



Licensing Sub-Committee agenda

Date: Wednesday 8 May 2024

Time: 2.30 pm

Venue: Via Video Conference

Membership:

A Baughan, P Gomm and T Green (Chairman)

Webcasting notice

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If you have any queries regarding this, please contact the monitoring officer at monitoringofficer@buckinghamshire.gov.uk.

Agenda Item	Page No
1 Introductory remarks by the Chairman	
2 Apologies for absence	
3 Declarations of interest	
To receive any disclosure of disclosable pecuniary interests by Members relating to any items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the District Solicitor prior to the meeting.	

Members are reminded that if they are declaring an interest, they should state the nature of that interest whether or not they are required to withdraw from the meeting.

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|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 4 | Hearing Procedure Rules | 3 - 10 |
| | To note the hearing procedure rules and virtual licensing sub-committee procedural rules. | |
| 5 | Marlow Sports Club, Pound Lane, Marlow, SL7 2AE | 11 - 46 |
| | To consider an application under s.34 of the Licensing Act 2003 to vary the premises licence in respect of The Marlow Sports Club, Pound Lane, Marlow, SL7 2AE (report attached). | |

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Liz Hornby; democracy@buckinghamshire.gov.uk

Addendum Licensing and Regulatory Sub-Committee Virtual Procedural Rules

Procedure at Hearings before the Licensing Sub-Committee (“LSC”) in relation to matters under the Licensing Act 2003 as amended (“The 2003 Act”) **except** Interim Hearings (Summary Review of a Premises Licence) conducted pursuant to Section 53B of the Licensing Act 2003, as amended (separate Procedure) or as otherwise provided.

Hearings for Gambling Premises are dealt with under the Gambling Act 2005 as amended.

Introduction

The Licensing Act 2003 and the Licensing Act 2003 (Hearing) Regulations 2005 provide flexibility to Licensing Authorities in determining their own hearing procedures. Buckinghamshire Council has decided to hold such hearings remotely in accordance with these procedural rules.

Administration in Relation to the Hearing

Prior written notice of the hearing will have been given to the interested/relevant parties.

- (a) Where a party has informed the Council that they will not be attending or be represented at the hearing it may proceed in their absence.
- (b) Where a party has not replied to the notice, does not attend and is not represented then the LSC may proceed with the hearing in that party’s absence or adjourn the hearing if it is considered necessary in the public interest to do so.
- (c) If a party has indicated they will attend but does not appear, that party must inform the Council of any delay - with reasons - and in consideration thereof the LSC can decide to proceed with the hearing or adjourn to later the same day or another time. If a party is more than 15 minutes late and has not contacted the Council with details of any delay – the LSC shall proceed with the hearing unless it is in the public interest not to do so and shall adjourn the hearing to later on the same day or another date.

If the hearing is held in a party’s absence, the LSC will still consider the application, representation or notice made by that party.

A hearing can be dispensed with if all parties give notice that they consider a hearing unnecessary. If this is the case the application/notice will be dealt with by way of a determination.

Representations can be withdrawn by prior notice up to 1 working day before the hearing or orally at the hearing.

At the hearing, any party can be assisted or represented by any person whether or not that person is legally qualified.

Account can be taken of documentary or other information produced by a party in support of their application, representation or notice (as applicable) if provided either at least 1 working day before the hearing or - with the consent of all other parties - at the hearing, in which case sufficient copies are required to be provided for all relevant parties. Any party wishing to call another person (other than a person representing them) to make oral representations must provide details of this to the Council within the time stated in the Notice of Hearing which the Council will serve on the Parties. At the beginning of the hearing the LSC will consider any such requests and confirm whether permission is granted for that person to speak.

The LSC may disregard any information which is not considered relevant to the application/representation/notice and the promotion of the licensing objectives.

The purpose of a hearing is to enable those with a right to appear to amplify their written application or representation and to test the case of their opponents. It is also to assist the LSC to gather evidence and understand the relevant issues. The parties (including other persons on their behalf) will be allowed an equal reasonable period of time to address the hearing and ask questions. The Chairman may set a maximum period of time on how long each party may speak, progressing without undue delays and ensuring that there is a fair hearing. Where the representations made relate to the same or similar issues, a spokesperson should be appointed where possible to speak on behalf of any person who has made a written representation.

The Decision of the LSC will be made after the close of the hearing when the LSC retires with the Democratic Services Officer and the Legal Advisor to the sub-committee in a private session to consider all the evidence and submissions made at the hearing.

The decision of the LSC will be communicated to all parties by way of a written Decision Notice issued by Legal Services. They will endeavour to serve the notice within 5 working days of the hearing and if there is to be a delay in issuing such a notice; the licensing officer will communicate with all parties. The notice will be dated and set out the provisions of the right to appeal to the Magistrates Court.

The LSC may depart from this procedure (as varied/amended from time to time based on changes to law and practice) if it considers reasonably necessary and proportionate.

Access to Information

The Council can hold and alter the frequency and occurrence of hearing without requirement for further notice.

These Regulations make provision for local authority members and officers, and the public, to have access to documents without attending council buildings and it will be sufficient for local authorities to publish the documents on their website. This includes notices, agendas, reports, background papers and minutes. The Proper Officer will give the requisite notice to the public of the time of the hearing, and the agenda, together with details of how to join the hearing which will be available on the website.

Time and Place of Hearing

All hearings will be held remotely, including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming unless a party can show good and sufficient reason why the hearing should be held in person. Where a party has notified the Council that they wish to attend a remote hearing but are unable to access the hearing remotely, for whatever reason, the Council will endeavour to make provision for them to be able to view the hearing at Council offices. The Council will use Microsoft Teams to hold virtual hearings and will invite external participants to virtual hearings, if any, via email or telephone. Virtual hearings will be webcast where the hearing is held in public via a link published on the meeting webpage.

The Constitution states that when reasonably practical, a sub-committee hearing should be held at the Council facility which is closest to the premises or issue that is the subject of the hearing. However, this requirement is disapplied in respect of remote hearings.

During the Hearing

It is a requirement for such hearings that:

- a) proper notice is given, with all papers served timeously on the authority and published online;
- b) the actual parties to the hearing are able to participate;
- c) any member of the public can see or hear, albeit not participate in, the hearing.

Although held in a virtual format, hearings dealing with new licences or variations to existing licences will follow the standard procedure. Panel Members may ask questions of any party at any time. Questions are usually taken after each person has spoken. It is helpful to undertake a document check at the start of the hearing.

In terms of issues that may arise during the hearing the following rules apply:-

Quorum for Hearings

The rules for quorum will still apply. This is 3 Councillors for a licensing or regulatory sub-committee. It is also considered good practice to have a reserve member, in case of interests. The constitution states that if a quorum is not present within 15 minutes of the scheduled start of the LSC or such longer time as allowed by the Chairman, the business of the hearing will be adjourned. The Chairman may allow for flexibility around the start time of the hearing where there are any technical issues.

In the event of any apparent failure of the technology the Chairman should immediately determine if the hearing is still quorate. The Chairman could adjourn for 10-15 minutes to allow the connection to be re-established. If an individual remote participation fails the Chairman may call a short adjournment. As the hearing must have 3 members present, the hearing will be reliant on the lost connection being re-established to ensure all members are present for the entire discussion in order to hear all of the facts and vote on the matter.

