

Minutes

LICENSING SUB-COMMITTEE

25 March 2022



Meeting held at VIRTUAL - Live on the Council's YouTube channel: Hillingdon London

	<p>Committee Members Present: Councillor Alan Chapman (Chairman) Councillor Darran Davies Councillor Janet Gardner</p> <p>LBH Officers Present: Jhini Mukherjee, Licensing Officer Kerrie Munro, Legal Officer Steve Clarke, Democratic Services Officer</p> <p>Responsible Authorities: Daniel Ferrer, Licensing Authority</p> <p>Licence Holder's Representatives: Keith Walmsley, Licence Holder's Agent Sarah Gowdy, Designated Premises Supervisor Nick Symmons, Director – Ruislip Manor Sports and Social Club</p>
16.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
17.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
18.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND ITEMS MARKED PART II WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items were in Part I and would be considered in Public.</p>
19.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
20.	<p>APPLICATION TO VARY A PREMISES LICENCE: RUISLIP MANOR SPORTS AND SOCIAL CLUB, GROSVENOR VALE, RUISLIP, HA4 6JQ (<i>Agenda Item 5</i>)</p> <p>INTRODUCTION</p> <p>Jhini Mukherjee, Licensing Officer, introduced the application for the variation of a</p>

premises licence at Ruislip Manor Sports and Social Club to provide an additional external bar serving alcohol from 12:30 until 22:00 Monday to Saturday and 12:30 to 19:00 on Sundays. Five representations objecting to the application had been received; one representation from the Licensing Authority, one from the Council's Anti-Social Behaviour Team, and three representations from local residents. The officer's recommendation was to grant the application subject to conditions as appropriate to uphold the core licencing objectives. The Applicant had also proposed a list of conditions to the Premises Licence.

THE APPLICANT

Keith Walmsley, the Licence Holder's Agent, addressed the Sub-Committee noting that the club was a hub for the local community and had been so for over 50 years. Wealdstone Football Club played their home matches at the ground attracting around 900 fans at their weekend games. The club had three internal bars and provided facilities for a wide range of occasions and functions in addition to football including live music, birthday parties, dance lessons, archery, weddings and business meetings. With regard to the variation to the licence being applied for, it was highlighted that any patrons wishing to consume alcohol outside would be restricted to the dedicated external patio area as shown on the plan provided in the agenda pack. Further to this it was noted that the external patio area had been in use for many years for anyone wishing to consume alcohol purchased at the club outside. Stewards would ensure that patrons drinking would only congregate at the appropriate patio area and not at the bar or the surrounding open area; Members wished to ensure that the stewards would monitor patrons drinking in the patio area and not just direct them towards the patio.

The reasons given for submitting the application to vary the premises licence were a need to provide safe and ventilated facilities for patrons in response to the Covid-19 pandemic; among a need for the club to spread its drinks supply capabilities to ease queuing at peak times during matchdays, although it was highlighted that they were not increasing venue capacity. The club had sought advice from the Licensing Authority and the Safety Advisory Group in 2021 as to how best to provide a small external bar with limited operating hours, and a meeting was held to that affect. An outcome of the meeting was that the Licence Holder had decided to replace the six vague conditions on the previous licence with 17 new conditions designed to show responsible management of the premises. Following this, risk assessments were undertaken and a decision was made to restrict the operating hours of the new external bar to 12:30 until 22:00 on Mondays to Saturdays, and 12:30 until 19:00 on Sundays.

Members queried the number of fans who attend home games, and wished to clarify the number of away fans which could attend. Nick Symmons, Director of Ruislip Manor Sports & Social Club, noted that the number of away fans varied significantly depending on the opposition team playing although it was highlighted that the club worked with a Police Liaison Officer who would assign local pubs specifically for away fans attending larger games, this limited the number of away fans congregating in the same areas as home fans. It was also noted that for smaller games, away fans would be allowed on site to use the club facilities. Further to this, it was noted that the Police Liaison Officer decided ahead of each larger game, how many police officers would be required on site to police the crowds; larger games could see up to ten officers on site.

Members sought clarification on the external bar capabilities and whether there would be cellar cooling or cooling fans built into the bar, which could carry noise. Sarah Gowdy, the Designated Premises Supervisor, confirmed that the external bar would have a small cooling unit and not utilise larger cooling fans.

With regard to the use of the premises for events by which coaches of patrons were using the club as a base to go onwards to football matches held at Wembley Stadium, the Sub-Committee sought assurance that measures would be in place to stop patrons leaving the site with drinks purchased at the club. It was noted that there would be stewards on the gate to ensure no one is removing glass or taking drink away from the site. In addition to this, it was highlighted that the police supported such events as it kept groups of fans attending Wembley in the same area rather than having them spread over a larger, more unpredictable area. By way of clarification, it was confirmed that no glass would be sold on matchdays from the external bar or from the internal bars; during smaller ad hoc events which only utilise the internal bars, drinks were sold in glass drinking vessels.

