

EXTRAORDINARY LICENSING COMMITTEE held at 2.30 pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 7 FEBRUARY 2006

Present:- Councillor J I Loughlin – Chairman.
Councillors H D Baker, E W Hicks and A R Row.

Officers in attendance:- M Hardy, V Harvey and C Nicholson.

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APPLICATION TO VARY THE EXISTING PREMISES LICENCE UNDER THE LICENSING ACT 2003 AT THE HOCKERILL SPORTS AND SOCIAL CLUB, BISHOPS STORTFORD

The Council's Legal Officer outlined the procedure for the hearing and drew attention to the options for all parties to have their say.

The Council's Legal Officer then asked for the names of those who would be speaking against the application. These were as follows:

Mr I Mortimer
Mrs C Mortimer

The Licensing Officer explained that Hockerill Sports and Social Club was situated in Beldams Lane, Bishop's Stortford, which currently operated under a club premises licence, which was converted prior to 6 August 2005. In addition to providing social recreation for members and bona fide guests there were sporting facilities on site for athletics and cricket.

The club were seeking to include activities that were not previously licensable and to extend their current permitted hours on a Friday, Saturday, Sunday and Bank Holidays. The current permitted hours for the supply of alcohol, were as follows:

Monday – Saturday 11.00am to 11.00pm
Sunday 12 noon to 10.30pm.

The new operating schedule indicated a request for the following licensable activities.

For recorded music, which was to be confined to inside the premises only, and described as amplified music the times sought were:

- a) Monday – Thursday 11.00am – 11.00pm
- b) Friday – Saturday 11.00 am – 12.00 midnight
- c) Sunday 12 noon – 11.30pm

The non-standard timing which included all Bank Holidays were identical to the hours on Friday, Saturday and Sunday as indicated above.

For the provision of facilities for dancing, which will take place inside the clubhouse and used mainly in connection with discotheques, the times sought were:

- a) Monday – Thursday 11.00am – 11.00pm
- b) Friday – Saturday 11.00am – 12.00 midnight
- c) Sunday 12 noon – 11.30pm

The non-standard timings which include all Bank Holidays were identical to the hours on Friday, Saturday and Sunday as indicated above.

For the provision of facilities for entertainment of similar description to that falling within the facilities for making music or dancing, the times sought were:

- a) Monday – Thursday 11.00am – 11.00pm
- b) Friday – Saturday 11.00 am – 12.00 midnight
- c) Sunday 12 noon – 11.30pm

The non-standard timings which include all Bank Holidays were identical to the hours on Friday, Saturday and Sunday as indicated above.

The hours that the premises were to open for its members and guests were as follows:

- a) Monday – Thursday 11.00 am – 11.00 pm
- b) Friday – Saturday 11.00 am – 12.00 midnight
- c) Sunday 12 noon – 11.30pm

The non-standard timings which include all Bank Holidays were identical to the hours on Friday, Saturday and Sunday as indicated above. It should be noted that the timings for the cessation of the supply of alcohol and the closing of the premises were identical.

The Licensing Officer stated that a Licensing Authority had received a valid representation from Mr and Mrs Mortimer, which was based on the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. He further explained that the Licensing Authority had not received any representation from the statutory bodies. He outlined the decisions that Members could make when determining the application and confirmed that all interested parties and statutory bodies would be informed in writing of the decision that the Committee made in respect of this application.

The objector, Mr Mortimer presented his case. He explained that he first became aware of the licence application from the notice board outside of the sports club. He said it was a sports hall, not a music and dance venue, which he felt this longer licence would promote. When the club closed it would be impractical to stop serving and lock up at the same time. Mr Mortimer's property was situated adjacent to the car park, and when the club was closed at night, people leaving were noisy and currently this went on until after midnight. If the opening hours were extended this noise would go further into the night.

Generally only a small number of people were left to lock up and had no control over any unruly persons. There were a lot of intimidating people hanging around in the car park. Car parking was also limited to only 20 spaces. Hertfordshire County Council had enforced a traffic-calming scheme

along Beldams Lane. The noise and activities of the sports hall encouraged youths to congregate.

An extended licence would make it more attractive for private hire, therefore creating extra nuisance for residents.

Mrs C Mortimer said the club would not be able to maintain the extended hours as there were currently beer bottles and cans strewn about, often into her garden. She had also complained about the noise to the club, and was told the club would not be let out for 18th birthday parties. She argued that 21st birthdays were just as loud and it was irrespective what the club was used for and any additional functions would cause further noise. She also stated that due to the small car park, cars parked along the road, which posed a health hazard as an ambulance or fire engine could not get up the road; it was not just the Mortimers' who were opposed to the licence extension, their neighbours were also.

The Licensing Officer said that a letter of objection had been received from a Mr and Mrs Searle, but it was received outside of the 28 day period.

Mr Baker, the Chairman of the Sports and Social Club, who was making the application stated that the club had not received any complaints from Mr or Mrs Mortimer. He stated that the club did not encourage or advertise hiring of the premises externally and thought that on average the club was currently hired out between 50 and 60 events per annum.

Mrs Mortimer explained she had complained to the police, about the youths hanging around outside the club and their noise. Councillor Row asked the Mortimers' why there were not more objectors, to which they responded it was because only themselves and their neighbours in the thatched cottages that were likely to be affected.

The Chairman then asked John Baker, representative from Hockerill Sports and Social Club to speak.

Mr Baker shared concern over the youths hanging around outside the club at night, but they had no relevance to the club. He explained the club had 200 to 250 members. He would try to work with the community and try to have a monitor outside the club to control noise.

The club was a non-profit making organisation and any profit would go straight back into the facilities. The club was used mainly by members and had no intent to hire out the venue for extra events to create more revenue. It was correct the club did not rent out for 18th birthdays, and they had not held any 21st birthday parties recently. There were limited times when the hall could be hired due to the cricket season. The main reason the club wanted the extension was for flexibility.

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EXCLUSION OF THE PUBLIC

RESOLVED that under Regulation 14(2) Licensing Act 2003 (Hearings) Regulations 2005, the press and public be excluded from the meeting

whilst the Committee considered their decision on the grounds that it was in the public interest so to do to permit a free and frank exchange of views between Members.

Members then left the Committee Room to consider their decision.

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Members returned to the meeting. The Chairman said that having taken into account the various objections, the Committee:

RESOLVED that they would grant the licence subject to the reduction of the hours for the supply of alcohol to 11.45 pm on Fridays, Saturdays and Bank Holidays and 11.15 pm on Sundays to provide for a wind-down period and to aid sensible dispersal of guests and members.

The Committee considered that these conditions were necessary and proportionate to deal with the issues raised by Mr and Mrs Mortimer. In relation the licensing objective of prevention of crime and disorder and prevention of public nuisance and considered that together with the matters already provided for in the application, satisfied the licensing objectives. This decision was in line with Council's own policy and Secretary of State's guidelines.

The meeting ended at 3.40pm.