



# Licensing Act Sub-Committee

## Supplementary Agenda

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**Date:** Monday, 28th September, 2020

**Time:** 10.00 am

**Venue:** Virtual

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3. **Application for a Premises Licence at Langley Cricket Club, Cock Hall Lane, Langley, Sutton, SK11 0DE (Pages 3 - 8)**

To consider the above application.

Please note Appendix 5 as mentioned in the report is a to-follow item.

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### Club Premises Certificate Summary

Club Premises Certificate Number:

CL/0019

#### Club Details

Name of club in whose name this certificate is granted and relevant postal address of club: Langley Cricket Club	
Address: Cock Hall Lane Langley Macclesfield Cheshire	
Post Town: Macclesfield	Post Code: Not known
Telephone Number: Not known	

If different from above the postal address of club premises to which this certificate relates, if any, or if none, ordinance survey map reference or description  As above	
Post Town:	Post Code:
Telephone Number:	

Where the club premises certificate is time limited the dates:  Not applicable
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Qualifying club activities authorised by the certificate  Supply of alcohol for members and guests.
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The times the certificate authorises the carrying out of qualifying club activities:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31<sup>st</sup> December).
- f. On Christmas day, as provided by the rules of the club subject to the fact that the said hours shall:
  - i. not exceed six and a half hours;
  - ii. not begin earlier than 12 noon;
  - iii. not end later than 10.30 p.m.
  - iv. provide for a break of at least 2 hours, including 3 p.m. to 5 p.m.;
  - v. not extend for more than three and a half hours after 5 p.m.

The opening hours of the club:

As per the club rules

Where the certificate authorises supplies of alcohol, whether these are on and/or off supplies:

For consumption either on or off the club premises

State whether access to the club premises by children is restricted or prohibited:

No

Licence issued 10<sup>th</sup> August 2018



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Signed by Amanda Fallows  
On behalf of Cheshire East Council

**Annex 1 - Mandatory Conditions**

None

**Annex 2 - Conditions consistent with the Club Operating Schedule**

1. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.

b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.

c. On Good Friday, 12 noon to 10.30 p.m.

g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31<sup>st</sup> December).

f. On Christmas day, as provided by the rules of the club and notified in writing by the chairman or secretary of the club to the chief executive of the justices for the petty sessions area in which the premises are. The said hours shall:

i. not exceed six and a half hours;

ii. not begin earlier than 12 noon;

iii. not end later than 10.30 p.m.

iv. provide for a break of at least 2 hours, including 3 p.m. to 5 p.m.;

v. not extend for more than three and a half hours after 5 p.m.

2. The above restrictions do not prohibit:

(a) during the first twenty minutes after the above hours, the consumption of the alcohol on the premises;

(b) during the first twenty minutes after the above hours, the taking of alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;

(c) during the first thirty minutes after the above hours, the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied as ancillary to the meals;

(d) the supply to, or consumption by, any person of alcohol in any premises where they are residing.

**Annex 3 - Conditions attached after a hearing by the Licensing Authority**

None.

**Annex 4 - Plans**

Please see attached.

## **Licensing Act 2003 – Club Premises Certificate**

### **Duration of a Club Premises Certificate**

A Club Premises Certificate has effect until such a time that it is withdrawn, lapses or is suspended.

### **Duty to notify change of name or address**

The secretary of the club must, as soon as is reasonably practicable, notify the relevant licensing authority of any change of name or address or alteration of the rules of the Club.

*Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie£500)*

### **Duty to keep and produce certificate**

The secretary of the club must secure that the certificate, or a certified copy of it, is kept at the premises in the custody or under the control of the secretary of the club, any member of the club, any person who works at the premises for the purposes of the club or a person who has been nominated for the purpose by the secretary in writing, and has been identified to the relevant licensing authority in a notice given by the secretary.

The nominated person must secure that the summary of the certificate or a certified copy of that summary, and a notice specifying the position which he holds at the premises are prominently displayed at the premises.

*Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500).*

### **Duty to produce certificate**

A constable or an authorised person may require the nominated person to produce the club premises certificate (or certified copy) for examination. An authorised person must, if so requested, produce evidence of his authority to exercise the power.

*Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (ie £500)*

### **Theft, loss, etc. of certificate or summary**

Where a club premises certificate or summary is lost, stolen, damaged or destroyed, the club may apply to the relevant licensing authority for a copy of the certificate or summary. A fee of £10.50 is payable in relation to such an application.

Where an application is made for a replacement certificate or summary, the licensing authority must issue the club with a copy of the certificate or summary (certified by the authority to be a true copy) if it is satisfied that-

- a) the certificate or summary has been lost, stolen, damaged or destroyed, and
- b) where it has been lost or stolen, the club has reported the loss or theft to the police.

### **Surrender of club premises certificate**

Where a club which holds a club premises certificate decides to surrender it, the club may give the licensing authority a notice to that effect. The notice must be accompanied by the club premises certificate or, if that is not practicable, by a statement of the reasons for the failure to produce the certificate. Where a notice is given, the certificate lapses on receipt of the notice by the authority.

### **Club ceasing to be a qualifying club**

Where a club holds a club premises certificate, and it appears to the relevant licensing authority that the club does not satisfy the conditions for being a qualifying club in relation to a qualifying club activity to which the certificate relates the authority must give a notice to the club withdrawing the certificate, so far as relating to that activity.

Where the only reason that the club does not satisfy the conditions for being a qualifying club in relation to the activity in question is that the club has fewer than the required number of members, the notice withdrawing the certificate must state that the withdrawal-

(a) does not take effect until immediately after the end of the period of three months following the date of the notice, and

(b) will not take effect if, at the end of that period, the club again has at least the required number of members.

Nothing prevents the giving of a further notice of withdrawal under this section at any time. Where a justice of the peace is satisfied, on information on oath, that there are reasonable grounds for believing-

(a) that a club which holds a club premises certificate does not satisfy the conditions for being a qualifying club in relation to a qualifying club activity to which the certificate relates, and

(b) that evidence of that fact is to be obtained at the premises to which the certificate relates, he may issue a warrant authorising a constable to enter the premises, if necessary by force, at any time within one month from the time of the issue of the warrant, and search them.

A person who enters premises under the authority of a warrant may seize and remove any documents relating to the business of the club in question.

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