



**REPORT of
DIRECTOR OF CUSTOMERS AND COMMUNITY**

**to
LICENSING SUB-COMMITTEE
03 OCTOBER 2017**

**LICENSING ACT 2003 - APPLICATION TO VARY A CLUB PREMISES
CERTIFICATE: CLUB NAUTICO, BRIDGEMARSH MARINA, BRIDGEMARSH
LANE, ALTHORNE, CM3 6DQ**

1. PURPOSE OF THE REPORT

- 1.1 The Committee is requested to consider an application for a variation of the club premises certificate for Club Nautico having regard to the representations received and the requirement to promote the four licensing objectives:
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance;
 - (d) the protection of children from harm.

2. RECOMMENDATION

That the Licensing Sub-Committee determines the application for a variation of a club premises certificate taking into consideration the options that are available as detailed in 4.1 below.

3. SUMMARY OF KEY ISSUES

- 3.1 The premises is a members club located in a converted barge which is licensed to sell alcohol.
- 3.2 This is an application to vary the hours permitted by the club premises certificate for the sale of alcohol, and a copy of the completed application is attached as **APPENDIX A** to this report. Members will note that although the application makes reference to extended hours on New Year's Eve, no specific times are referred to. This oversight was raised with the applicant who confirmed the proposed extension on New Year's Eve in writing, and the proposed hours are correctly reflected in both the blue notice and the newspaper advertisement, and are produced below.
- 3.3 The club premises certificate currently authorises the following licensable activities:

The sale or supply of alcohol:

Monday to Thursday10:00 – 20:00

Friday and Saturday10:00 – 22:00

Sunday.....10:00 – 18.00

- 3.4 The proposed variation to the club premises certificate is to extend the hours for the sale of alcohol to:

3.5 The sale or supply of alcohol

Every day12:00 – 22.00

New Year's Eve12.00 – 00:30

- 3.6 The application was received on 4 July 2017, and the consultation period of 28 days started accordingly. During this consultation period six representations were received, five from local residents, and one from Althorne Parish Council. No representations were received from any of the responsible authorities. Copies of the representations received are produced as **APPENDIX B** to this report.

- 3.7 At the conclusion of the consultation period, it was discovered that the required advert of the proposed variation had not been placed in a local newspaper by the applicant, in accordance with the prescribed application process. As a result of this oversight, it was necessary to re-start the consultation period, during which time the application was correctly advertised.

- 3.8 A copy of the existing club premises certificate is produced as **APPENDIX C** to this report.

- 3.9 The application was received electronically, and a copy was duly circulated by Maldon District Council to all the responsible authorities.

- 3.10 Members are reminded that when considering this matter, they are considering the proposed variation to the licensable activities and not the general substance of the existing club premises certificate.

4. CONCLUSION

- 4.1 Members are advised that they have the following options when determining this application.

1. To grant the variation on the terms and conditions applied for.
2. To grant the variation on the terms and conditions applied for, modified to such extent as considered appropriate to promote the Licensing Objectives.
3. Refuse the application in whole or in part.

- 4.2 Members are reminded that the applicant and/or any person making representation in relation to this matter may appeal the decision of the Council to the Magistrates' Court

5. IMPACT ON CORPORATE GOALS

- 5.1 This report supports the Council's corporate goal of, 'Enabling, supporting and empowering communities to be safe, active and healthy.'

6. IMPLICATIONS

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.

Background Papers: Application file held by Licensing Authority.

Enquiries to: Matthew Evans, Licensing Lead Officer, (Tel: 01245 606512).