

LICENSING SUB COMMITTEE

5 December 2018

Present: Councillor J Fahmy (Chair)
Councillor S Bolton and K Hastrick

Also present: Mark Collins, club treasurer (applicant's representative)
Brian Austen, club supporter

Officers: Senior Licensing Officer
Committee and Scrutiny Support Officer (AG)

13 **Committee membership/ election of a Chair**

The Committee and Scrutiny Support Officer confirmed that the Sub Committee would comprise Councillors Bolton, Fahmy and Hastrick.

The Sub-Committee was asked to elect a Chair for the hearing.

RESOLVED –

that Councillor Fahmy be elected Chair for this hearing.

14 **Disclosure of interests (if any)**

There were no disclosures of interest.

15 **Application for a premises licence: Everett Rovers Football Club, Dodd Road, Watford**

Preliminary matters

There were no preliminary matters raised.

Facts of the application

The Sub-Committee received a report of the Head of Community and Customer Services that related to an application for a new premises licence submitted by the club. The Senior Licensing Officer introduced the report and explained that Mr Collins was representing Everett Rovers at the hearing.

The Senior Licensing Officer explained that the premises was currently nearing construction, and would be a clubhouse located on Dodd Road. The table at paragraph 4.7, on pages 5 and 6 of the report, outlined the licensable activities and hours requested in the application. This also contained requests for non-standard hours on Christmas Eve and New Year's Eve, which were detailed in paragraph 4.8.

Three representations had been received against the application; all from residents who had an interest in nearby properties. The representations were shown at appendices 4A, 4B and 4C of the report and were primarily concerned with nuisance from music and anti-social behaviour from patrons of the club.

The Senior Licensing Officer informed the sub-committee that the objectors, Lucy Hunt and Mark O'Gorman, would not be in attendance at the hearing; but they had requested that their representations still be considered. It was not known whether Christina Alonso-Mora or Andrew Orgar would attend. The Senior Licensing Officer added that, although Ms Hunt had stated that her home address was in Hatfield, she spent time at her partner's residence which was near to the football club.

As all of the representations were valid (on the grounds of the licensing objectives); members were being asked to consider them and to attach such weight as they saw fit.

The Senior Licensing Officer advised that it was not a requirement for objectors or applicants to attend hearings, and matters could be determined in their absence - although this limited the opportunity to ask questions of parties and for them to expand upon their written statements.

He further advised that the police had previously entered in to discussions with the club and had agreed a number of conditions; which they would like to apply on any premises licence which was granted. As a result, no formal representations had been submitted by the police (and no other responsible authority had objected).

The club, in advance of the hearing, had provided a written submission and two plans that they wished to reference at the hearing. Accordingly these had been passed on to the objectors. The Senior Licensing Officer confirmed that the submission and plans had been seen by members.

The Senior Licensing Officer advised that, having considered all of the evidence and representations put before them; it would be for the licensing sub-committee to decide which of the actions available to them would be

appropriate for the promotion of the licensing objectives in relation to the application. The reasons for the decision should be given as part of the determination.

Representations

No persons attended the hearing to give representations.

Address by the applicant

Mr Collins presented the application to the Sub-Committee; explaining that he intended to follow up on the written submission he had provided.

He advised that the club had been operating for 20 years and had a good reputation within the local community. £380K funding had been provided by the Football Association to improve the club's facilities. In the future, the clubhouse would be run to the same high standards.

In relation to the representations around noise; the clubhouse was located approximately 100 metres from the estate. Noise tests had been conducted with a disc jockey playing music inside the clubhouse, and operating at the same levels as would apply if the licence was granted. With the doors closed at the venue; no noise could be heard from within the premises when standing three metres away.

With regard to concerns around litter on the playing fields; the club spent £7K to £10K annually to keep the fields clear; this was a club responsibility. The club would meet all police guidance of no alcohol consumption off the patio area outside of the building. The club was for private members, who had membership cards so their identity was known. If the licence was granted, membership would be extended to local residents; with their details also being known. CCTV would be in operation on all doors (allowing for the identification of persons) and there would be signs asking patrons to show respect for the neighbourhood.

In relation to concerns around damage to property; the car park to the venue was located between the clubhouse and the estate so there would be no need for patrons to go near to the flats. Furthermore, taxis would use disabled bays located in the car park to drop off and pick up customers.

