

**Committee:** Licensing  
**Date:** 19 December 2007  
**Agenda Item No:** 2  
**Title:** The Cock Inn, Hatfield Broad Oak  
**Author:** Murray Hardy (01799) 510598

### Summary

- 1 This report sets out an application to vary the current premises licence in respect of the above. Representations have been made to this application so therefore this matter has been referred to the Committee for deliberation

### Background

- 2 The Cock Inn Public House is situated on High Street, Hatfield Broad Oak and can be described as being a fairly central point for the village. It currently has a Premises Licence to sell alcohol by retail for consumption both on and off the premises.
- 3 The current timings for that licensable activity are listed below.

Monday to Saturday	11.am - 11 pm
Sunday	12 noon - 10.30 pm

For the non standard timings the hours are as follows:

- a) Good Friday 12 noon - 10.50 pm
- b) Christmas Day 12 noon - 3.20 pm  
7 pm - 10.50 pm
- c) New Years Eve  
other than a Sunday 11.am - 11 pm
- d) New Years Eve on a Sunday 12.noon – 10.30 pm

At the close of permitted hours on New Years Eve the embedded condition regarding a continuation of the sale of alcohol until the commencement of permitted hours on New Years Day was transferred over during the transitional period.

4 The applicant for this variation has submitted a new operating schedule which seeks to amend the current licence by adding regulated entertainment and extending the current hours for the sale of alcohol by retail.

5 The revised Operating Schedule now seeks the following

(a) Live music (indoors only)

Friday – Saturday 7.30 pm – 12 midnight

For the non-standard timings on Christmas Eve and New Years Eve the hours sought are 7.30 pm – 1 am.

Christmas Day and New Years Day 7.30 pm – 12 midnight.

(b) Recorded Music (indoors only)

Friday – Saturday 7.30 pm – 12 midnight.

For the non-standard timings on Christmas Eve and New Years Eve the hours sought are 7.30 pm – 1 am

Christmas Day and New Years Day 7.30 pm – 12 midnight.

(c) Provision of facilities for making music (indoors only)

Friday – Saturday 7.30 pm – 12 midnight

For the non-standard timings on Christmas Eve and New Years Eve the hours sought are 7.30 pm – 1 am

Christmas Day and New Years Day 7.30 pm – 12 midnight.

(d) Provision of facilities for dancing (indoors only)

Friday – Saturday 7.30 pm – 12 midnight

For the non-standard timings on Christmas Eve and New Years Eve the hours sought are 7.30 pm – 1 am.

Christmas Day and New Years Day 7.30 pm – 12 midnight.

(e) The sale of alcohol by retail for both consumption on and off the premises.

Monday – Wednesday 11 am – 11 pm

Thursday – Saturday 11 am – 1 am

Sunday 12 noon – 10.30 pm

For the non-standard timings on Christmas Eve, Christmas Day, New Years Eve, New Years Day the hours sought are 11 am – 1 am.

(f) The hours the premises are open to the public are

Monday – Wednesday	11 am – 11.30 pm
Thursday – Saturday	11 am – 1 am
Sunday	12 noon – 11 pm

6 If this licence were to be granted as applied for then the applicant would ask that the current conditions which limit the sale of alcohol on Christmas Day, Good Friday, New Years Eve and New Years Day would be removed.

7 The Operating Schedule indicates the following measures that will be taken to promote the licensing objective regarding the prevention of crime and disorder.

The public house insists that its guests are respectful and responsible. The public house will not tolerate any evidence of disorder and the public house's reputation, were it to allow such action, would suffer serious decline.

Anyone who appears to be drunk and disorderly or shows signs of aggression will be asked to leave the premises.

8 The Operating Schedule indicates the following measures that will be taken to promote the licensing objective regarding public safety.

All relevant policies are in place to keep up to date. The staff are trained on a continual basis in all aspects of public safety. An accident book is kept and all regulatory requirements concerning public safety are treated with the utmost seriousness.

Anyone who appears to be drunk and disorderly or shows signs of aggression will be asked to leave the premises.

9 The Operating Schedule indicates the following measures that will be taken to promote the licensing objective regarding the prevention of public nuisance.

The public house takes measures to ensure that customers leave quietly and that due consideration is made to nearby residents.

The applicant is willing to put up inside the public house a notice prominently displayed requesting customers, when leaving the public house to consider the neighbours and to depart as quietly as possible

10 The Operating Schedule indicates the following measures that will be taken to promote the licensing objective regarding the protection of children from harm.

All staff who are involved in the sale and supply of alcohol are fully trained and ensures that children are not exposed to alcohol. If any member of the bar staff are unsure whether a customer purchasing alcohol is 18 years old or

over they will request identification from the customer in the form of suitable photographic identification. In addition if any member of the bar staff believe that someone in the public house is consuming alcohol who appears to be under 18 years old, they will be asked to provide suitable photographic identification. If the person who is asked to provide suitable identification (to show they are 18 years old or over) fails to do so, that person will be asked to leave.

- 11 Copies of this application have been served on the statutory bodies which have attracted representations from the Principal Environmental Health Officer. This is based on the licensing objective that refers to the prevention of public nuisance.
- 12 Representations have been received from interested parties based on the licensing objectives that relate to the prevention of crime and disorder, and the prevention of a public nuisance. It is feared that additional noise may be created together with the potential of a disturbance if this application were granted.
- 13 In carrying out its statutory function, the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003:-
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance
  - The protection of children from harm
- 14 The decision that the Committee can make for this application is to:-
  - Grant the application
  - Modify the application by inserting conditions
  - Remove a licensable activity from the application
  - Reject the application
- 15 When determining an application then due regard should be given to the Council's Licensing Policy and the Secretary of State's Guidance.
- 16 If the Committee in their discretion wishes to impose conditions, the only conditions that can be imposed are those that are necessary and proportionate to promote the licensing objective relative to the representations received. Equally, the Committee cannot impose conditions that duplicate the effect of existing legislation.

RECOMMENDED that

- 1 The application is determined.
- 2 In the event of an appeal against the decision of the Licensing Authority, then a Member is nominated to attend Court.

Representations from the Interested Parties  
Representation from the Principal Environmental Health  
Officer  
Plan of premises  
Location of premises  
Current Premises Licence