

**MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE
Council Chamber - Town Hall
16 July 2014 (2.30 - 3.30 pm)**

Present:

COUNCILLORS

Linda Van den Hende (Chairman), Phil Martin and Garry Pain

Present at the hearing were the applicant Mr K Cole, together with Mr R Surman, MBE, Mr T Miller and Mrs S Harrison (Objectors). Charlie Cutting and Abbie Bright work experience persons also attended as observers.

Also present was Mr Arthur Hunt (Havering Licensing Officer), the Legal Advisor to the Sub-Committee and the Clerk to the Licensing Committee.

The Chairman reminded Members of the action to be taken in an emergency.

1 APPLICATION FOR A PREMISES LICENCE FOR THE COLLIER ROW CATHOLIC CLUB, LOWSHOE LANE, COLLIER ROW.

PREMISES

Collier Row Catholic Club,
Lowshoe Lane,
Collier Row,
Romford,
RM5 2AP

DETAILS OF APPLICATION

An application for a premises licence under section 17 of the Licensing Act 2003 ("the Act").

APPLICANTS

Kevin Cole,
Company Director,
Collier Row Catholic Club,
Lowshoe Lane,
Collier Row,
Romford,
RM5 2AP

1. Details of the application:

The application was for a premises licence as follows:

Indoor Sporting Events, Recorded Music, Performance of Dance, Provision of Anything of a Similar description to Live Music, Recorded Music or Performances of Dance.		
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Day	Start	Finish
Monday to Saturday	10:00hrs	23:15hrs
Sunday	12:00hrs	22:45hrs

Supply of Alcohol		
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Day	Start	Finish
Monday to Saturday	10:00hrs	23:00hrs
Sunday	12:00hrs	22:45hrs

Live Music		
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Day	Start	Finish
Monday to Saturday	12:00hrs	23:15hrs
Sunday	12:00hrs	22:45hrs

Opening Times		
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Day	Start	Finish
Monday to Sunday	08:00hrs	23:30hrs

2. Seasonal variations

There were no seasonal variations applied for in this application.

3. Non-standard Timings

The application had requested a non-standard timing to apply on New Year's Day i.e. Live Music, Recorded Music to 00:45hrs and Supply of Alcohol to 00:30 on New Year's Eve into New Year's Day.

4. Comments and observations on the application

The applicant had acted in accordance with premises licence regulations 25 and 26 relating to the advertising of the application. The required newspaper advertisement had been placed in the Romford Recorder on 6 June, 2014.

Following the application there had been discussions between the applicant, the Licensing Authority and Environmental Health (Noise) re further conditions which would assist the application uphold the Licensing Objectives and they were accepted in their entirety and were detailed below:-

- **All staff shall be suitably trained for their job function for the premise. The training shall be written into a programme, ongoing and under constant review, and must be available to a relevant Responsible Authority when called upon.**

- **A Premises Daily Register shall be kept at the premise. This register will be maintained and kept for a minimum of 12 months. This register should record the name of the person responsible for the premise 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 and 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 will be readily available for inspection by an Authorised Person throughout the trading hours of the premises.**
- **No person shall be allowed to leave the premises whilst in the possession of any glass drinking vessel or open glass bottle, whether empty or containing any beverage.**
- **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 will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.**
- **A staff member from the premises who can operate 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.**
- **Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises.**
- **A proof of age scheme, such as Challenge 25 (being that, should a person not look the age of 25 then he/she would need to prove they are in fact of lawful age 18 or over) shall be operated at the premises where the only acceptable forms of identification concerning the issue of age are a ten year passport, PASS logo proof of age card or photocard driving licence.**
- **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.**

- **The noise monitor located within the main hall/bar area is to be set to 90dB(A) and to be operating at all times whilst the club is open to the public.**
- **“Fire Exit 1” to be alarmed and an audible alarm sound within the bar area when the door is opened (see attached plan below).**
- **When there are events/functions held within the main hall at the club using amplified music and/or live music “Fire Exit 1” is not to be used for the entry and exit, except in an emergency (see attached plan below).**
- **When there are events/functions held within the main hall at the club using amplified music and/or live music “Smoking Area 1” is not to be used for the duration of the event/function by patrons or staff for any purpose (see attached plan below).**
- **When there are events/functions held within the main hall at the club using amplified music and/or live music all high level windows in the main hall are to be closed for the duration of the event/function.**

5. Summary

There were six valid representations against this application from interested parties.