Only 3 members are permitted on LSC for each hearing (as per Section 9 of the Licensing Act 2003 and the Constitution Terms of Reference for the LSC). The reserve member is present in case an interest arises at the beginning of the hearing or one of the 3 members identified as being on the LSC fails to attend the virtual hearing. It is only those 3 members who have been identified as being on the LSC for that hearing who can ask questions of the other parties.

A reserve member would not be able to participate if the technology fails for one of the members present as whilst they would be listening they will not have taken an active role nor been included in the process/asked to see if they have any questions etc.

Attendance at hearings and webcasting

A roll call or introductions will be made at the start of the hearing to record those present. There is no requirement for councillors to sign their names on the attendance sheets when attending a virtual hearing. The Democratic Services Officer will maintain a list of attendance throughout the hearing.

To be classified as a 'member in attendance' and attend the hearing remotely, the following conditions must be satisfied;

- a) Councillors sitting on the Sub-Committee must be able to hear and be heard and (where practicable) see and be seen by parties in attendance at the hearing.
- b) This full requirement also extends to parties attending to exercise a right to speak at the hearing.
- c) All other members of the public must as a minimum be able to hear and if practicable see the proceedings.

In practice this means that if councillors and speaking members of the public can be heard and hear each other and other members of the public not speaking can hear, this would fulfil the requirements of holding a virtual hearing.

Members of the press and public may only be excluded from a hearing in accordance with the Access to Information Rules.

The Regulations state that hearings being open to the public include access by remote means. Such access includes (but is not limited to) video conferencing, live webcast, and live interactive streaming and where a hearing is accessible to the public through such remote means the hearing is open to the public whether or not members of the public are able to attend the hearing in person. For clarity, a hearing recorded and then posted online after the event would not satisfy this requirement.

In the event that the live webcast fails and cannot be resumed the hearing will be opened and adjourned to allow for it to take place at a later date (the date and time of which will be fixed prior to the matter being adjourned).

The people on the Teams call who are present throughout the hearing are the Members of the Sub-Committee, any officer supporting the hearing and those who have submitted valid representations, applicant and/or legal representative. The public gallery, where Members can sit and observe the hearing alongside members of the public, is the webcast version.

Conflicts of Interest

Councillors should consider if they have an interest, and, if required, seek advice from the Monitoring Officer, or their deputy, before the hearing starts. If a Councillor appointed to a licensing hearing considers that their interest is prejudicial they should notify Democratic Services as soon as possible so that an alternative councillor can be appointed to the licensing hearing.

Members of the LSC must consider beforehand if they need to declare any personal interests and

whether their personal interest is also a prejudicial interest in which case they will not be able to attend the hearing. Members who have any Disclosable Pecuniary Interests will not be able to attend the hearing either. Members should also consider beforehand if they have or would be considered to have predetermined the matter in which case they should also distance themselves from the determination of the matter and not attend the hearing.

Minutes of hearings

The Minutes of hearing will be published on the website.

Questions

Parties can ask questions of other parties in accordance with the procedure below. The Chairman can stop a party asking questions if they feel the questions are unnecessary. Parties are expected to treat other parties with respect and any form of harassment or excessive questioning will not be tolerated. In such cases the Chairman will ask the party to discontinue that type of questioning. The Chairman can require any person (including any of the parties) who is disrupting the proceedings to leave the hearing.

Order of business (as normal)

1. The Chairman will open the hearing and start the introductions of the LSC and Officers and ask each party to introduce themselves. The Chairman will confirm that if a party is not present their representations/application will have been read and will be considered in reaching the decision.
2. The Chairman will address any interest arising under the Code of Conduct.
3. The Chairman will consider any submitted requests from a party for permission for another person to appear at the virtual Hearing and any other procedural matters. If necessary, the sub-committee will retire to deliberate before making a decision.
4. If all parties present confirm that they have seen and understand the procedure to be followed at the virtual hearing and agree they are ready to proceed then the hearing **shall commence as set out from para 9 below**.
5. The Chairman will remind everyone that the purpose of the virtual hearing should be borne in mind at all times i.e.
 - to enable those with a right to appear at the virtual hearing to advance their point of view and concerns and to test the case of their opponents and
 - to assist the LSC to gather evidence and understand the relevant issues.
6. The Chairman will confirm what advance papers have been received and that these have been read and therefore there is no need to repeat these matters.
7. The Chairman will make clear that parties should only address the LSC in relation to matters previously raised/submitted. Late evidence to be submitted at the hearing will only be considered by the LSC with the consent of all parties present.
8. The Chairman will then outline the procedure to be followed by reading out the order of oral presentations **unless** all parties present have confirmed that they have seen and understood the

procedure and are ready to proceed with the virtual Hearing.

9. The Chairman will ask the Applicant whether they wish to make any amendments to their application with a view to addressing issues raised by the representations.
10. Order of oral presentations:-
 - a. The Licensing Officer will present their report outlining the details of the application/notice and representations received.
 - b. Any party may question the Licensing Officer.
 - c. The Members may question the Licensing Officer.
 - d. The Applicant will present their case and call any witnesses.
 - e. Any other party may question the Applicant.
 - f. The Members may question the Applicant.
 - g. The Responsible Authorities, who made representations. will present their case in turn and call any witnesses.
 - h. Any party may question the Responsible Authorities.
 - i. Any Members may question the Responsible Authorities.
 - j. Each Interested Party will present their case in turn and call any witnesses.
 - k. Any other party may question the Interested Party.
 - l. The Members may question the Interested Parties.

Once they have made their representations under the requirements of the constitution they will need to switch off their microphone and not participate any further in the hearing unless they are asking any questions or wish to sum up. No speaking is timed.

11. Before moving onto the next party at any time during the procedure above, the Chairman will check there are no further points the current party wishes to make or any further questions that need to be put to that party.
12. There may be a discussion at the hearing, on a without prejudice basis, where each party will be asked to address/give their views on any proposed conditions and suggest any other appropriate conditions to assist the Sub-Committee. Any agreed conditions may be incorporated into the Decision Notice if the application is successful. However, the LSC are to determine any final conditions that will apply to the licence.
13. Each party will be invited to make closing submission in the order as set out in paragraph 10.
14. The Chairman will then close the hearing and the LSC will meet (privately) virtually together with the Democratic Services Officer and Legal Advisor for the matter to be determined.
15. The LSC will come to a decision which will be sent to the Applicant and all other parties' who submitted relevant representations within the time limits set out in this procedure and Regulations together with details of the right of appeal.

When can the Chairman be interrupted?

There are circumstances allowed for in the Constitution where the Chairman can be interrupted such as:-

- Technology is not working effectively.
- Officer needs to provide advice.
- Point of order or personal explanation

or any other area where the Constitution or Chairman allows.

Disturbance during proceedings

The Constitution states that if anyone interrupts proceedings the Chairman will warn the person concerned and if they continue to interrupt the Chairman will order their removal from the virtual hearing room. There may be circumstances where the person needs to be removed immediately, for example if they are being inappropriate, and the Chairman can do this by muting their microphone. If there is a general disturbance making orderly business impossible, the Chairman may adjourn the hearing for as long as they consider necessary.

