectives.
11. Pursuant to Section 72(4) the steps are:-
 - (a) to modify the conditions of the certificate
 - (b) to exclude from the certificate any of the qualifying club activities to which the application relates
 - (c) to reject the whole or part of the application
12. Where a Local Authority grant a certificate under section 72 of the Licensing Act, the holder of the certificate may appeal against any decision:-
 - (a) to impose conditions on the certificate under subsection (2) or 3(b) of that section, or
 - (b) to take any step mentioned in subsection (4)(b) of that section (exclusion of licensable activity)

13. Where a person who made relevant representations in relation to the application desires to contend:-
 - (a) that the certificate ought not to have been granted, or
 - (b) that, on granting the certificate, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) of that section, he may appeal against the decision.
14. If the Licensing Authority refuse to grant the application, there is a right of appeal to the Magistrates' Court pursuant to schedule 5 section 10.

Equality Impact

15. This report takes into account the Council's policy on equal opportunities.
16. The licensing of premises and individuals will impact on children and young people through their attendance at licensed premises.
17. There has been no consultation or involvement of children and young people in developing these proposals.

Recommendation

18. That the Sub-Committee determine the application,



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DIRECTOR OF CORPORATE RESOURCES

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List of Background Papers