

# CHESHIRE EAST COUNCIL

## REPORT TO: LICENSING ACT SUB-COMMITTEE

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<b>Date of Meeting:</b>	Monday 1 <sup>st</sup> November 2010 at 11.00am
<b>Report of:</b>	Mrs N Cadman, Licensing Officer
<b>Subject/Title:</b>	<b>Application for a Premises Licence</b> <b>Poynton Sports Club, London Road North, Poynton</b>

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### **1.0 Report Summary**

- 1.1 The report provides details of an application for a premises licence together with information as to representations received in relation to the application.

### **2.0 Recommendations**

The Licensing Act Sub-Committee is requested to determine the application for a Premises Licence by Poynton Sports Club in respect of Poynton Sports Club, London Road North, Poynton, Stockport, Cheshire, SK12 1AG.

### **3.0 Reasons for Recommendations**

- 3.1 The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003.

### **4.0 Wards Affected**

- 4.1 Poynton

### **5.0 Local Ward Members**

Cllr C Beard  
Cllr H Murray  
Cllr R West

### **6.0 Policy Implications**

- 6.1 The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003 and Guidance issued under section 182 of the Act.

### **7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)**

- 7.1 Not applicable.

### **8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)**

- 8.1 Not applicable.

### **9.0 Legal Implications (Authorised by the Borough Solicitor)**

- 9.1 In accordance with the provisions of section 18 of the Licensing Act 2003 the Licensing Authority must, having regard to the representations, take such steps (if any) as it considers necessary for the promotion of the licensing objectives. Section 18(4) provides that the authority may (a) grant the licence subject to conditions; (b) exclude from the scope of the licence any of the licensable activities to which the application relates; (c) to refuse to specify a person in the licence as the premises supervisor; or (d) to reject the application.

## **10.0 Risk Management**

- 10.1 Section 181 and Schedule 5 of the Licensing Act 2003 make provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

## **11.0 Background and Options**

- 11.1 The application is for Premises Licence under section 17 of the Licensing Act 2003.
- 11.2 The operating schedule indicates that the relevant licensable activities applied for are:  
Indoor Sporting Events  
Live Music  
Recorded Music  
Provision of entertainment facilities for making music  
Provision of entertainment facilities for dancing  
Provision of late night refreshment  
Sale by retail of alcohol
- 11.3 The hours applied for are as follows:

### **Live Music** (to take place indoors only)

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

From 10.00 on Christmas Eve until 24.00 on Christmas Day.

From 10.00 on New Years Eve until 24.00 on New Years Day.

### **Recorded Music** (to take place indoors only)

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

From 10.00 on Christmas Eve until 24.00 on Christmas Day.

From 10.00 on New Years Eve until 24.00 on New Years Day.

### **Indoor Sports**

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

### **Sale and supply of alcohol** (for consumption on the premises only)

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

From 10.00 on Christmas Eve until 24.00 on Christmas Day.

From 10.00 on New Years Eve until 24.00 on New Years Day.

**Provision of facilities for making music** (to take place indoors only)

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

From 10.00 on Christmas Eve until 24.00 on Christmas Day.

From 10.00 on New Years Eve until 24.00 on New Years Day.

**Provision of facilities for dancing** (to take place indoors only)

Sunday to Thursday 10.00 to 24.00

Friday and Saturday 10.00 to 01.00

From 10.00 on Christmas Eve until 24.00 on Christmas Day.

From 10.00 on New Years Eve until 24.00 on New Years Day.

**Late Night Refreshment** (to take place indoors only)

Sunday to Thursday 23.00 to 24.00

Friday and Saturday 23.00 to 01.00

From 23.00 on Christmas Eve until 05.00 on Christmas Day.

From 23.00 on New Years Eve until 05.00 on New Years Day.

11.3.1 Designated Premises Supervisor: Simon Neil Reeder

11.4 The operating schedule includes the following steps to promote the licensing objectives:

(a) Prevention of crime and disorder

There shall be external lighting installed around the clubhouse and car park to deter crime and disorder.

There shall be regular discussions held with PCSOs regarding young people visiting the club grounds.

Plastic drinking glasses shall be used for large social events.

(b) Public safety

There shall be a fire alarm system installed and staff shall be trained in fire evacuation procedures.

There shall be car park lighting installed near the club house.

There shall be licensed door supervisors for social events when it is believed that young people may be attracted to the event.

(c) Prevention of public nuisance

Staff shall monitor external noise during functions with live music to ensure noise levels are acceptable.

External car park lighting shall be timed to prevent all night operation.

(d) Protection of children from harm

Recognised forms of identification shall be required for determining the age of young persons.

(e) General – all four licensing objectives

The Club shall employ a Club Manager who shall be responsible for the efficient day to day running of the bar and club house to ensure compliance with club policy and statutory legislation.

Monthly meetings shall be held to ensure the ongoing management, general maintenance and control of the club house facilities.

