

NEW FOREST DISTRICT COUNCIL

LICENSING ACT 2003

APPLICATION: Eling Sailing Club, Eling

**Decision of the Licensing Sub-Committee hearing held at Appletree Court,
Lyndhurst on Friday, 19 June 2009 at 2.00pm**

1. Members of the Licensing Sub-Committee

Councillor Mrs P Jackman
Councillor J Penwarden - Chairman
Councillor P R Woods

2. Parties and their Representatives attending the Hearing

Mr P Castle - Applicant

Mr P Ibberson-Groves - Objector

3. Other Persons attending the Hearing

None.

4. Parties not attending the Hearing

None.

5. Officers attending to assist the Sub-Committee

Edward Williams – Legal Advisor
Melanie Stephens - Clerk

6. Decision of the Sub-Committee

The application is granted on the following terms and conditions.

Licensable activities and times permitted:

B: Films* (indoors only)

Monday 10.00 to 23.00
Tuesday 10.00 to 23.00
Wednesday 10.00 to 23.00
Thursday 10.00 to 23.00
Friday 10.00 to 23.00
Saturday 10.00 to 23.00
Sunday 12.00 to 22.00

E: Live Music* (indoors only)

Monday 10.00 to 23.00
Tuesday 10.00 to 23.00
Wednesday 10.00 to 23.00
Thursday 10.00 to 23.00
Friday 10.00 to 23.00
Saturday 10.00 to 23.00
Sunday 12.00 to 22.00

F: Recorded Music* (indoors only)

Monday 10.00 to 23.00
Tuesday 10.00 to 23.00
Wednesday 10.00 to 23.00
Thursday 10.00 to 23.00
Friday 10.00 to 23.00
Saturday 10.00 to 23.00
Sunday 12.00 to 22.00

G: Performances of Dance* (indoors only)

Monday 10.00 to 23.00
Tuesday 10.00 to 23.00
Wednesday 10.00 to 23.00
Thursday 10.00 to 23.00
Friday 10.00 to 23.00
Saturday 10.00 to 23.00
Sunday 12.00 to 22.00

I: Provision of Facilities for Making Music* (indoors only)

Monday 10.00 to 23.00
Tuesday 10.00 to 23.00
Wednesday 10.00 to 23.00
Thursday 10.00 to 23.00
Friday 10.00 to 23.00
Saturday 10.00 to 23.00
Sunday 12.00 to 22.00

J: Provision of Facilities for Dancing* (indoors only)

Monday 10.00 to 23.00
Tuesday 10.00 to 23.00
Wednesday 10.00 to 23.00
Thursday 10.00 to 23.00

Friday 10.00 to 23.00
Saturday 10.00 to 23.00
Sunday 12.00 to 22.00

M: Supply of Alcohol* (on and off the premises)

Monday 10.00 to 23.00
Tuesday 10.00 to 23.00
Wednesday 10.00 to 23.00
Thursday 10.00 to 23.00
Friday 10.00 to 23.00
Saturday 10.00 to 23.00
Sunday 12.00 to 22.00

*** Non Standard Timings:**

The sale of alcohol and regulated entertainment shall be permitted up to 01:00 on no more than 20 occasions a year. The club secretary shall ensure the Licensing Authority and Police receive a written notice not less than 10 clear days prior to the event. In calculating the notice period it shall not include the day the notice is received or the day of the event. The Police may only object if there are reasonable grounds to believe that the proposed event will not promote the licensing objectives.

Mandatory conditions:

As provided in the Licensing Act 2003

Other conditions:

1. The Club Secretary shall ensure that every individual who appears to be under 21 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification acceptable to the licensing authority proving that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.
2. A notice shall be displayed in a prominent position within the premises requiring patrons to leave quietly and respect local residents.

7. Reasons for the Decision

The Sub-Committee carefully considered the application along with the evidence, both written and oral, supplied by the applicant and objector.

The Sub-Committee acknowledged the concerns of the objector. However, the Sub-Committee noted the absence of any objection from the responsible authorities or any other residents. The Sub-Committee also acknowledged that the applicant had agreed with the Police to restrict the proposed extended hours to no more than 20 occasions per year.

The Sub-Committee was of the view that it had not been demonstrated that the granting of the application to vary the existing terms of the Club Premises Certificate would cause a public nuisance within the vicinity of the licensed premises, or prejudice any of the other licensing objectives.

Accordingly, the Sub-Committee was prepared to grant a premises licence in the terms set out at section 6 above.

Date: 19 June 2009

Licensing Sub-Committee Chairman: Cllr J Penwarden

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Decision notified to interested parties on 3 July 2009