

**North Hertfordshire District Council
Licensing Act 2003
Decision Notice**

Date of Hearing	Thursday 18 th May 2006
Members of Panel	P. Clark, J. Kirby and L. McNamara,
Applicant(s) Name	Sandon Sports Club
Premises Address	Sandon Sports Club, The Pavilion, Roe Green, Sandon, Hertfordshire SG9 0QE
Date of Application	Tuesday 28 th March 2006
APPLICATION FOR CLUB PREMISES CERTIFICATE	<p>This is an application for a Club Premises Certificate under Section 71 of the Licensing Act 2003.</p> <p>The Sub-Committee have read the material presented to us and have listened to all the evidence and submissions. The Sub-Committee has considered the National Guidance and the Statement of Licensing Policy and has come to the following decision:</p> <ol style="list-style-type: none"> 1. The application is approved subject to the conditions and hours as are set out below. 2. The applicant is entitled to provide Recorded music incidental to the provision of other permitted licensable activities. <p>1. <u>OPENING HOURS</u></p> <p>The permitted opening hours are:</p> <p>Monday to Friday 1700hrs to 2300hrs Saturday and Sunday 1200hrs to 2300hrs</p> <p>These hours are to apply each day of the year.</p> <p>2. <u>LICENSABLE ACTIVITIES</u></p> <p>The licensable activities applied for are:</p> <ul style="list-style-type: none"> • <input type="checkbox"/> PART C – Indoor Sporting Events • <input type="checkbox"/> PART L – Supply of Alcohol <p>The hours during which the licensable activities may take place are:</p> <p>PART C – Indoor Sporting Events</p> <p>Monday to Saturday 1900hrs to 2300hrs</p>

	<p>PART L – Supply of Alcohol</p> <p>Monday to Friday 1700hrs to 2300hrs Saturday and Sunday 1200hrs to 2300hrs</p>
<p>CONDITIONS DEEMED NECESSARY FOR THE PROMOTION OF THE LICENSING OBJECTIVES</p>	<p>The Sub-Committee recognises that conditions will <u>only</u> be imposed on a licence where conditions are necessary for the promotion of one of the four licensing objectives. The Sub-Committee will only impose conditions on a licence where relevant representations have been made and they consider that it is necessary to impose conditions as a result of these representations.</p>
<p>CONDITIONS PROPOSED BY APPLICANT</p>	<p>The applicant requested that the provision of Recorded music for the purposes of public entertainment be removed from the application.</p>
<p>EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT</p>	<p>The Sub-Committee has explained to the applicant the effect of failure to comply with any of the conditions attached to the licence or certificate is a criminal offence, which upon conviction, would result in a fine of up to £20,000 or up to six months imprisonment or both.</p>
<p>STATEMENT OF LICENSING POLICY</p>	<p>The Sub-Committee has taken into account the North Hertfordshire District Council's Statement of Licensing Policy in reaching their decision. They have found the following sections to be of particular relevance in reaching this decision.</p> <p>4. Regulating Licensing</p> <p>4.1 <i>Licensing is about regulating the carrying on of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Act. The Council may attach conditions to licences issued under the Act and these must be focussed on matters, which are within the control of the individual licence holders and others in possession of relevant authorisations.</i></p> <p>4.2 <i>Licensing law is not a mechanism for the general control of nuisance and antisocial behaviour by individuals once they are away from the licensed premises or event and therefore beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in North Hertfordshire.</i></p> <p>4.3 <i>In addressing these matters the Council will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or otherwise engaged in activities in the vicinity.</i></p>

	<p>5. Licence Conditions</p> <p>5.1 <i>The Council will tailor any conditions to the individual circumstances of the premises and events concerned and will seek to avoid attaching disproportionate and over burdensome conditions on licences.</i></p> <p>5.2 <i>Conditions will only be imposed when they are necessary for the promotion of the Licensing Objectives and will focus upon matters within the control of the individual licensee such as the premises, places or events being used for licensable activities. Conditions are likely to be focused towards the direct impact of those activities on persons living, working or otherwise engaged in activities in the vicinity.</i></p> <p>9. The Prevention of Public Nuisance</p> <p>9.1 <i>Licensed premises may have significant potential to impact adversely on communities through public nuisances that arise from their operation. The Council interprets 'Public Nuisance' in its widest sense and takes it to include such things as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in activities in the vicinity of a particular premises.</i></p>
RATIONALE FOR DECISION	*
COMMENCEMENT DATE	This licence will come into effect from the date of this decision.
RIGHTS OF REVIEW	At any stage, following the grant of a premises licence, a responsible authority, such as the Police or an interested party, such as a resident living in the vicinity of the premises may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. The review is a request for the Council to look at the existing licence and decide whether its conditions are adequate to meet the four licensing objectives defined under the Licensing Act 2003.

* This section was not completed at the time of hearing or prior to the decision notice being issued. Therefore the Rationale for Decision is not known.