

Licensing Act Sub-Committee – Record of Hearing held on Monday, 14 April 2014 at 6.00 pm

Members: Councillor Shuttleworth (Chairman), Councillors Murdoch and Murray

1 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests under the Code of Conduct. (Please see note at end of agenda).

None were declared.

2 Application for a Club Premises Certificate - Victoria Drive Bowls Club.

The Chairman introduced members and officers present and detailed the procedure to be followed at the meeting.

The Senior Specialist Advisor outlined the report regarding the application for a club premises certificate for Victoria Drive Bowls Club. The application had sought activities from 10:00 hours – 22:30 hours Monday to Sunday. This included the supply of alcohol on the premises only, the provision of recorded music (indoors only) and the hours that the club premises were open to guests.

Section 15 of the application, detailed in Appendix 1 showed steps taken by the applicant to promote the licensing objectives.

A representation had been received from members of the public and this was included at appendix 3. The representation centred on the prevention of crime and disorder and the prevention of public nuisance (noise) licensing objectives. No representations had been received from responsible authorities.

Mr Roy Frost, applicant, addressed the Sub-Committee. He gave an overview of Victoria Drive Bowls Club which had been in existence since 1931. He advised that the Bowls Club held twelve events last year, applied under Temporary Event Notices (TENs) that included the sale of alcohol and no complaints had been received in relation to this. This was confirmed by the Senior Specialist Advisor. While this had worked well last year, continuing to apply for TENs would prove expensive for the club. Mr Frost stated that the licence applied for was necessary for the club to keep going and aimed to extend the attraction to touring bowls teams visiting the town by utilising the pavilion facility.

Mr Frost referenced the Drive Victoria Gardens car park. He advised the Sub-Committee that the car park was not the Club's responsibility but instead the responsibility of the Drive Public House.

Mr Frost addressed the concerns raised by the representation in relation to the application. The representation had raised an issue with part of the application for the provision of recorded music inside the premises. He reassured the Sub-Committee that this would only be background music for social events and would not cause noise and disturbance to the surrounding area. Another part of the representation raised concerns about the car park being left unsecured and unsupervised in light of past anti-social behaviour. Mr Frost reiterated that this was not the responsibility of the Club although it was used by members of the public. He advised that the Bowls Club do clean up the car park twice a year in order to make it more appealing for visiting teams who chose to use it. Without this assistance from the Bowls Club, the condition of the car park would worsen.

The representation also stated that it had been left down to residents to contact the police or fire brigade when anti social behaviour had occurred in the area. Mr Frost advised that the Bowls Club had contacted the police on numerous occasions. All the issues with anti social behaviour and the car park related to the Drive Public House which had now shut down. Since the Drive Public House had been shut down youths no longer used the car park as a cut through and there had been a significant improvement in the area. Notably on the twelve events held by the Bowls Club last year under TENS, there was no detrimental impact on the area and no complaints had been received in by the licensing authority or the Club. Mr Frost believed that the club premises certificate applied for would not have any negative impact on the area. He advised the Sub-Committee that the majority of bowls clubs in the town had an alcohol licence, with three being located in residential areas.

Following a question from the Sub-Committee, Mr Frost responded that if granted, the club premises certificate would ensure that the club had more flexibility to arrange events with other clubs. Currently the club was unsure when fixtures take place and on some occasions have had to turn other clubs away. He also advised the Sub-Committee that there was a cost implication every time the club applied for a TEN.

Mr Frost reassured the Sub-Committee that the bar facility would only be utilised when a match or a social event was occurring. It was not the intention of the Bowls Club to become a pub as it was a private club, only open to members and guests, not the general public.

Mr Frost then referenced the plan of the premises, included at Appendix B. He advised the Sub-Committee that the pavilion building had been built to the required specification and in accordance with relevant building regulations to ensure that noise would not travel to nearby buildings.

The Sub-Committee asked whether there was a limit to the amount of members of a visiting team at the premises. Mr Frost advised that the limit would be 60 people in order to cope if there were an emergency evacuation.

The Sub-Committee then referenced the plan of the premises, included at Appendix 2 of the report. They asked about the proposed bar area and alcohol storage. Mr Frost advised that the storage of alcohol in the bar area would be minimal. Alcohol would be secured in a steel cabinet and the bar would be secured with a grill and alarmed when the premises was closed. The Sub-Committee also referenced the steps taken by the applicant to promote the licensing objectives, included at Section 15 of the application.

The Sub-Committee queried what would occur should membership of the club decrease and whether this would tempt the club to hold events lasting until later in the evening on a more frequent basis. Mr Frost responded that this would not be the case. He explained that matches occurred 3-4 times a week and that it was unusual for these events to exceed past 19:00 hours and any social events exceeding this time would not be a regular occurrence. Mr Frost also clarified that the reason the application had applied to operate from 10:00 hours was due to some visiting teams arriving earlier and having lunch at the club.

Following all the evidence presented to the Sub-Committee, the Sub-Committee retired to consider and determine the application, having regard to the representations submitted, the four licensing objectives, guidance under Section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy.

Having taking into account all the relevant considerations the Sub-Committee reconvened and announced the decision as follows.

RESOLVED: That the club premises certificate in respect of Victoria Drive Bowls Club be granted as set out in the attached appendix.

The meeting closed at 6.44 pm

**Councillor Shuttleworth
(Chairman)**