RESPONSIBLE AUTHORITIES

The Licensing Authority

Daniel Ferrer was present on behalf of the Licensing Authority and summarised the representation that had been submitted with regard to the application. The Sub-Committee were informed that there were some ongoing concerns worth noting. With regard to the Prevention of Crime and Disorder, it was appreciated that there had been no representations made from the Police and that the applicant had clearly taken steps to update the current premises licence; however, the Licensing Authority would like to have seen CCTV recordings be made immediately available to authorised officers of the Council or the Police. In addition to this, there should be a Member of staff present at all times that the premises was trading who was competent at using the CCTV system. The Licensing Authority would also have liked to see a comprehensive incident log kept at the premises and that a personal licence holder be present at all times whilst the premises was trading.

With regard to the Prevention of Public Nuisance, it was confirmed that the Licensing Authority were happy with the justification for having the external bar open on matchdays but there were concerns over the potential risk for late night noise from patrons during ad hoc events such as birthday celebrations, weddings and gigs; it was highlighted that there may be potential for patrons to spill over onto the outside field area causing a disturbance to the residents whose properties are immediately adjacent. By way of clarification, the Designated Premises Supervisor confirmed that the external bar would only be open and trading when the main clubhouse was also open, and the external bar would predominantly only be open approximately 26 to 28 days a year on matchdays or when football related activities were occurring, for example the annual youth academy football tournament which made use of the outer fields.

The Anti-Social Behaviour Team

A representation had also been received on behalf of the Council's Anti-Social Behaviour Team, and although there was no individual present representing the Anti-Social Behaviour Team, the representation had been included in the meeting agenda pack and was read aloud by the Democratic Services Officer. The representation requested that a condition be added to the premises licence in that, stewards were to be placed along Grosvenor Vale upon the end of football matches.

INTERESTED PARTIES

Although there were no Interested Parties who had submitted representations present, the Chairman stated that the representations had been included in the meeting agenda pack and would be given due consideration when the Sub-Committee were to make their determination.

DISCUSSION

By way of clarification, it was confirmed that the club's matchday stewards were made up of a mixture of SIA licenced stewards and volunteers. It was noted that the volunteers tended to fill roles such as directing traffic, car parking on site, and management of the players tunnel. The Applicant stated that SIA staff or Stewards were not responsible for supervising patrons leaving the club premises, and this was the role of the Police to undertake. The Applicant would not instruct their Stewards to go on to Grosvenor Vale. The Applicant would decide when SIA licenced staff would be required to assist with protecting the premises, and felt they were making the right decisions at present when SIA licenced staff should be hired.

Members wished to confirm with the applicant that there would not be any occasions where the external bar was open but the clubhouse and internal bars were not. The Club Director confirmed that this was the case and highlighted the need for the clubhouse to be open for access to the toilet facilities. It was also confirmed that, on matchdays, the external bar would only operate in the hours around the football match, it would not operate during the full complement of licenced hours for example from 12:30 through to 22:00.

Regarding the conditions proposed by the Responsible Authorities, the Licence Holder's Agent noted that they would not be happy to agree to the requirement of having stewards placed along the entirety of Grosvenor Vale following football matches; it was noted that stewards would normally be present just outside the gate up to the first junction after matches but not along the entirety of Grosvenor Vale. It was confirmed that, for ad hoc events at the clubhouse, stewards would not be present at the gate following these events.

With regard to the Licencing Authority's proposed condition whereby a Personal Licence Holder should be on site at all times that alcohol was being served. The Applicant stated that it was unreasonable to expect the DPS or Personal Licence Holders to be present at all times alcohol was sold, and the s.182 guidance permitted staff to be trained and to sell alcohol without supervision of the DPS or Personal Licence Holder having to be present. It was clarified that there were three Personal Licence Holders at the club, the DPS, a commercial director, and a staff member; it was confirmed that the DPS was present most of the time that the premises was trading and for almost all matchdays. However, concerns were raised by the Agent over having a Personal Licence Holder present during all trading hours stating that there was no requirement to have a Personal Licence Holder present at all times. Officers noted that this was a common condition added to licences to ensure responsible management of premises

CLOSING REMARKS

Daniel Ferrer, on behalf of the Licencing Authority, informed the Sub-Committee that he would be maintaining his representation based on the two licencing objectives; the Prevention of Crime and Disorder, and the Prevention of Public Nuisance. It was understood that the Licence Holder would do their due diligence in upholding all necessary health and safety regulations and risk assessments at the premises, but it

was emphasised that this was a licencing forum and therefore it was important to look at conditions that are specific, enforceable, proportionate and appropriate.

The Licence Holder's Agent addressed the Sub-Committee emphasising that, in applying for the variation to the licence, the club were seeking more flexibility to provide additional facility for patrons and guests attending the club and the new external bar would not operate in detriment to the core licencing objectives. It was highlighted that the application did not receive any objections from the Metropolitan Police Safer Neighbourhood Team, local Ward Councillors, Trading Standards or the Safeguarding Children Board. It was also noted that many properties back onto the site with a limited number of objections received.

