

**MINUTES OF A MEETING OF THE  
LICENSING SUB-COMMITTEE  
Council Chamber - Town Hall  
26 January 2012 (10.30 - 11.35 am)**

**Present:**

**COUNCILLORS**

**Conservative Group** Peter Gardner (Chairman), Pam Light and  
Lynden Thorpe

Messrs Steve Bennett and David Holloway ( applicant)

Linda Trew – supporter

Horace P Janes, R Law, L A Williams, W G Eavis, D A & P G Herring, Mrs G L McIntyre, Valerie & John Hodgett, Derek Linton, Colin and Maureen Payne, Graham Trew, T Barrett, R and Margaret Bartlett and B Gearing – objectors.

Also present Paul Campbell (Havering Licensing Officer), the Legal Adviser and Clerk to the Licensing Sub-Committee.

The Chairman advised members and the public of action to be taken in the event of an emergency evacuation of the Town Hall becoming necessary.

No interest was declared.

**1 APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003 ("THE ACT") - PLAYFOOTBALL LTD., KING GEORGE PLAYING FIELD, EASTERN AVENUE WEST**

**PREMISES**

PlayFootball Ltd.,  
King George Playing Field,  
Eastern Avenue West,  
Romford.

**DETAILS OF APPLICATION**

Application for a premises licence under Section 17 of the Licensing Act 2003 ("the Act").

**APPLICANT**

PlayFootball Ltd.,

c/o Roko Health Clubs,  
442 Wilford Lane,  
West Bridgford,  
Notts  
NG2 7RN

### **1. Details of the application**

#### **Recorded Music**

<b>Day</b>	<b>Start</b>	<b>Finish</b>
Friday and Saturday	19:00hrs	00:00hrs

#### **Late Night Refreshments**

<b>Day</b>	<b>Start</b>	<b>Finish</b>
Friday and Saturday	23:00hrs	00:00hrs

#### **Supply of Alcohol**

<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Thursday	11:00hrs	23:00hrs
Friday and Saturday	11:00hrs	00:00hrs
Sunday	12:00hrs	22:30hrs

### **2. Promotion of the Licensing Objectives**

The applicant completed the operating schedule, which formed part of the application to promote the four licensing objectives.

The applicant acted in accordance with regulations 25 and 26 of The Licensing Act 2003 (Premises Licences and Club Certificates) Regulations 2005 relating to the advertising of the application. The required public notice was installed in the Romford Recorder on Friday, 16 December 2011.

### **3. Details of Representations**

Valid representations may only address the four licensing objectives

There were 17 valid representations against this application, 16 from interested parties and one from a responsible authority. The representation from the Metropolitan Police was withdrawn following discussions between the applicant and the Metropolitan Police where the applicant had agreed to amend the application and comply with the conditions required by the Metropolitan Police.

#### Responsible Authorities

**Chief Officer of Metropolitan Police (“the Police”):** One

**London Fire & Emergency Planning Authority (“LFEP”):** None.

**Health & Safety Enforcing Authority:** None.

**Planning Control & Enforcement:** None.

**Public Health:** None

**Children & Families Service:** None

**Trading Standards Service:** None

**The Magistrates Court:** None

#### **4. Determination of Application**

##### **Decision**

**Consequent upon the hearing held on 26 January 2012, the Sub-Committee's decision regarding the application for a Premises Licence for PlayFootball Ltd was as set out below, for the reasons shown:**

The Sub-Committee was obliged to determine this application with a view to promoting the licensing objectives, which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

In making its decision, the Sub-Committee also had regard to the Guidance issued under Section 182 of the Licensing Act 2003 and Havering's Licensing Policy.

In addition, the Sub-Committee took account of its obligations under s17 of the Crime and Disorder Act 1998, and Articles 1 and 8 of the First Protocol of the Human Rights Act 1998.

##### **Agreed**

##### **Facts**

**Facts/Issues** Whether the granting of the premises licence would undermine the four licensing objectives.

The Licensing Officer advised the meeting that the Metropolitan Police had withdrawn their representations.

Three of the people who had submitted representations attended the hearing and asked for an opportunity to speak at the sub-committee.

Ms McIntyre talked about the fact that the playing fields were being developed and that local residents would not

benefit. She then went on to talk about noise from the premises and who would be responsible for enforcing the time of closure.

The Chairman advised that the first issue fell outside the scope of the Sub-Committee. The responsibility for enforcing the time of closure lay with the Councils Licensing Officers and the Police.

Mr Barrett asked for clarification on the variances agreed between the Police and the applicant. He also asked who would be responsible for the prevention of public nuisance. The Chairman informed him that this would be covered by the terms of the licence.

Mr Law referred to the fact that at the original meetings regarding the planning application no mention had been made of the sale of alcohol. The Chairman advised that this was a matter for planning. The applicant had submitted an application for a premises licence as required and this, and the representations were the remit of the Licensing sub-committee.

Applicant's response.

The applicant stated that it appeared to him that the main areas of resident concern were:

- Failure to mention the desire to operate a bar earlier in the process,
- Potential noise,
- Access to residential areas,
- General disturbance (under 18's, drinking in the fields), and
- Suitability of the location.

