

 Licensing Panel TBA		Agenda Item No.
Title	Application for a premises licence under the Licensing Act 2003 for Kenilworth Rugby Football Club, Glasshouse Lane, Kenilworth.	
For further information about this report please contact	David Davies, Licensing Services Manager, Community Protection. Tel: 01926 456113. david.davies@warwickdc.gov.uk	
Service Area	Community Protection	
Wards of the District directly affected	None	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No	
Date and meeting when issue was last considered and relevant minute number	N/A	
Background Papers	None	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No

Officer/Councillor Approval		
With regard to officer approval all reports <i>must</i> be approved by the report authors relevant director, Finance, Legal Services and the relevant Portfolio Holder(s).		
Officer Approval	Date	Name
Relevant Director	15/07/2010	Roger Jewsbury
Chief Executive		
CMT		
Section 151 Officer		
Legal		
Finance	15/07/2010	Andy Crump
Portfolio Holder(s)	15/07/2010	Councillor Kirton
Consultation Undertaken		
N/A		
Final Decision?		Yes

1. SUMMARY

- 1.1 Under the provisions of the Licensing Act 2003 a premises that wishes to sell alcohol and provide regulated entertainment and late night refreshment must apply for a premises licence.

2. RECOMMENDATION

- 2.1 Members are asked to consider the information contained in this report, and decide whether the application for a premises licence should be approved, and, if so, whether it should be subject to any conditions.

3. REASONS FOR THE RECOMMENDATION

- 3.1 Kenilworth Rugby Football Club Ltd. has applied for a premises licence to permit the following:

- ***Plays and Films Indoor Sporting events (indoors)***

17:00 to 01:00	Monday to Thursday
17:00 to 03:00	Friday
11:00 to 03:00	Saturday to Sunday

- ***Live music, recorded music, performance of dance, anything similar, making music, dancing, anything similar and the sale of alcohol (all indoors and outdoors, including the use of a marquee)***

17:00 to 01:00	Monday to Thursday
17:00 to 03:00	Friday
11:00 to 03:00	Saturday to Sunday

- ***Late night refreshment (on and off the premises)***

23:00 to 01:00	Monday to Thursday
23:00 to 03:00	Friday
23:00 to 03:00	Saturday to Sunday

- ***The opening hours are shown as:***

17:00 to 01:00	Monday to Thursday
17:00 to 03:00	Friday
11:00 to 03:00	Saturday to Sunday

All extended to Saturday hours on Bank Holidays and New Years Eve if these days fall in the week.

- 3.2 An operating schedule, which will form part of any licence issued, has been submitted and is shown below:

General

Management Committee overseeing and discussing all aspects of the objectives and working very closely with the Club Steward.

The prevention of Crime and Disorder

Our full-time live in steward is responsible for orderly and responsible behaviour by those attending club.

Any issues with members, or those attending club would be dealt with by the main Management Committee under the procedures laid down in the rules of the Club.

Public Safety

Clubhouse is considered to be a safe environment away from public roads.

There is a Club Health and Safety Officer who is responsible for ensuring the clubhouse, its facilities and grounds are a safe environment for the public, players, members, employees and visiting players, supporters and contractors.

Prevention of public Nuisance

The clubhouse is set well back from the houses that front on Glasshouse Lane and at a lower level, at the back of their gardens.

As per our existing licence all external doors and windows will be closed at 23.00 pm.

Protection of children

The club has a Child Safeguarding Officer and it is considered that the club and its surroundings is a welcoming family environment.

The grounds are extensive and are kept as safely and as child friendly as possible.

- 3.3 Kenilworth Rugby Football Club currently holds a Club Premises Certificate. To enable the Members to compare this with the new application, a table is attached as appendix 1 with the changes highlighted.
- 3.4 Representations against the application have been received from Environmental Health (Appendix 2), Warwickshire Police (Appendix 3) and the Department responsible for the protection of children from harm as responsible authorities and interested parties (Appendices 4 to 7)
- 3.5 The applicant has accepted a condition requested by the Department responsible for the protection of children harm, so they have withdrawn their representation provided the agreed condition is added to any licence issued:

No person under the age of 18 years shall have access to any publicity on the premises relating to entertainment that is racist or obscene or contains nudity and that no such person shall have access to such entertainment.

- 3.6 A map of the area is shown as Appendix 8
- 3.7 When considering the application the panel must give appropriate weight to:-
 - a) The representations received.

- b) Statutory guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- c) The Council's Licensing Policy Statement (Appendix 9).
- d) The Licensing Objectives, which are:-
 - i) The Prevention of Crime and Disorder.
 - ii) Public Safety.
 - iii) The Prevention of Public Nuisance.
 - iv) The Protection of Children from Harm.

However, it should only consider those licensing objectives which have been referred to in the representations received.

- 3.8 The Council's Licensing Policy Statement provides that the authority will take an objective view on all applications and will seek to attach appropriate and proportionate conditions to licences where necessary in order to ensure compliance with the four licensing objectives shown earlier. Each application will be judged on its own individual merits.
- 3.9 Details of the procedure adopted by the Licensing Committee for Panel Hearings has been supplied to the applicant and those making representations. The procedure will be explained more fully by one of the Council's Legal Team at the commencement of the hearing.

4. **ALTERNATIVE OPTION CONSIDERED**

- 4.1 No alternatives may be considered.

5. **BUDGETARY FRAMEWORK**

- 5.1 This report has no budgetary considerations for the Council.

6. **POLICY FRAMEWORK**

- 6.1 None

7. **BACKGROUND**

- 7.1 None.