It was highlighted by the Agent that SIA licenced staff were hired on matchdays as required; however, in reference to the proposed condition requiring stewards to be present along Grosvenor Vale after matches, it was noted that, upon leaving the premises the Licence Holder can not be held responsible for the behaviour of such individuals. A condition requiring stewards along the entirety of Grosvenor Vale was not deemed appropriate or proportionate by the Applicant. Attention was drawn to the current application which included reference to staff training to uphold the core licencing objectives.

The Agent reiterated that the Licence Holder was happy to agree to the conditions proposed by the Licencing Authority, with the exception of the condition proposing that a Personal Licence Holder be present at all times that the premises is trading alcohol. This condition was deemed onerous and it was understood that a Personal Licence Holder did not need to be physically present to oversee the sale of alcohol, it was deemed sufficient that such sales had been authorised. The Agent stated that they would be happy to have an amended condition in that a Personal Licence Holder, or a person trained and authorised in writing by a Personal Licence Holder, shall be on the premises at all times that the premises is serving alcohol.

THE DECISION

After deliberations in private session, the decision of the Sub-Committee was to **GRANT** the variation, subject to the below conditions. The Sub-Committee's reasons for this decision will be published in the written Decision Notice.

Conditions

- 1. The Licensing hours for the sale of alcohol from the external bar located on the premises shall be restricted to 12:30hrs – 22:00hrs Monday – Saturday, and 12:30hrs – 19:00hrs on Sunday;**
- 2. Staff employed to sell alcohol by retail shall be trained to uphold the licensing objectives;**
- 3. No drinks shall be served in glass containers at any time from the external bar;**
- 4. Prominent signage indicating the permitted hours for the sale of alcohol**

shall be displayed so as to be visible before entering the premises and at the point of sale;

5. Notices will be visibly displayed at the exterior of the premises and at the exit point asking customers to respect the needs of the local community and to leave in an orderly fashion or use the outside area quietly;
6. An internal and external CCTV system shall be maintained in good working order and shall record at all times when the Premises is open. The CCTV system will cover all public areas of the licensed premises, including all public entry and exit points, and all external areas surrounding the business. The recordings shall be kept for 31 days and be provided to authorised officers of the Council and to the Police immediately on request;
7. An Authorised Officer / ASBET Officer of the London Borough of Hillingdon, and Designated Premises Supervisor are to agree on the number and positioning of the internal and external CCTV systems for the premises prior to the commencement of use of the external bar;
8. A staff member from the Premises who is conversant with the operation of the CCTV system, shall be available during licensable hours. This staff member must be able to provide the Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested;
9. The CCTV shall be capable of recording a clear facial identification of all persons entering the premises by the main entrance door;
10. A CCTV monitor shall be provided at the area in which alcohol is situated which has the capability to show images of all the cameras for the information of staff;
11. No sale of alcohol shall take place from a given bar, when the CCTV system is not fully in good working order covering that bar;
12. An Authorised Officer / ASBET Officer of the London Borough of Hillingdon, Designated Premises Supervisor are to agree on a noise

management policy for the premises prior to the commencement of the use of the external bar;

- 13. The premises shall adopt a challenge 25 scheme and staff shall be trained accordingly;**
- 14. There shall be a Designated Premises Supervisor or Personal Licence Holder on duty on the premises at all times when the external bar is open;**
- 15. External bar patrons must consume alcohol within the designated patio area;**
- 16. When the external bar is operating, a minimum of 2 SIA licensed Stewards shall be on duty at the premises at all times, and they must correctly display their SIA licence(s) when on duty;**
- 17. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol external of the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff;**
- 18. An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or the Police. It will record the following:**
 - (a) all crimes reported to the venue;**
 - (b) any complaints received concerning crime and disorder;**
 - (c) any incidents of disorder;**
 - (d) any faults in the CCTV system;**
 - (e) any refusal of the sale of alcohol; and**
 - (f) any visit by a relevant authority or emergency service.**
- 19. The Designated Premises Supervisor shall ensure that the Incident Log Book is checked, signed and dated on a weekly basis by themselves or a Personal Licence Holder acting in place of the Designated Premises Supervisor;**

20. **No waste or recyclable materials, including bottles, shall be moved, emptied, removed from, or placed in outside areas between 22:00 hrs, and 08.00hrs on the following day;**
21. **No collections of waste or recycling materials (including bottles) from the premises shall take place between 22.00 hrs and 08.00 hours on the following day;**
22. **Staff must be trained in respect of evacuation procedures.**

***Regulations 31 – 33 of the Licensing Act 2003 (Hearings) Regulations 2005 were exercised in drafting the decision notice.**

Right of Appeal

If you are a represented party to this application, and are aggrieved by the decision of the Sub-committee to grant the application or a condition, you may appeal to the Justice Clerk under section 181 and schedule 5 of the Licensing Act 2003 as amended to Uxbridge Magistrates' Court, The Court House, Harefield Road, Uxbridge, UB8 1PQ, within twenty-one days of the date of notification of the decision.

No decision made by the Council will have effect during the time period within which an appeal may be brought and until such time that any appeal has been determined or abandoned.

The meeting, which commenced at 10.00 am, closed at 3.06 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services - 01895 250636 or email: democratic@hillingdon.gov.uk

Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making, however these minutes remain the official and definitive record of proceedings.