#### **1. No previous mention of bar**

Whilst not really relevant, Mr Bennett was at pains to explain that the applicant endeavoured to work with residents, and therefore addressed the issue by pointing out that:

- At the pre planning consultation stage both the drawing and written description clearly stated that there was to be a bar;
- At the pre-planning meeting with the Friends of the Park, the question of a bar on site was discussed;
- The description of the pavilion in the planning statement mentioned provision of a bar;
- The description of a bar was included in the planning drawings.
- They had complied with all licensing requirements in

their application.

## **2. Potential Noise**

The applicant offered to comply with the following conditions:

- PN7 All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place.
- PN10 No music shall be relayed via external speakers other than for events with the prior written approval of the Licensing Authority.
- PN11 Prominent, clear notices shall be displayed at all exits requesting that customers respect the needs of local residents and leave the premises and the area quietly.
- PN13 Entertainment shall be held internally only and no music or speakers shall be provided to external areas of the premises.
- In addition PlayFootball would be implementing its own 'in-house' dispersal policy as agreed with the Metropolitan Police.

## **3. Access to residential areas.**

The fencing had been designed so that the gates would be locked at dusk, thereby permitting customers to leave solely via the main car park gates.

## **4. General Disturbances**

The pavilion was not a 'pub' where local residents were encouraged just to pop in for a drink. Apart from private functions, the bar would not be marketed to local people. It was a facility for the football customers and their friends.

The applicants had submitted a detailed operating schedule to the metropolitan Police this included the following conditions:

- CD1 All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and must be made available to a relevant responsible authority when called upon.
- CD3 The premises licence holder shall implement a written children's policy which must be approved in writing by the Police or Havering's Children and Young Persons services. It should include 'Where the supply of alcohol is a licensed activity no

persons under 18 shall be admitted to or allowed to remain on the premises between 21:00hrs and 06:00hrs unless specifically covered in the children's policy.'

- CD6 A premises daily register shall be kept at the premises. This register shall be maintained and kept for a minimum of 12 months. This register should record the name of the person responsible for the premises on each given day. The premises daily register shall record all calls made to the premises where there is a complaint made by a resident or neighbour of noise nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call, the time and date of the incident about which the call is made and any actions taken to deal with the call. The premises daily register shall be readily available for inspection by an authorised person throughout the trading hours of the premises. The premises daily register shall also record all incidents in relation to the use of any force by staff or door supervisors in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed and details of the staff members involved.
- CD9 Drinks shall be served in non-glassware drinking vessels (e.g. plastic, polystyrene, waxed paper)
- CD11 All drinks in glass bottles are decanted into polycarbonate vessels at the bar servery area prior to supplying it to the customer.
- CD16 A properly specified and fully operational CCTV system shall be installed or the existing system maintained to a satisfactory standard. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. All other areas of risk identified in the operational requirement shall have coverage appropriate to the risk.
- CD17 The installation or upgrading of any CCTV system shall comply with current best practice. In addition the documentation listed below shall be included in a 'system file' which should be readily available for inspection by a relevant authority:

- site plan showing position of cameras and their field of view
  - code of practice
  - performance specification e.g. storage capacity, image file size, IPS for each camera and purpose of each camera position
  - operational requirement
  - incident log
  - maintenance records including weekly visual checks
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- CD18 To obtain a clear head and shoulders image of every person entering the premises on the CCTV system persons entering the premises should be asked to remove headwear unless worn as part of religious observance.
  - CD19 The CCTV system shall incorporate a recording facility and all recordings shall be securely stored for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system shall comply with other essential legislation and all signs as required shall be clearly displayed. The system shall be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
  - CD20 The positions of all CCTV cameras shall be clearly shown on a set of plans which should form part of the 'system file'. Any alteration to the system should only be carried out after consultation with and written approval of Havering Police and the Licensing Authority.
  - CD21 A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises are 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.

In addition no alcohol would be served or taken beyond the terraced area, and the terraced area must not be used after 10.30pm except for smokers.

Conditions attached to the hiring out of the premises were:

- A risk assessment would be carried out prior to each function.
- There would be no 18<sup>th</sup> birthday parties
- There would not be any sales of discounted drinks.
- PlayFootball would not hold any functions which included live bands
- All appropriate windows and doors would be kept shut
- Functions would be encouraged to have a buffet menu available for guests, and
- A guest list would be supplied prior to the function starting.

The following conditions were also accepted:

- CDGPG3 A proof of age scheme, being Challenge 25, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification card, such as a driving licence or passport.
- CDGPG4 Prominent clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale advising customers that they may be asked to produce evidence of their age.
- CDGPG6 Prominent, clear notices shall be displayed at every public entrance stating the actual operating hours of the premises.
- CDGPG7 Prominent, clear notices shall be displayed at every public entrance stating any restrictions relating to the admission of children to the premises or other admission restrictions

The alarm system would be a grade 3 installation.

## **5. Suitability of the location**

The applicant provided a list of 13 other centres around the country which they run all of which hold premises licences, none of which have caused problems.

Additionally the applicants agreed to amend their hours of operation to:

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### **Late Night Refreshment**



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The applicant also offered to cease the sale of alcohol before 4pm on weekdays whenever there was a school or children based group using the centre.

Having considered the written representations and oral responses, the Sub-Committee stated that the applicant had more than adequately covered all concerns raised, and agreed to **grant** the application, as amended by the applicants at the meeting and subject to the conditions set out above.

The sub-committee stated that in arriving at this decision, it took into consideration the licensing objectives as contained in the Licensing Act 2003, the Licensing Guidelines as well as Havering Council's Licensing Policy.

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**Chairman**