

MINUTES OF A MEETING OF THE  
 LICENSING SUB-COMMITTEE HELD IN  
 THE MEETING ROOMS A AND B,  
 CHARRINGTONS HOUSE, BISHOP'S  
 STORTFORD ON MONDAY 16 OCTOBER  
 2017, AT 2.00 PM

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PRESENT: Councillor G Cutting (Chairman)  
 Councillors Mrs R Cheswright and J Jones.

ALSO PRESENT:

Councillors D Andrews, P Moore and  
 P Ruffles.

OFFICERS IN ATTENDANCE:

Peter Agbley	- Licensing Officer
James Ellis	- Solicitor
Meyrem Flint	- Solicitor
Peter Mannings	- Democratic Services Officer
Oliver Rawlings	- Service Manager (Licensing and Enforcement)

15 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor Mrs R Cheswright and seconded by Councillor J Jones that Councillor G Cutting be appointed Chairman of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor G Cutting be appointed Chairman of the Licensing Sub-Committee for the meeting.

16 APPLICATION FOR A FULL VARIATION APPLICATION FOR CLUB 7, 7 STATION ROAD, BISHOP'S STORTFORD, HERTFORDSHIRE, CM23 3BJ

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The Chairman referred to the 4 licensing objectives and outlined the procedure to be followed. All those present were introduced. The Licensing Officer advised that the application was for the full variation of the Premises Licence at Club 7, 7 Station Road, Bishop's Stortford, a venue known previously as The Fountain.

Members were advised that the application to vary the premises licence was received on 24 August 2017, but the application had been invalidated due to incorrect advertising. The applicant had corrected the error and the application was subsequently revalidated with the last date for objections re-calculated as 21 September 2017.

The Licensing Officer stated that the application sought to vary the current licence to extend licensable activities and operating hours and to amend some of the licence conditions. 2 objections had been received from a local resident and a nearby business.

The resident had referred to noise nuisance and how this would affect their quality of life. The resident had also referred to the prevention of crime and disorder and public safety. The business had referred to the non-promotion of the licensing objectives and, in particular, the prevention of crime and disorder and public nuisance.

The Licensing Officer concluded that Members must have regard to the application, relevant representations and the East Herts Licensing Policy and The Revised Guidance issued under Section 182 of the Licensing Act 2003. Members could take steps as they believed appropriate for the promotion of the relevant Licensing Objectives, having considered the individual merits of the case. Regarding this application, the Sub-Committee had the following options:

- grant the application in full;
- grant the application amended as appropriate (for example with modified conditions, timings or activities);  
or
- refuse the application.

The Designated Premises Supervisor (DPS) stated that he believed that one of the objectors was a serial complainer. Members were advised that no one had confirmed that the noise from Club 7 was excessive. The application was to put this premises on a level playing field with Bacchus as the nearest commercial rival. The DPS pointed out that Club 7 could meet the 4 licensing objectives as effectively as Bacchus. He reminded the Sub-Committee that it was difficult for licensed premises to satisfy all residents all of the time.

Councillor Mrs R Cheswright commented on 2 incidents involving the police. The DPS confirmed that the police had been involved regarding one incident but the victim had been unwilling to work with the police in identifying the culprit. The other incident had resulted in people being asked to leave the premises.

The DPS advised that the clientele of Club 7 were a nice crowd that included airline workers, particularly on Monday evenings. Following a further query from Councillor Mrs R Cheswright, the DPS confirmed that no weapons had been involved in the incident and thorough searches were made of customers and ID scanning was in place. The premises had also subscribed to the Behave or Be Banned (BOBB) initiative.

The DPS confirmed to Councillor J Jones that as Club 7 was currently shutting at 2 am, people were leaving around 1:30 am to get to Bacchus as this was open later until 3 am. The applicant was seeking to ensure the viability of Club 7 by opening until 3 am. He explained that 2 doormen were in attendance until well after the venue had closed. Members were advised that Club 7 could be relatively empty by 2 am and customers dispersed quickly after leaving the premises.

Councillor G Cutting made a number of points regarding the 2 incidents, CCTV and the musical entertainment in Club 7. The DPS stated that the firewall had been

corrupted preventing access to the existing CCTV system. He confirmed that the same resident DJs had been active from Club 7 for some time and were typically playing for locals as there was no cult following from further afield. A new CCTV system had been installed that was fully accessible if necessary for the police.

The DPS confirmed to Councillor G Cutting that he had walked the immediate area around Club 7 and did not consider the premises to be unreasonably loud. An Environmental Health Officer from the Authority had visited the premises and had confirmed that she could not hear Club 7 from a nearby car park.

The DPS confirmed to Councillor Mrs R Cheswright that the premises had no members as such and the door team had worked in the area for 15 years. Any customers who were identified as banned under the BOBB scheme or anyone who was intoxicated were denied entry to Club 7.

The DPS confirmed that a new CCTV system had been installed that had met with the satisfaction of Officers from Hertfordshire Constabulary. The DPS and the Licensing Officer were given the opportunity to make a closing statement but they both confirmed that they had nothing further to add.

At the conclusion of the closing representations, all parties except the Legal Adviser and the Democratic Services Officer withdrew to allow the Sub-Committee to consider the evidence. Following this, all parties returned and the Chairman stated that the Sub-Committee had listened to the comments of the Licensing Officer and the Designated Premises Supervisor (DPS) and had considered the 2 written representations Members had received.

The Sub-Committee had decided to grant the application amended as appropriate, namely the supply of alcohol for consumption off the premises shall remain unchanged:

Monday to Sunday (10 am to 2 am)

The applicant and objectors would be informed of this decision in writing within 21 days and there was a right of appeal to the magistrates' court within 21 days from receipt of the decision notice.

RESOLVED – that the application for a full variation of the premises licence at Club 7, 7 Station Road, Bishop's Stortford, Herts, CM23 3BJ, be granted as amended for the following reasons:

1. The Sub-Committee were satisfied that on the evidence provided by the DPS, the variation would not compromise the 4 Licensing Objectives, in particular:
  - the Prevention of Crime and Disorder; and
  - the Prevention of Public Nuisance.
  
2. In the opinion of the Sub-Committee, off sales of alcohol until 3 am could potentially undermine the Licensing Objectives.

The meeting closed at 3.03 pm

Chairman .....  Date .....
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