Adjournments

People will remain on the call with mics muted and cameras off until the hearing starts again. The Chairman may also want to consider having a comfort (screen) break for longer hearings. If there is a problem with the technology the Chairman should pause the hearing until that issue has been resolved. However, this does not stop a hearing going ahead because a person does not have access to the required technology in the first place. If technology fails for a wholly remote hearing, and the hearing is no longer open to the public, any decisions made could be challenged as unlawful which renders the whole hearing incapable of proceeding and therefore the Chairman should adjourn until the remote hearing can be restored within a reasonable period, or at a time and date fixed by the Chairman. Any interested party eligible to speak who attends to exercise their right to speak and is unable to do so renders only their item incapable of proceeding unless they are happy to submit their comments through a written representation.

The Council will try and achieve the best possible outcome.

Deliberations and Exclusion of the Press and the Public

Under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 the licensing authority may exclude the public from all or part of the hearing where it considers that the public interest in doing so outweighs the public interest in the hearing or part of that hearing taking place in public. In addition there may be information in the agenda pack pertaining to the hearing which will be exempt from publication or discussion in public under Schedule 12A of The Local Government Act 1972 as amended. In these circumstances the public will be excluded from part or the whole of the hearing as appropriate.

At the conclusion of the hearing, the LSC together with the Democratic Services Officer and Legal Advisor, will remain in a private virtual meeting in order to deliberate on the decision. Interested parties will then be notified of the outcome of the hearing in writing after the meeting in accordance with required timescales.

Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.

They may depart from this procedure (as varied/amended from time to time based on changes to

law and practice) if it considers it necessary and/or equitable to do so.

NOTE

IN PRODUCING THIS PROCEDURE, THE FOLLOWING HAVE BEEN CONSIDERED: -

- Licensing Act 2003 *as amended* - and Explanatory Notes
- National Guidance
- The Licensing Act 2003 (Hearings) Regulations 2005 as amended.
- The Human Rights Act 1998.
- Local Government Act 1972 as amended.

SUBJECT:	APPLICATION FOR A VARIATION OF A CLUB PREMISES CERTIFICATE at: Marlow Sports Club, Pound Lane, Marlow, SL7 2AE
Report Of:	Application Under Section 34 Licensing Act 2003
Responsible Officer:	Kerryann Ashton - Licensing Officer
Report Author	Kerryann Ashton - Licensing Officer
Ward/s Affected	Marlow Ward

1. Purpose of Report

To provide Members with information enabling the determination of an application for a variation to a Club Premises Certificate, in respect of which relevant representations have been received. The application has been submitted by Marlow Sports Club (“the applicant”) in respect of **Marlow Sports Club** (“the premises”).

2. Background

2.1 The premises is located within the Town of Marlow. The Premises consist of Main Pavilion, Old Pavilion and sports fields which offer a floodlit hockey pitch, four flood-lit all-weather tennis courts, petanque terrains, and cricket pitch and outfield with practice nets. and on-site car parking for 100 cars.

2.2 The premises are not located within a cumulative impact policy area.

2.3 A location plan showing the premises is attached to this report marked “Appendix 1”. The current layout plan is attached as Appendix 2.

2.3 The premises currently have the benefit of a Club Premises Certificate granted in 2005. A copy of the current club premises certificate is attached as Appendix 3.

Supply of Alcohol to club members:

Monday-Saturday: 10:00 - 23:00
 Sunday: 12:00 - 22:30
 Good Friday: 12:00 - 22:30

3. The Application

3.1 This application is for a variation of the current premises licence to take immediate effect. A copy of the application is attached as Appendix 4.

3.2 The variations sought are as follows:

- Vary the defined area of the premises, which is currently only the building, to include an area of the grounds outside and adjacent to the building. See images of outside bar locations attached as Appendix 5 and a revised additional licence layout plan attached as Appendix 6.

Add opening hours to the licence:

Monday to Saturday 10:00 to 23:00

Sunday 12:00 – 22:30

3.3 The steps the applicant intends to take to promote the licensing objectives are set out in the operating schedule.

4. Relevant Representations

4.1 Responsible Authorities:

4.1.1 **The Chief Officer of Police:** Response received: No objection.

4.1.2 **The Fire and Rescue Authority:** Response received: No objection.

4.1.3 **The Local Planning Authority (Head of Sustainable Development):** No Response received: No comment.

4.1.4 **The Local Environmental Health Authority (Head of Environmental Health):** Response received: No objection.

4.1.5 **Weights and Measures Authority (Trading Standards Officer):** No response received.

4.1.6 **The Safeguarding and Child Protection Unit:** No response received: No comment.

4.1.7 **The Licensing Authority:** Response received: No objection.

4.1.8 No responses were received from any other Responsible Authority.

4.2 **Other persons:** One valid objection was received during the 28-day consultation period which ended on the 16 April 2024. A copy of the representation is attached marked **Appendix 7**.

4.3 During the consultation period we received two representations in support of the application. A copy of the representations is attached to the report market Appendix 8.

5 Licensing Officer's Observations:

5.1 The Relevant Representation from other parties mainly raises the follows issues:

The prevention of public nuisance

Stating the change of licence could result in noise and light pollution. The request to extend alcohol service to the outside of the club could significantly impact the residential aspect of the area.

The Prevention of crime and disorder

The change could lead to an increase in crime or disorderly conduct. The increase in outside space may attract a larger crowd and excessive alcohol consumption.

Public safety

Issue relating to controlling crowds.

5.2 In addition to the Mandatory Conditions, which together with the Conditions proposed by the applicant and the Responsible Authority are considered appropriate for

recommendation to the Licensing Sub-Committee to address concerns raised in the objections if a Premises Licence is granted.

6. Policy Considerations

6.1 Regard must be given to the Council's Statement of Licensing Policy (published 4th March 2022) when determining this application. Part C - promoting the licensing objectives Para 3.14 states the Licensing Authority seeks to encourage the highest standards of management in licensed premises and expects this to be demonstrated through the operating schedule.

Para 3.19 In preparing their applications, applicants are strongly encouraged to consider the terms of this Policy in general and this chapter in particular. In considering applications, the Licensing Authority will also take this Policy as a starting point.

3.23 In considering variation applications, decision concerning conditions will be confined to the subject matter of the application as per case law ([Taylor vs Manchester City Council \[2012\]](#)). In practice this means that conditions will not be imposed in response to a variation application that do not relate to the application sought.

Prevention of crime and disorder Para 3.27 states Applicants are expected to demonstrate in their operating schedule how they intend to promote the crime prevention objective in relation to the licensable activities provided. Applicants should also consider local circumstances, for example such as the terminal hour of other licensed premises in close proximity, local crime and anti-social behaviour 'hot spots' and the position of taxi ranks and other transport hubs.

3.28 The Licensing Authority will treat the police as the main source of advice on conditions to be applied in order to promote the crime prevention objective. Conditions imposed on licences will, so far as possible, reflect any local crime prevention strategies and the local Police and Crime Plan published by the Police and Crime Commissioner for Thames Valley.

In relation to the prevention of a public nuisance licensing objective, section 3.36, the Licensing Authority will consider whether the measures proposed to deal with the potential for public nuisance having regard to all circumstances of the application, are adequate. Much weight will be placed on recommendations made by Environmental Health Officers in terms of preventing public nuisance.

Under Public Safety para 3.33 states applicants must be able to demonstrate that they have undertaken a thorough assessment of the risk to public safety presented by their intended activities.

