

LICENSING PANEL

Date: 16 April 2009

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 9:30am

Present: Councillors: -

Glenn Harwood (Chairman)
Brian Northall

Sarah Peacock

PART A ITEMS

1. APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor Glenn Harwood be appointed Chairman for this Hearing.

2. DECLARATION OF INTERESTS

No interests were declared.

3. MINUTES

The Minutes of the meetings held on 17 and 24 July 2008 and 26 February 2009 were approved and signed by the Chairman.

4. REVIEW OF THE CLUB PREMISES CERTIFICATE FOR RAUNDS WOODBINE WORKING MEN'S CLUB, RAUNDS

The Licensing Officer reported on an application for a review of the existing Club Premises Certificate for Raunds Woodbine Working Men's Club, Raunds, under the Licensing Act 2003. The Review had been requested by a neighbour on the grounds of crime and disorder and prevention of public nuisance objectives under the Act.

The application had been made following an incident that had occurred on the evening of 23 January 2009 involving persons from the Club and culminating in glasses being broken in the street, screaming, shouting and general disturbance. The applicant had also referred to previous instances of similar behaviour during 2008.

The statutory bodies had been consulted about the application. Representations had been received from the Police Licensing Unit, Raunds Town Council, Environmental Health, the Environmental Protection Officer and 22 local residents. (The representations had been analysed and extracts placed under the relevant licensing objective are attached as Appendix 1 to these minutes at page 5).

Mr Harrison, the applicant, spoke in support of his application. He stated that he lived directly adjacent to the Club and had experienced problems from the Club over a period of time. These included various public order and noise nuisance issues. He mentioned that the public order problems had improved during the past year and recognised that the Club had introduced measures to reduce these disturbances and had stopped disco events which had reduced the noise nuisance issue. However, he referred to a couple of events this year which had resulted in disturbance and public order problems outside and inside the Club. He did not want the Club's Premises Certificate to be revoked but wanted the conditions suggested by the Police to be imposed on the Certificate.

Mr Watts, the Club President and Mrs Dow, the Club Entertainment Secretary, spoke objecting to the review. They emphasised that the Club had made considerable efforts during the past year to deal with the public order and noise nuisance issues mentioned by Mr Harrison. The outside door was controlled and monitored by a committee member when ever an entertainment event was held at the Club. They confirmed that CCTV had been installed approximately eighteen years ago to monitor events inside the premises and was still in use. Late night disturbances in the area should not be blamed solely on the Club and that these problems often came from other pubs and clubs in the town centre.

PC Glover, the Police Licensing Officer, spoke in support of the application. He stated that the Police had not had any previous problems with the Club until February 2009 but confirmed that the Police had been called to the Club recently to deal with a disturbance inside the Club. He asked that the conditions suggested by the Police should be imposed on the existing Certificate to prevent further possible public order and noise nuisance issues. He also mentioned that a Club committee member should be trained and nominated as the person responsible for licensing matters at the Club as required under the Licensing Act.

The Licensing Officer confirmed that the Club's opening hours - Monday to Saturday from 11:00 hours to 23:00 hours and Sunday from 12:00 hours to 22:30 hours - were the same as the Club's hours for licensed entertainment. He also confirmed that there were no additional conditions added to the Club's Premises Certificate other than the standard conditions.

The Panel asked Mr Harrison, PC Glover, Mr Watts and Mrs Dow a number of questions about their submissions and asked them to sum up their cases. Mr Harrison, Mr Watts and Mrs Dow confirmed that they would be prepared to meet and discuss any problems that may occur in the future. This was welcomed by the Panel.

After considering the submitted report and the representations made at the Hearing from the speakers, including advice from the Solicitor to the Council, the Panel retired to consider the application and evidence presented, and it was

RESOLVED:

That the existing Club Premises Certificate for The Raunds Woodbine Working Men's Club, Raunds, not be revoked but that additional conditions be imposed on the existing Certificate. (See below)

The Chairman read out the following statement giving the reasons why the Panel had imposed extra conditions on the Certificate: -

"The Licensing Panel, in considering the application for a review of Club Premises Certificate, has taken into account the Licensing Officer's report, representations both supporting and objecting to the application and other relevant items of evidence presented. After deliberation and consideration of the licensing objectives with the guidance given in Section 182 of the Licensing Act 2003, the Panel reached its decision with reference to the

evidence provided by PC Glover in which he refers to the various incidents where emergency services attended as a result of incidents which had occurred within the premises. The Panel also considered that noise issues still remain, as a result of Mr Harrison's evidence.