Mr Collins concluded by explaining that the club did not want to damage its reputation and that any monies derived from any granting of the licence would go back in to football provision. The club had grown significantly of late and now

comprised of 20 plus teams and over 250 footballers. The intention was to provide further facilities for the young in the future.

In response to questions from members, Mr Collins:

- Clarified that membership of the club would only be available to residents from the local geographical area. There would be no general advertising for new members.
- Advised that, other than for events at the premises, people would have to be club members to use the clubhouse or be a guest of a member, and the premises would not be open to the public except for teas and coffees. In respect of events, the details of the applicant would be known and club staff would be on the premises; including members of the club's events sub-committee.
- Informed the sub-committee that the clubhouse would be open in the evening when members would watch football on the television for example. At weekends there would be a larger usage by different groups; such as for themed events. The premises would also be used for wakes – hence the reason for the 12.00 noon opening time.
- Outlined how various events had been held previously at the venue including a small number with a pop up bar.
- Explained that the club's bar steward had previous experience of running licensed premises and all but one of the bar staff had similar experience. The events sub-committee would meet regularly to enhance learning from the events held at the venue.
- Clarified that if the application was granted, the new premises licence would replace the existing club premises certificate.
- Advised that the patio area would be controlled by the use of fencing and moveable barriers. Signs would indicate that alcohol was not to be taken off the patio and only polycarbonate or plastic drinking vessels would be used in this area.
- Explained that the construction work was now almost complete; and the opening ceremony taking place on Saturday. Various dignitaries had been invited and a discotheque was being held in the evening. It was hoped that alcohol would be able to be sold. The event would only be open to members of the club and to a number of parents of the youth team's players.

There were no questions from the Senior Licensing Officer or the Council's Legal Advisor.

Summary

Mr Collins made no further comments.

Decision

The Sub-Committee retired to consider its decision.

On the Sub-Committee's return, the Chair announced the decision.

RESOLVED –

Having heard evidence from the applicant and taking into account representations from interested parties, and having noted that there were no representations from responsible authorities; the sub-committee is of the view that attaching the conditions agreed with the police and the conditions proposed by the licensing authority will address the concerns raised in the representations of the interested parties.

The sub-committee has decided to grant the application as requested, with the conditions as agreed with the police (see items 1-12 below), except Condition 8 of the agreed conditions which has been deleted and replaced with:

The licence holder shall ensure that all members of staff involved in the sale of alcohol receive training with regards to age restricted sales. This training must include the following:

- The licensing objectives.
- Recognising signs of drunkenness and recognising intoxication through drugs.
- Challenge 25 and appropriate forms of identification.
- Refusals logs including when and how to use them.

This training must be documented, signed by any person involved in the sale of alcohol on site to state that they understand the training, and kept for a minimum of 6 months following the event. No person shall sell alcohol until they have received the training and signed the training document.

This condition to take effect within 21 days of the hearing.

And two further conditions:

A. Notices shall be prominently displayed at all entrances and exits to the car park associated with this premises advising patrons to only park in the premises car park.

B. The doors which lead onto the outside patio area shall be kept closed between 2300 hours and 0900 hours, except for the immediate access and egress of persons.

The following conditions have also been attached:

1. To install and maintain a comprehensive CCTV system to the satisfaction of Hertfordshire Constabulary. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
4. No alcohol is to be consumed on the fields past the designated patio area.
5. The premises licence holder shall ensure that all alcohol which is consumed on the designated patio area must be in drinking vessels which are made of polycarbonate, plastic, or shatterproof glass.
6. No alcohol in any open containers shall be permitted to be taken off of the premises (for this condition, the premises includes the patio area).
7. Kegs, bottles, barrels, crates and other similar items are to be securely stored.
8. As deleted and replaced as shown above.
9. Clearly visible signage is to be displayed at the entrances and at points of sale indicating it is illegal to sell alcohol to people under the age of 18.
10. The premises must implement a "Challenge 25" policy whereby all customers who appear to be under 25 and are purchasing alcohol must produce photographic ID in the form of a passport, driving licence or Proof of Age Scheme (PASS) approved ID.

11. No children under the age of 18 years allowed to enter the club house after 8pm, unless accompanied by an adult.

12. All children under the age of 7 years must be accompanied by an adult in the club house.

In reaching this decision the committee has taken into account the provisions of the Licensing Act 2003, Secretary of State Guidance, and the provision of the Councils Statement of Licensing Policy.

Chair
Licensing Sub-Committee

The meeting started at 10.30 a.m.
and finished at 11.45 a.m.