At para 3.37 the Policy sets out particular measures which an applicant may wish to consider including:

Outside areas

The Licensing Authority supports the use of outside areas such as gardens and forecourts however robust management controls are usually required to ensure that the use of

these areas does not cause a nuisance. Control measures may include adequate supervision, regular glass collections, curfews and last entry conditions.

Deliveries and waste collections

As far as possible delivery and collection times should be arranged to minimise the risk of noise nuisance to residents and other businesses in the vicinity. Staff should avoid placing glass bottles and other waste outside late at night unless suitable noise mitigation measures are in place.

Litter

Measures should be in place to manage the risk of littering associated with the premises. This includes having sufficient waste receptacles to avoid overflowing refuse containers and litter sweeps in the immediate vicinity to clear cigarette butts, food receptacles and flyers associated with the premises.

Lighting

Outside lighting needs to be carefully planned and managed, including security lighting, to avoid causing nuisance.

- 6.2 Regard must also be had to the national Guidance issued by the Home Office under Section 182 of the Licensing Act 2003, as amended.

In relation to Prevention of Public Nuisance the Statutory Guidance states:

- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be

aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Crime and Disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

Public safety

- 2.8 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

- 2.10 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. Applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Resources, Risk and Other Implications

- 7.0 **Resource:** The only resource implications to date have been officer time however if the applicant or persons making relevant representations appeal against the decision of the Licensing Sub – Committee this would result in legal fees to defend the appeal and further costs. In the event of a successful appeal the Council may also have to pay the applicant/other party's costs.

- 7.1 **Human Rights:** The Licensing Sub - Committee's decision regarding this application will have Human Rights implications in respect of both the Applicant and the persons making relevant representations which also need to be considered equally and fairly so that the decision is proportionate and the right balance is met. The referral of this matter to the Sub-Committee is laid down in the Licensing Act 2003, as amended and is also in accordance with Article 6 of the Human Rights Act 1998, the right to a fair hearing, which is an absolute right. The Applicant and the persons making relevant representations have been notified of the Hearing and invited to make representations. A statutory right of appeal to the Magistrates Court and the right (if it arises) to challenge the Sub-Committee's decision by way of Judicial Review to the High Court also ensure a fair hearing to both the Applicant and the persons making relevant representations.
- 7.2 Article 8 and Article 1 of the First Protocol - the right to respect for private/family life and peaceful enjoyment of property/possessions (including Licences) - also need to be considered. The persons making relevant representations have a right to respect for their private and family life and their home. They are entitled not to be disturbed by unreasonable noise and/or nuisance. However, this is a qualified right and has to be balanced against the rights of others including the rights of businesses in the area to operate.
- 7.3 Article 14 of the Human Rights Act 1998 - the right to freedom from discrimination, which is an absolute right – also needs to be considered. The human rights provided under the Human Rights Act 1998 must not be subject to discrimination under various headings, including race, national or social origins, association with a national minority group, or other status.
- 7.4 Interference with these rights is acceptable within the terms of the Human Rights Act 1998 if it safeguards the rights of others, is legitimate, proportionate and balanced in that there is a need to find a fair balance between the protection of individual rights and the interests of the community at large – other than rights under Article 6 and 14 which are absolute rights and cannot be interfered with.
- 7.5 Therefore if Members refuse to grant the application to vary the Premises Licence in whole or part or grant it subject to Conditions this will be a breach of the rights of the Applicant unless such refusal (in full or part) is and/or the Conditions imposed are appropriate, proportionate and can be justified, on balance, by being outweighed by the rights of the community at large to peaceful enjoyment of their property/possessions. Any restriction placed upon the Premises Licence must not go beyond what is strictly necessary to achieve its legitimate purpose in order to mitigate the interference with the community at large's enjoyment of their property/possessions.
- 7.6 By taking into consideration all the material considerations relating to this application and balancing the interests/rights of all parties involved it is considered that the Licensing Sub-Committee's decision will be both proportionate and justified having had regard to the Human Rights Act 1998.
- 7.7 The Equality Act 2010, including the Council's Public Sector Equality Duty, must be taken into account when making decisions in relation to licensing applications.

8.0 Determination by the Licensing Sub-Committee

8.1 The Sub Committee is obliged to determine applications in the light of the above and any other material considerations with a view to promoting the four licensing objectives. Which are:

- The prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

Regard must also be had to the Council's Licensing Policy, Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended, relevant representations received, and the evidence presented at the Hearing.

8.2 Each application must be considered on its own merits and any conditions attached to premises licences must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed, may be unlawful where they cannot be shown to promote the licensing objectives in any individual case.

8.3 The Sub Committee must avoid duplication of other legal requirements and should only impose conditions on a premises licence which are appropriate and proportionate for the promotion of the licensing objectives and where additional and/or supplementary measures are required in order to promote the licensing objectives.

8.4 The following options are available to the Licensing Sub Committee:

8.4.1 Grant the Variation Application in full or part - subject to any Conditions to be attached to the premises licence (which modify or add to or vary the Conditions already imposed on it) which are consistent with the Operating Schedule and which are considered appropriate and proportionate for the promotion of the four licensing objectives in response to relevant representations received - and any relevant Mandatory Conditions.

On a "without prejudice" basis, a draft list of **proposed Conditions** is attached to this Report marked "The Schedule".

8.4.2 Reject the whole of the Variation Application.

8.4.3 Grant the Variation Application subject to different conditions for different parts of the premises or licensable activities if this is considered appropriate and proportionate to promote the four licensing objectives and in response to the representations received).

9.0 The Sub-Committee is asked to note that:

9.1 It may not reject the whole or part of the application or modify or add to or vary the existing conditions - merely because it considers it desirable to do so. It must actually be **appropriate and proportionate** in order to promote the four licensing objectives and be in response to the representations received and full reasons must be given for the Sub-Committee's decision.

- 9.2 When determining the application to vary the Premises Licence consideration must be given to the effect of the variations proposed. Any modification or variation to Conditions or any additional Conditions to be added to the Premises Licence must also be as a result of the effect of the variation if granted on the promotion of the four licensing objectives.

Conditions offered in the Operating Schedule

Prevention of crime and disorder

- Customers will not be permitted to remove from the premises drinks supplied by the premises (alcoholic or otherwise) in open containers.

Public nuisance

- Empty glasses and bottles shall be regularly collected from outside areas.
- Notices, at least A4 in size, shall be prominently displayed at all exits requesting customers to respect the needs of local residents and businesses and leave the area quietly.

Protection of children from harm:

- A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Informative/s -

This Premises Licence does not purport to grant planning permission for the use of the premises hereby permitted by this Licence and/or for the hours of operation hereby permitted by this Licence and the Applicant is advised to contact the Planning Department to check compliance with the relevant planning legislation/requirements and to submit any necessary planning applications prior to operation.

Officer Contact: Kerryann Ashton (01296 585 560)
email address: kerryann.ashton@buckinghamshire.gov.uk

The Schedule

Annex 1 – Mandatory conditions

Conditions for Clubs selling alcohol for consumption off the premises

- 1 The supply of alcohol must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
- 2 Any alcohol supplied for consumption off the premises must be in a sealed container
- 3 Any supply of alcohol for consumption off the premises must be made to a member of the club in person

Proposed Conditions

General – all four licensing objectives

- Licensing objectives and their compliance will be added to the commercial risk assessment. The steps listed below will be regularly checked by the commercial team to ensure that licensing objectives are met. Those checks and their findings will be logged in our minuted meetings as a record. This will include details of any remedial action where required. Reporting to the trustee board will take place where any breaches are identified in order to maintain governance and assist in compliance with charity commission rules.