The Club shall be managed by the Club Officers who shall meet on a monthly basis and shall review house and bar activities to ensure overall compliance with legislation.

The Challenge 25 Scheme shall be in operation at the premises.

11.5 Relevant Representations:

Responsible Authorities

**11.5.1 The Police state in their response:** Application received 19 September 2010 for the Grant of a Premises Licence to Poynton Sports Club, London Road North, Poynton. The premises, for many years, have had the benefit of firstly a Club Registration Certificate and since 2005 a Club Premises Certificate. The club has Football (Senior & Junior), Cricket, Bowls, Tennis, Table Tennis & Lacrosse Sections and has a membership in excess of 700. This application is to ensure that income from 'private hires' can assist to keep the club running.

There have been recent issues where some events involving younger adults held at the premises have caused problems especially when live music events have been held and the club are now fully aware of their responsibilities to their immediate neighbours to which end Challenge 25 will be adopted with proper staff training in relation to the premises age verification policy.

Police would suggest that additional outside lighting be installed along with an adequate CCTV system which can store images for later perusal should there be incidents.

In addition Police would ask that NO glasses or bottles are allowed outside the clubhouse when 'outside' events are held there with notices displayed to that effect. Plastic or polycarbonate glasses only outside.

The club will always use SIA Registered door staff when 'outside' functions are held and this we recommend is made a 'Condition'. In addition Police would request that the Licensing Officer is notified when such 'outside' events are to take place in order that adequate arrangements may be made.

It may well be that Environmental Health will have observations on the hours for Live Music and the Police will fall in with any such recommendation made.

There are No other Police Representations

**11.5.2 The Environmental Health Officer states:** I would refer to the application for a new Premises Licence for the Poynton Sports Club, London Road North, Poynton and would wish to make the following comments in respect of the Premises Licence objective of the 'Prevention of Public Nuisance' :-

I am advised by the Hon General Secretary of the Club that entertainment which involves the playing of amplified live music and amplified recorded music - i.e. involving live bands and DJ's / discos - has been part of the entertainment for events held at the Club over a number of years. I would advise that historically, the Environmental Health Service has received a minimal number of complaints relating to loud music from the Poynton Sports Club and that incident of complaint has not necessitated a formal investigation at any time. However, it is noted that the fabric of the building has acoustic weaknesses and that if adequate noise control measures are not implemented, then there is potential for noise nuisance and disturbance to be caused to residents of the nearest dwellings.

I visited the club premises on Thursday 14th October 2010 and witnessed the proximity and orientation of the nearest residential dwellings in relation to the Club and also the fabric of the building. I discussed the issue of noise control with the Hon General Secretary.

I have therefore based my comments to the Premises Licence application on a combination of the facts that :-

- a) the Club building and function room has acoustic weaknesses
- b) the absence of a significant degree of complaints from local residents over the years despite amplified live and recorded music being played at the Club
- c) that the relatively small size of the function room is 'self-limiting' in terms of the control of patron numbers

I am therefore minded not to raise objection provided that the following noise control measures are employed and form conditions of a Premises Licence:-

1. Amplified live music should be terminated at 23.30 hours from Sunday to Thursday and at 00.30am on Fridays and Saturdays - as per the restriction on the current Club Licence for Poynton Sports Club
2. Doors to the function room shall be maintained in a closed position at times that amplified entertainment is taking place - this includes the double doors leading to the outside and also the internal double doors to the lounge / bar area.
3. Volume control both in relation to the overall volume level and the bass beat volume element shall be controlled at all times by the Club
4. Regular patrols shall be made around the perimeter of the Poynton Sports Club site by responsible persons associated with the Club during amplified entertainment to ensure that noise nuisance and disturbance is not caused from the playing of

amplified music to the surrounding residents. A 'log' of noise assessments shall be kept at the Club premises and made available for inspection by an Officer of this Authority at any time. The log should detail the type of amplified entertainment at the time, date and time of the assessment, the position of the assessment and a subjective description of the noise heard.

11.5.3 Cheshire Fire Service – No response.

11.5.4 Local Planning Authority – No response.

11.5.5 Local Safeguarding Children Board – As Police response.

11.5.6 Health and Safety Officer – No comments.

11.5.7 Trading Standards state in their response: I would like to confirm receipt of the application for a new Premises Licence for Poynton Sports Club. Would you please make it a condition on their licence that they operate an age verification policy such as Challenge 25 in terms of sale of alcohol to comply with the licensing objective, the protection of children from harm.

(The applicants have agreed to adopt the Challenge 25 scheme at the premises and relevant details of this scheme have been supplied to them direct from the Trading Standards Officer).

### Interested Parties

The Licensing Authority has received a number of representations from interested parties. Details of these are appended to this report.

## **12.0 Overview of Year One and Term One Issues**

12.1 Not applicable

## **13.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

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## **APPENDICES**

Appendices 1 – 9 Representations from interested parties.  
Appendix 10 – Plan of area.