That the following conditions be imposed on the existing Club Premises Certificate: -

1. The Licensee must remain a member of Pub Watch. The representative of the Licensee who attends Pub Watch is to ensure Pub Watch information is reported back directly to the committee of the Licensee.
Reason – to prevent crime and disorder and public nuisance.
- 2 (a). With immediate effect the Licensee is to operate a “no glass” policy (which means the non use of glass drinking vessels of any description) on Fridays and Saturdays or on any other occasion when either a function or entertainment is taking place. Only toughened plastic or polycarbonate vessels are to be used.
Reason – to prevent crime and disorder.
- 2 (b). By 31 November 2009, the Licensee is to have phased in and achieved a 100% no glass policy for every day of the week.
Reason – to prevent crime and disorder.
3. All bottles are to be decanted behind any bar within the premises. No alcoholic drink is to be taken from the premises. The Licensee is to put in place immediately such measures that are necessary for this condition to be complied with. This is to include clear signage at all exit points within the Club.
Reason – to prevent crime and disorder.
4. The Licensee is to ensure that all staff members receive suitable training in identifying conflict behaviour and how to resolve conflict behaviour, and to make available to the Licensing authority the documentary evidence to prove such training is compliant with this condition.
Reason – to prevent crime and disorder and public nuisance.
5. Noise levels from live, recorded or amplified music are to be monitored and controlled by the Licensee and are not to exceed reasonable levels. The Licensee is also to take every appropriate action, such as closing all doors and windows to mitigate noise nuisance to occupiers of noise sensitive premises.
Reason – to prevent public nuisance.
6. The Licensee is to ensure that noise levels from patrons using the gardens or smoking area at the rear of the premises are maintained at a reasonable level at all times.
Reason – to prevent public nuisance.
7. The Licensee is to have in place a licensed door supervisor for every function where the numbers attending exceed 50 persons. The door supervisor will ensure the steps leading to the main entrance of the premises are kept clear and free of patrons unless they are entering or exiting the premises.
Reason – to prevent crime and disorder and public nuisance.

The Panel carefully considered the recommendation for the Licensee to have a fully functional CCTV system installed. The Panel is conscious of the cost implications of imposing such a condition and consider that the Licensees should be given the opportunity to demonstrate the appropriate levels of control from the conditions imposed.

However, the Panel wishes to emphasise that if those appropriate levels of control are not demonstrated, there is a risk of a further review where installation of a CCTV system might be imposed as a condition.”

The Chairman noted Mr Harrison’s willingness to communicate with the Licensee and encouraged the Licensee to take that offer up, if necessary using the Licensing Officer as a contact.

The Chairman explained that if aggrieved with the Panel’s decision, the Licensee had the Right to Appeal to the Magistrates Court. He said that the Decision Notice would be sent in writing to the Licensee within 21 days.

Chairman

REVIEW OF THE CLUB PREMISES CERTIFICATE FOR THE RAUNDS WOODBINE WORKING MEN'S CLUB, RAUNDS

The representations received had been analysed by the Licensing Officer and extracts placed under the relevant licensing objectives:-

(a) Representations in Support of the Review

Crime and Disorder Objective

The Police had referred to an incident inside the Club on Friday 13 February, which involved a glass being used as a weapon. They recommended that three conditions be added to the Certificate, including a 'no glass' policy on Friday and Saturday, use of a new CCTV system inside the premises and no open drinks containers to be taken outside the premises.

Raunds Town Council had suggested that three conditions be imposed. These were similar to the Police recommendations and also suggested that a door supervisor be employed during evening opening hours.

Public Safety Objective

Environmental Health had made recommendations and supported the conditions suggested by the Police. These included the use of polycarbonate glasses, CCTV, membership of Pub Watch and staff training.

Noise Nuisance Objective

The Environmental Protection Officer had made three recommendations regarding control of noise. It detailed the history of noise complaints regarding the Club and that a Noise Notice remained in force against the Club.

(b) Representations Supporting the Club Against the Review

The representations received from the public all supported the Club; although only three were from persons living in the vicinity of the Club. The remainder were from users of the Club and bands who had played there. These people would not be considered interested parties but their representations had been included for information.

A letter of representation from the Club's Committee detailed the Club's response to the application and the steps being taken by the Club to comply with the licensing objectives.