The prevention of crime and disorder

- The use of SIA door staff will be risk assessed and regularly reviewed.
- Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty and they will be made aware of the maximum capacity of the premises and ensure that this number is not exceeded.
- Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers.
- Empty glasses and bottles will be regularly collected from tables and outside areas.
- We actively promote responsible drinking and do not expect to be implementing any drink promotions that would encourage binge drinking. Drunkenness and anti-social behaviour will not be accepted on the premises. Should anyone be observed using or in possession of drugs they will be asked to leave immediately.
- Any evidence of the sale of drugs on the premises will be immediately reported to the local police authority.
- Members & guests will be reminded not to leave valuables in their vehicle, and we will be happy to look after them inside the building during their visit but will hold no responsibility for loss or damage of any possessions on the premises.

Public safety

- Fire exits and routes will be kept clear, well indicated and maintained. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- First aid boxes are provided. Checks of the boxes are made at regular intervals and a log of checks is held.

- All Health and Safety certificates will be up to date and the business will be fully compliant with all legal requirements.
- Risk assessments will be undertaken and requested from contractors/suppliers where applicable.

The prevention of public nuisance

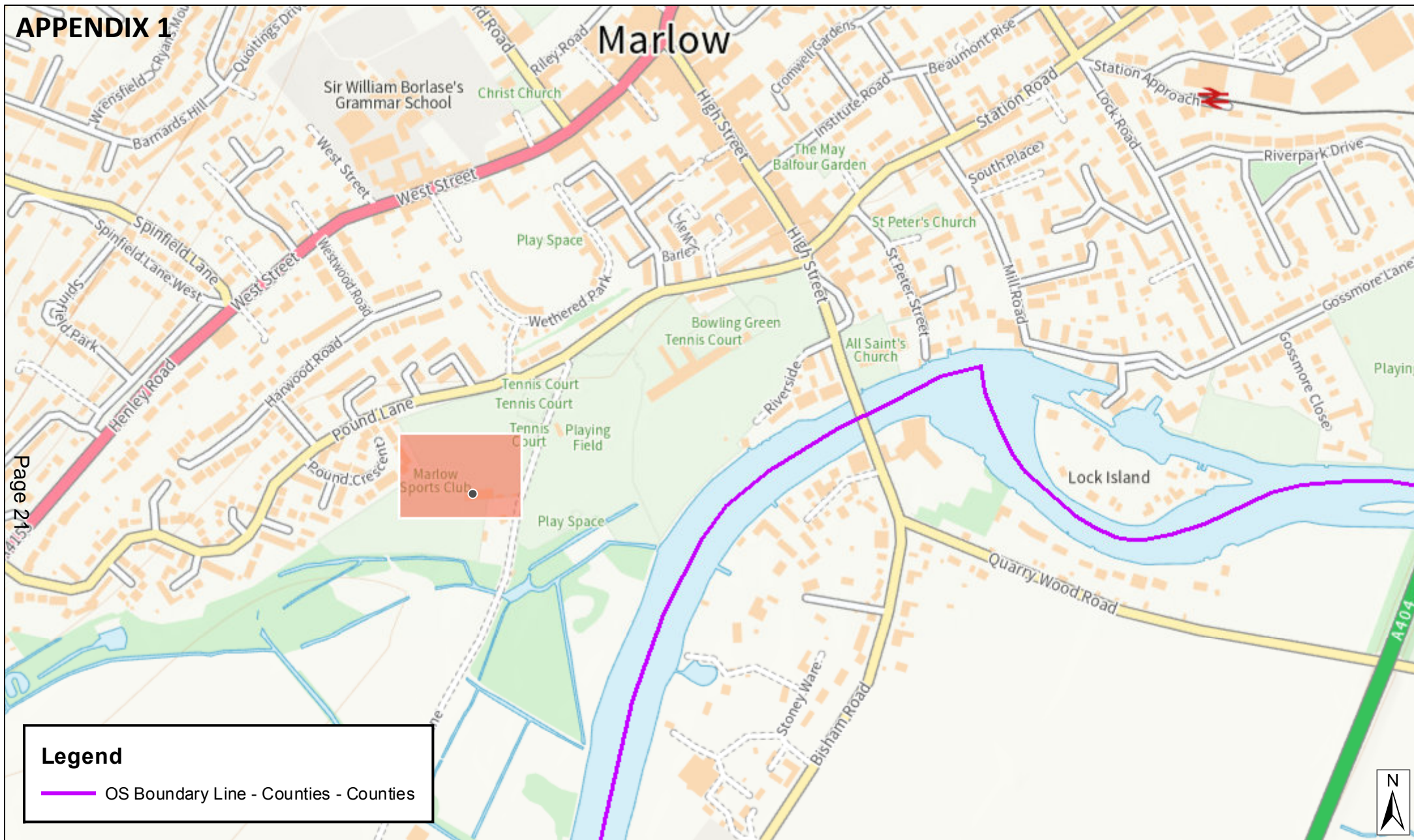
- Notices, at least A4 in size, shall be prominently displayed at all exits requesting customers to respect the needs of local residents and businesses and leave the area quietly
- Music is not normally played and when it is, it will be at a suitable level until a socially acceptable time.
- Between the hours of [insert hours] no waste/glass bottles will be moved or deposited outside
- Outside trade areas are of a good distance from residential property and established trees between dampen conversational noise.
- External lighting will be used with great consideration to our neighbours and only on during trading hours.
- Refuse will be held in metal bins with lids and emptied into the trade waste bins at regular intervals to prevent unpleasant odours and improve pest control.

The protection of children from harm

- Under 18's will be very welcome on the premises whilst accompanying an adult.
- The licence holder shall ensure that a written children safeguarding policy is in place for the premises. The policy shall cover the four broad categories of abuse: neglect, physical abuse, sexual abuse and emotional abuse as well as child exploitation and modern slavery. The policy shall include details of staff awareness and refresher training in relation to the policy, including training with specific reference to child exploitation and modern slavery.
- A copy of the policy shall be made available on request to authorised officers of Buckinghamshire Council along with evidence that staff have attended awareness training related to the policy.
- A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- Staff engaged in the service of customers at the premises shall be trained in the promotion of the licensing objectives as are relevant to their duties. This shall include training on awareness of local alcohol related issues. The training shall be recorded in a training record which shall not be removed from the premises, except in case of emergency or for the purposes of copying, until a period of 12 months has expired since the last entry that has been recorded.
- The training record shall be made available to Police and authorised council officers on request.

