

LICENSING SUB-COMMITTEE C

A meeting of the Licensing Sub-Committee C was held on 29 October 2015.

PRESENT: Councillors B E Taylor (Chair); R Brady and J Rathmell

ALSO IN ATTENDANCE: Applicants: M Blain and E Maguire

OFFICERS: B Carr, J Hodgson and A Symon

DECLARATIONS OF INTERESTS

There were no Declarations of Interest made at this point of the meeting

15/3 **APPLICATION TO VARY CLUB PREMISES CERTIFICATE : COCHRANES SPORTS AND SOCIAL CLUB, HALL DRIVE ACKLAM MIDDLESBROUGH TS5 7EZ: REF OL15/12**

A report of the Assistant Director of Improving Public Health had been circulated which outlined an Application to Vary the Club Premises Certificate in relation to Cochranes Sports and Social Club, Acklam, Middlesbrough, TS5 7EZ. Ref No. OL/15/12

Summary of Proposed Licensable Activities

Indoor Sporting Events - 11.00am - 11.30pm Daily
Live Music - 6.00pm to midnight Friday to Monday
Recorded Music - 11.00am - 11.30pm Daily
Performance of Dance - 7.30pm - 11.30pm Daily
Supply of Alcohol - 11.00am to midnight Daily

Full details of the application and accompanying operating schedule had been reproduced at Appendix 1 to the report. A copy of the current Club Premises Certificate was attached at Appendix 2 to the report.

The Chair introduced those present and outlined the procedure to be followed at the meeting. The applicants confirmed that they had received a copy of the report.

The Senior Licensing Officer presented the report in relation to an Application to Vary the Club Premises Certificate in relation to Cochranes Sports and Social Club, Acklam, Middlesbrough, TS5 7EZ, as outlined above.

A representation had been received from Councillor Arundale on 9 September 2015, objecting to the application on the grounds of public nuisance. A copy of the representation was attached at Appendix 3 to the report. The responsible authorities had been notified of the application, and no objections had been received.

The applicants confirmed that the information contained within the report was correct.

The Chair invited the applicants to present their case. The Sub Committee was advised that although the club was allowed to open 11.00am - 11.30pm Daily, the Club currently opened at 7.30pm each week day. On a Saturday the club opened at 12.30 - 3.00pm on an afternoon then closed until 7.30pm - 11.00pm. On a Sunday the club opened 12 - 2.00pm. The club opened until 12 midnight on New Year.

The reason for the application was for members to be able to continue playing pool beyond 11.00pm, although last orders would still be 11.00pm in terms of serving alcohol. The club also wished to host a Charity Pool Tournament and the extra hours would enable the Club to fulfil this commitment. The club was a charitable organisation and had raised funds in the past for charities such as Macmillan Cancer Charity, the British Heart Foundation and Teesside Hospice.

The club also hosted a monthly entertainment evening and the additional hours would enable the club members to receive a few more songs from the artistes.

The club had never had any issues with anti-social behaviour or public nuisance over the last 35 years and the majority of the members were aged 60+. The club did make use of the earlier opening times during the day for occasions such as funerals and christenings.

The Chair reminded the applicants that the Council did have a Licensing Policy and part of that policy stated that for premises that were located in close proximity to residential properties, the premises would be required to close at 11.00pm. The Chair did acknowledge that there had been no issues with these premises with regard to anti-social behaviour or public nuisance, in the past.

The applicants thanked the Members for the opportunity to present their case and requested that Members approve the application.

It was confirmed that there were no further questions and all interested parties other than the Officers of Legal Services and the Members Office, withdrew whilst the Committee determined the application.

Subsequently all the parties returned and the Chair announced the Committee's decision.

DECISION

In reaching the decision Members considered the following:-

1. The Licensing Act 2003 and amended Government Guidance issued under Section 182 of the Act.
2. Middlesbrough Council's Licensing Policy.
3. The case presented by the Applicants.
4. The representation made by the objector.

The Committee **ORDERED** that the Application to Vary the Club Premises Certificate in respect of Cochranes Sports and Social Club, Hall Drive, Acklam, Middlesbrough be Granted for the proposed licensable activities listed in the application.

Reasons for Decision

The Committee decided to depart from Paragraph 7.4 - Location and Impact of Activity of the Council's Licensing Policy for the following reasons:-

1. The Council had not received any complaints about the operation of the premises in the past.
2. There had been no objections to the application from residents situated in close proximity to the premises and none of the responsible authorities had objected to the application.
3. The applicants already had a condition in place on their Club Premises Certificate regarding customers dispersing from the club in an orderly fashion and this would mitigate any concerns with regard to public nuisance.