There were no representations against this application from responsible authorities.

5. Details of representations

Valid representations may only address the following licensing objectives:

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

6. Representations

Interested parties' representations

The representations from the interested parties detailed concerns they had with the premises primarily based around the prevention of public nuisance licensing objective.

Responsible Authorities' representations

There were no representations from any of the Responsible Authorities.

7. Determination of Application

Decision:

Consequent upon the hearing held on 16 July 2014, the Sub-Committee's decision regarding the application for a Premises Licence for Collier Row Catholic Club, Lowshoe Lane, Romford is 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 were:

- 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 a premises licence would undermine the licensing objectives?
The prevention of public nuisance	Three of those making written representations attended the hearing to highlight their objections. Mr Surman, an ex-police officer, expanded on his written representations. The main focus of his objection was noise emanating from the premises. He stated that the applicants had already broken the terms of their existing Club Premises licence by hiring out the hall, and selling alcohol to non-club members.

	<p>The existing club premises licence did not include any condition to limit the volume for either live or recorded music. To exacerbate the situation fire doors were left open, windows were left open and the beer store door was left open. The main concerns were the fire door at the rear of the property (closest to residential properties), which was used by smokers, and the beer store door.</p> <p>He had made many complaints which had resulted in a short term reduction in noise but the problem soon returned. The problem was of particular concern at night and on weekends.</p> <p>If the new licence was granted he wished to see adequate conditions imposed which would cover the closure of the beer store door and the use of a noise limiter, not just a noise monitor or indicator. He would like to see standard conditions PN3, PN7 and PN 8 added to any licence.</p> <p>The other two objectors Trevor Miller and Mrs Harrison reiterated the points made by Mr Surman.</p> <p>In response Mr Cole advised that following visits from the Licencing Officer he had applied for a new Premises Licence. The Club ran a number of charity events which were promoted by a club member, but most of the attendees would not be club members. These people would be signed in as guests. This was not an ideal solution.</p> <p>25% of the functions run by the club were non-member functions so the club wished to regularise the situation.</p> <p>In response to complaints regarding the noise he had installed a noise monitor because DJ's had complained that a noise limiter which shut off equipment when it reached too high a level could damage their equipment. The monitor was set at 90dB(A) and when tested the noise outside the residential properties opposite registered at 76dB(A).</p> <p>He had been in discussion with the Licensing Officer and Environmental Health and was happy to implement the conditions set out above.</p>
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The Sub-Committee stated that in arriving at this decision, it took into account the licensing objectives contained in the Licensing Act 2003,

the Licensing Guidelines as well as Havering Council's Licensing Policy.

The sub-committee had listened carefully to the objections and taken due regard. The sub-committee felt that the conditions outlined above would meet all the concerns expressed by the objectors. However, the Sub-Committee did understand the objectors concerns that a noise monitor would only alert people to the fact that the noise limit had been exceeded. Therefore, the Sub-Committee agreed to grant the licence as applied for subject to the conditions outlined above (as agreed) with the exception of the following amendments:

That the condition requiring a noise monitor be replaced by the following:

'A Sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set to 90dB(A) to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of the authorised officer. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement of the Public Protection service.'

Additionally that the condition concerning the shutting of windows while events are on be added to, to read as follows:

'When there are events/functions held within the main hall at the club using amplified music and/or live music all high level windows in the main hall, and the beer store door, are to be closed for the duration of the event/function'

The sub-committee considered that including standard conditions PN7 and PN8 would be excessive.

Chairman