Background Papers:	<ul style="list-style-type: none"> • Application ref PR202403-343069 • Licensing Act 2003, as amended • Licensing Policy – Buckinghamshire Council published March 2022 • Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended
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Marlow



Legend

— OS Boundary Line - Counties - Counties

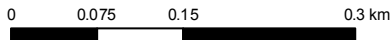


Marlow Sports Club

Copyright:

Author: Licensing Team

Date: 23/04/2024

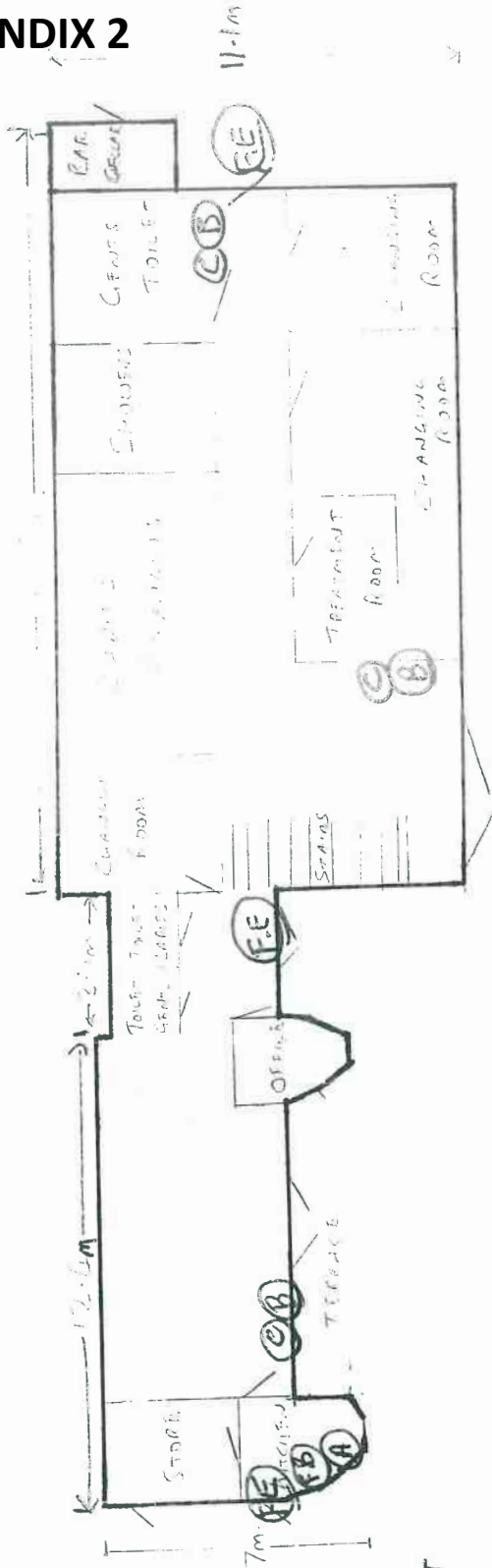


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APPENDIX 2

PLAN OF MARLOW SPORTS CLUB, POUND LANE, MARLOW.

GROUND FLOOR



FIRE EXIT

FIRE BLANKET

FIRE EXTINGUISHER
powder

water EXT.

CO2

(FE) =

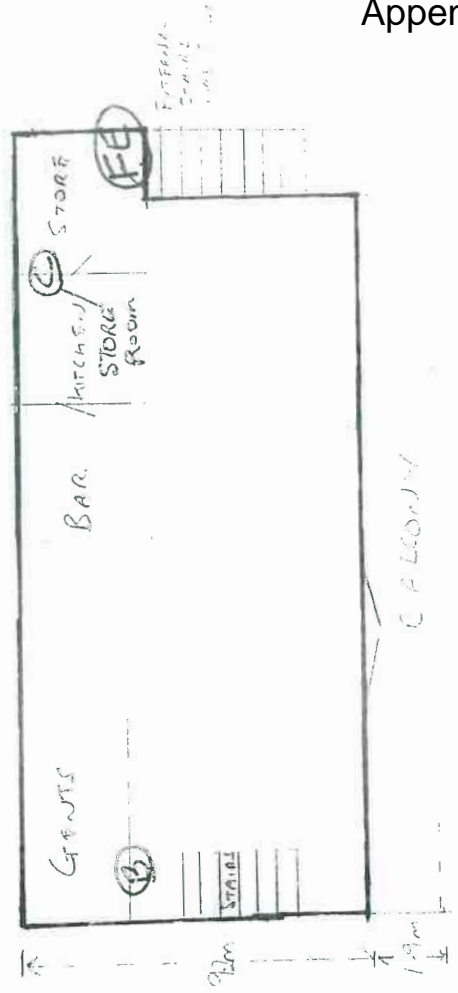
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FIRST FLOOR



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Licensing Act 2003 Club Premises Certificate

Reference Number

05/02133/LAPRCL

Club Premises Certificate Number

0044/CLUB

Name of club whose name this certificate is granted and relevant postal address of club

Marlow Sports Club
Pound Lane
Marlow
Buckinghamshire
SL7 2AE

Telephone number

07831401613

Qualifying club activities authorised by the certificate

The supply of alcohol by or on behalf of the club to, or to the order of, a member of the club, the sale by retail of alcohol by or on behalf of the club to a guest of a member of the club for consumption on the premises where the sale takes place

Times the certificate authorises the carrying out of qualifying club activities

For the Supply or Sale of Alcohol as stated above, the following times apply:-

Monday-Saturday	10:00 - 23:00
Sunday	12:00 - 22:30
Good Friday	12:00 - 22:30

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 Licensing Authority. 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.

On New Year's Eve, except on a Sunday, 10 a.m. to 11 p.m.

On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.

On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day, which will be 11.00am if New Year's Day fell on a weekday or 12 noon if on a Sunday.

The opening hours of the club

At the discretion of the Club

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

Alcohol is supplied for consumption both on and off the Premises to Members, their bona-fide guests, officially invited guests of the club and members, as stated in the club rules.

Date: 28.10.2005

Signed:

A handwritten signature in black ink, appearing to read "Steven". The signature is written in a cursive style with a large initial 'S'.

Licensing Manager

Annex 1 – Mandatory conditions

Conditions for Clubs selling alcohol for consumption off the premises

- 1 The supply of alcohol must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
- 2 Any alcohol supplied for consumption off the premises must be in a sealed container
- 3 Any supply of alcohol for consumption off the premises must be made to a member of the club in person

Annex 2 – Conditions consistent with the Operating Schedule

Embedded Conditions under the Licensing Act 1964 - Club Registration Certificate

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.
- d. 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 Licensing Authority. 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.
- e. On New Year's Eve, except on a Sunday, 10 a.m. to 11 p.m.
- f. On New Year's Eve on a Sunday, 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, which will be 11.00am if New Years Day fell on a weekday or 12 noon if on a Sunday.

The above restrictions do not prohibit 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

See plan attached

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Buckinghamshire
Application to vary a premises licence
Licensing Act 2003

For help contact
Licensing@buckinghamshire.gov.uk
 Telephone:

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Note: completing the Applicant Business section is optional in this form.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

24,000

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Our premises is a Sports Club Building within our sports grounds. We wish to vary the defined area of the premises which is currently only the building, to include an area of the grounds outside and adjacent to the building.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

No adult entertainment takes place at this site.

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start End
Start End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start End
Start End

WEDNESDAY

Start End
Start End

THURSDAY

Start End
Start End

FRIDAY

Start End
Start End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

The times above are our licensed hours. We do not intend to open any different hours to our current offering, we only wish to use some of the outside area to provide bar facilities when sport/weather allows.
During the Cricket season we primarily open on Friday evenings, Saturday afternoons and evenings and Sunday afternoons.
During the Hockey season we primarily open on Saturday afternoons and evenings.
On weekdays we are regularly open on Tuesday and Thursday evenings.
We open at other times if requested by members to support sporting events providing they fall within our licensing hours.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

We do not wish to have any additional hours outside of the standard licensing ones that we already apply.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

There are no conditions imposed on our current license. Our license covers us for members and their guests and we are not seeking any change to that cover.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

Continued from previous page...

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Licensing objectives and their compliance will be added to the commercial risk assessment. The steps listed below will be regularly checked by the commercial team to ensure that licensing objectives are met. Those checks and their findings will be logged in our minuted meetings as a record. This will include details of any remedial action where required. Reporting to the trustee board will take place where any breaches are identified in order to maintain governance and assist in compliance with charity commission rules.

b) The prevention of crime and disorder

Door supervisors

There is no expectation to employ door supervisors other than in extraordinary circumstances

If required they would be registered with the Security Industries Authority, visible and recognisable to the public, aware of the maximum capacity of the premises and ensure that this number is not exceeded.

Bottles and glasses

No glasses or opened bottles will be permitted from leaving the premises, empty glasses and bottles will be regularly collected from tables and outside areas.

Drink and drugs

We actively promote responsible drinking and do not expect to be implementing any drink promotions that would encourage binge drinking. Drunkenness and anti-social behavior will not be accepted on the premises. Should anyone be observed using or in possession of drugs they will be asked to leave immediately.

Any evidence of the sale of drugs on the premises will be immediately reported to the local police authority.

Members & guests will be reminded not to leave valuables in their vehicle and we will be happy to look after them inside the building during their visit but will hold no responsibility for loss or damage of any possessions on the premises.

c) Public safety

Fire

Fire exits and routes will be kept clear, well indicated and maintained.

First Aid

First aid boxes are provided. Checks of the boxes are made at regular intervals and a log of checks is held.

Safety certificates

All Health and Safety certificates will be up to date and the business will be fully compliant with all legal requirements.

Insurances

The business will be insured for relevant liabilities

General

Risk assessments will be undertaken and requested from contractors/suppliers where applicable.

d) The prevention of public nuisance

Prevention of nuisance

This is a member's sports club,. Members and guests will be reminded to consider our neighbours when leaving. Music is not normally played and when it is, it will be at a suitable level until a socially acceptable time.

Excessive operative noise will be limited to respectable times e.g. bottle bins will not be emptied after dark.

Outside trade areas are of a good distance from residential property and established trees between dampen conversational noise.

External lighting will be used with great consideration to our neighbours and only on during trading hours.

Refuse will be held in metal bins with lids and emptied into the trade waste bins at regular intervals to prevent unpleasant odours and improve pest control.

e) The protection of children from harm

Under 18's will be very welcome on the premises whilst accompanying an adult.

Each sport section has a safeguarding responsibility in addition to our own.

We will operate an 'under 21' proof of age policy where only a driving license, passport or 'PASS' card is accepted as proof of age. Staff selling alcohol will be trained in their legal responsibility in ensuring under 18s are not supplied with alcohol (from any source) on the premises. Cigarettes are not sold on our premises. We are a no smoking and no vaping premises.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm Band A - No RV to £4300 £100.00 Band B - £4301 to £33000 £190.00 Band C - £33001 to £8700 £315.00 Band D - £87001 to £12500 £450.00* Band E - £125001 and over £635.00* *If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee Band D - £87001 to £12500 £900.00 Band E - £125001 and over £1,905.00 If you own a large premise you are subject to additional fees based upon the number in attendance at any one time Capacity 5000-9999 £1,000.00 Capacity 10000 -14999 £2,000.00 Capacity 15000-19999 £4,000.00 Capacity 20000-29999 £8,000.00 Capacity 30000-39000 £16,000.00 Capacity 40000-49999 £24,000.00 Capacity 50000-59999 £32,000.00 Capacity 60000-69999 £40,000.00 Capacity 70000-79999 £48,000.00 Capacity 80000-89999 £56,000.00 Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

I/WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

Dawn Segrue

* Capacity

Operations Trustee

* Date

11 / 03 / 2024
dd mm yyyy

Add another signatory

Continued from previous page...

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/buckinghamshire/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

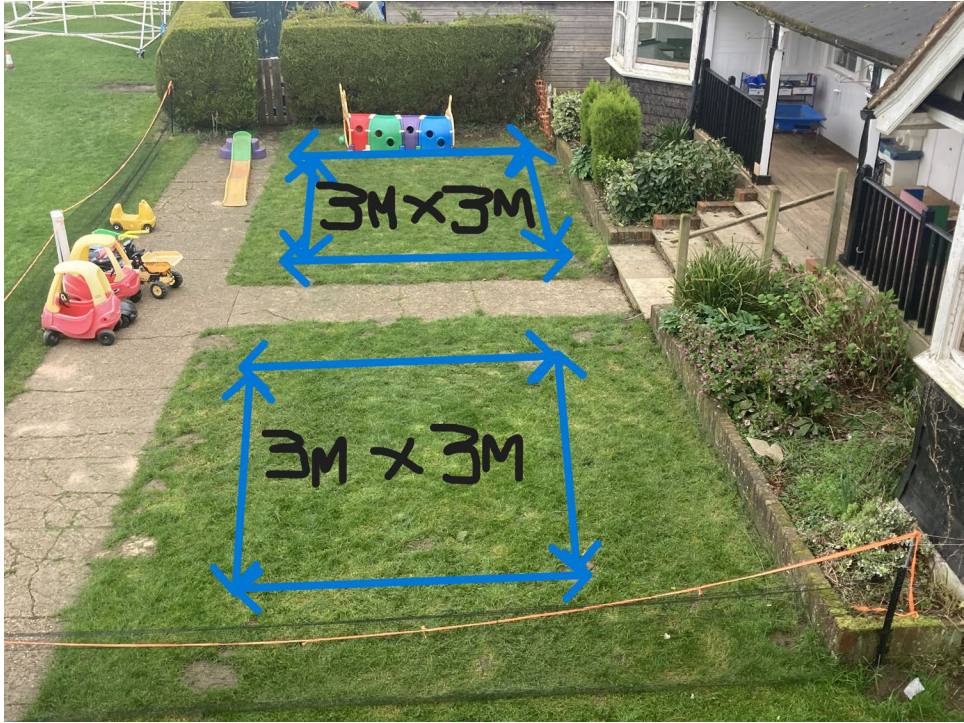
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="MSCCAL001"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

APPENDIX 5



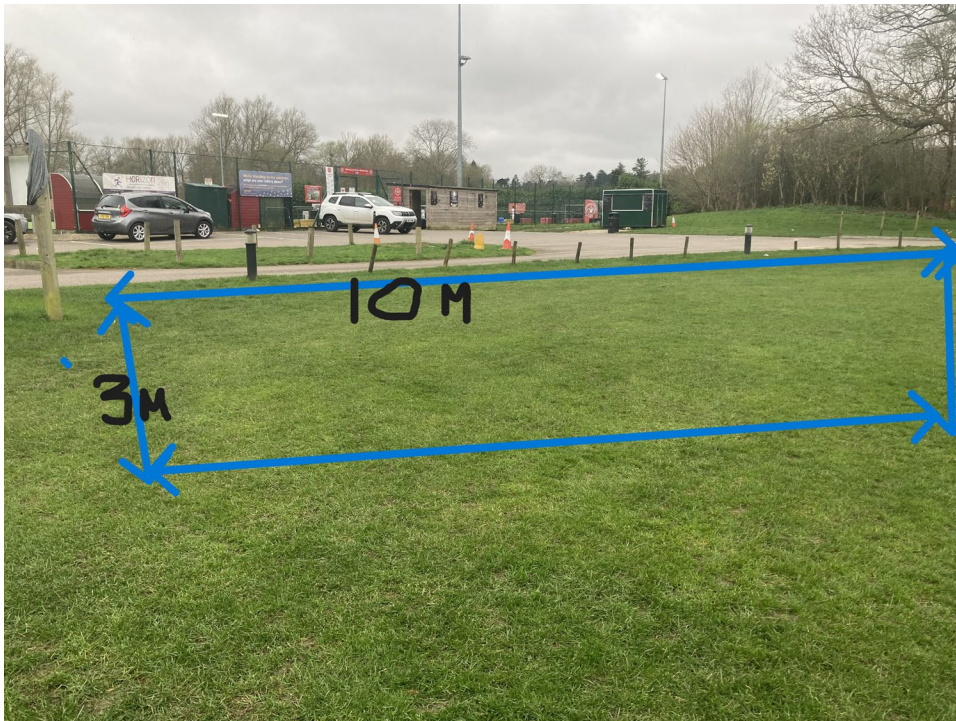
OP outside bar area



NP Outside Bar area

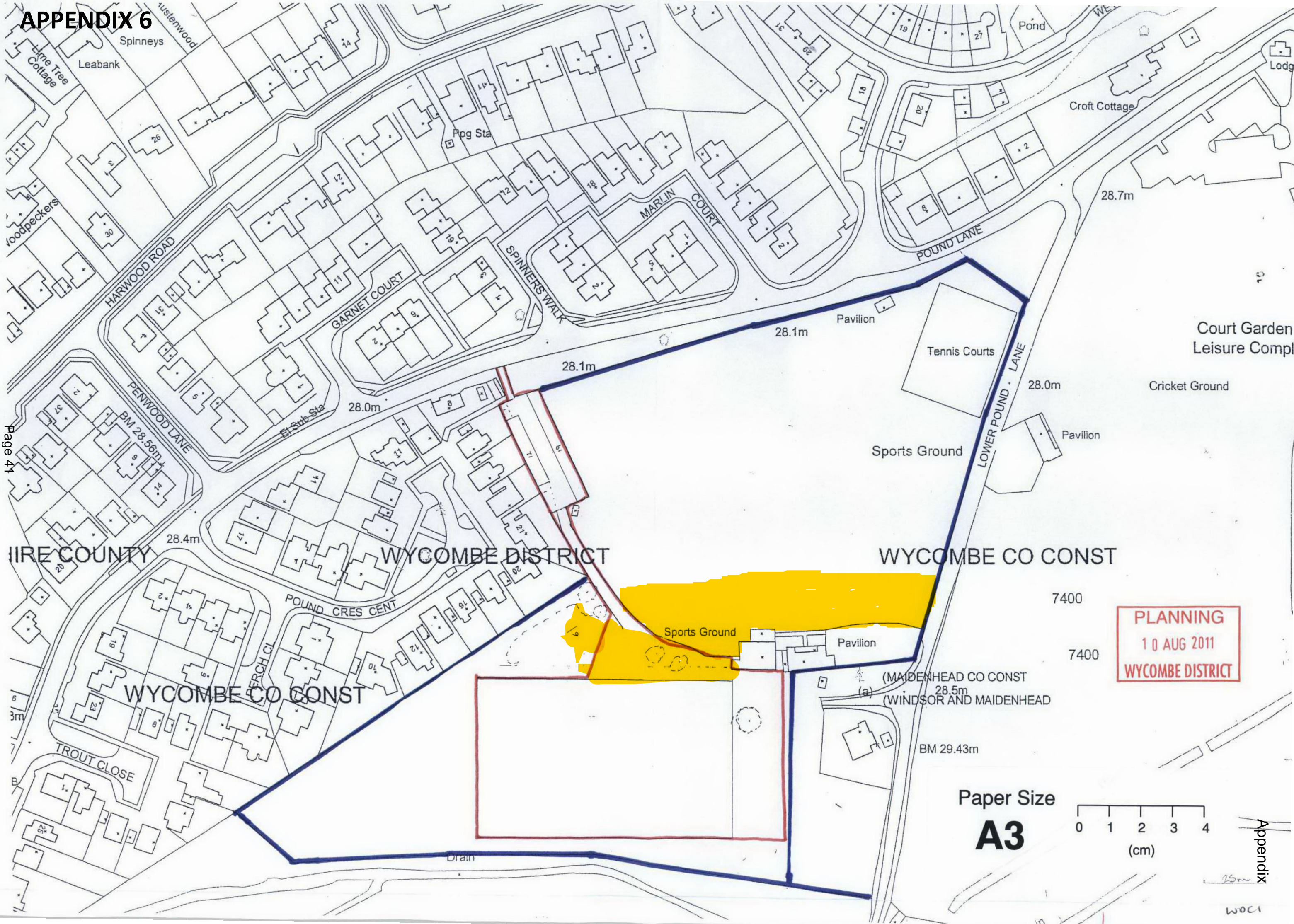


NP Outside bar area colts hockey



NP outside bar area colts

APPENDIX 6



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WYCOMBE CO CONST

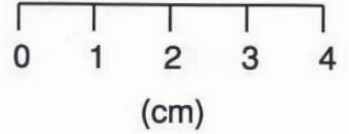
WYCOMBE DISTRICT

WYCOMBE CO CONST

WYCOMBE CO CONST

PLANNING
10 AUG 2011
WYCOMBE DISTRICT

Paper Size
A3



Appendix

WOC1

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Object

Reason The prevention of crime and disorder; The prevention of public nuisance; Public Safety

Objection to Proposed Changes in Alcohol Service Conditions at the Local Sports Club Dear Licence comity, We, the residents of 10 Pound Lane, write to express our serious concerns regarding the proposed changes to the alcohol service conditions at the sports club facility opposite our residence. The request to extend alcohol service to the outside spaces of the club could significantly impact the residential aspects of our area, and we wish to articulate our objections along the following lines: Prevention of Crime and Disorder: The proposed changes could potentially lead to an increase in crime or disorderly conduct. The extension of alcohol service to the outside spaces might attract a larger crowd, increasing the likelihood of incidents related to excessive alcohol consumption. This could disrupt the peace and security of our residential area. Public Safety: Our concerns extend to the safety of the public. With more people frequenting the sports club for longer hours, there could be issues related to crowd control. Additionally, the risk of fire safety could increase with the extended hours of operation and alcohol service. Prevention of Public Nuisance: The proposed changes could result in noise and light pollution, especially during the late hours. This could significantly disturb the tranquility of our residential area and affect our quality of life. Moreover, the increased footfall could exacerbate the existing parking issues in our area. We kindly request you to consider our objections and the potential negative impacts on our residential area before granting the change of license to the sports club. We believe that maintaining the current conditions of alcohol service would best serve the interests of our community.

Thank you for your attention to this matter.

Sincerely, Nir Feldberg

15/04/2024 19:57

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Letters of support

Marlow Town Council

No objection

03/04/2024

Cllr Collingwood

I support the use of the grounds as well as the building on the provision that any music will only be within the building

21/03/2024

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