

# **North Somerset Council**

## **REPORT TO THE: LICENSING SUB COMMITTEE**

**DATE OF MEETING: 3<sup>RD</sup> NOVEMBER 2020**

**SUBJECT OF REPORT: APPLICATION FOR THE GRANT OF A CLUB PREMISES CERTIFICATE WORLE FOOTBALL CLUB, STATION ROAD, WORLE**

**TOWN OR PARISH: WESTON SUPER MARE**

**OFFICER/MEMBER PRESENTING: DIRECTOR OF PUBLIC HEALTH**

**KEY DECISION: NO**

## **RECOMMENDATIONS**

That the sub committee determines the application for the grant of the Club Premises Certificate for Worle Football Club.

### **1. SUMMARY OF REPORT**

- 1.1 An application has been received for the grant of a club premises certificate in the name of Worle Football Club.

Consultations have been carried out and objections received from 2 residents. The objections received relate to protection of children from harm and public nuisance.

Consultations have also been carried out with the relevant responsible authorities and no adverse observations have been made. Police Licensing have asked for additional conditions to be added and the applicant has agreed.

### **2. POLICY**

- 2.1 The Council's statement of Licensing Policy applies to this application.
- 2.2 The Licensing Act 2003 requires licensing authorities to carry out their functions with a view to promoting the following four licensing objectives:
- a) The Prevention of Crime and Disorder.
  - b) Public Safety.
  - c) The Prevention of Public Nuisance, and
  - d) The Protection of Children from Harm.
- 2.3 The Licensing Authority should have regard to the Statutory Guidance issued under section 182 of the Licensing Act 2003, and the provisions of the Licensing Act itself.

### 3. DETAILS

- 3.1 An application was received on the 12 August 2020 from Worle Football Club for the grant of a Club Premises Certificate under the Licensing Act 2003, in respect of Worle Football Club, Changing Rooms, Worle Recreation Ground, Station Road, Worle. A copy of the application that has been made is shown at **Appendix A**.
- 3.2 The premises comprise of changing room with showers and toilets for players and officials, kitchen, leisure/lounge area and public toilets. A copy of the premises layout is attached at **Appendix B**.
- 3.3 Worle Football Club has commercial and residential properties within 100 metres of the licensed premises.
- 3.4 A copy of a location plan of the premises is shown at **Appendix D**.
- 3.5 The licensable activities and opening times of the premises to members of the public being sought are as follows:

Licensable Activity	Hours Sought	Non –standard timings
Supply of alcohol	Saturday 10:00 to 19:30 Sunday 10:00 to 18:00	Evening and bank holiday fixtures, Cup final, Tournament and fund-raising events
Anything of a similar description	Saturday 10:00 to 19:30 Sunday 10:00 to 18:00	Evening and bank holiday fixtures, Cup final, Tournament and fund-raising events
Hours premises will be open to the public	Saturday 10:00 – 19:30 Sunday 10:00 – 18:00	Pre-season training, evening and bank holiday fixtures, cup final, tournament and fund-raising events

### 4. Consultations

- 4.1 In accordance with the requirements of the Act the applicant has:
- (a) Served copies of the application to the Responsible Authorities.
  - (b) Advertised the submission of the application in a local newspaper.
  - (c) Placed a notice at the property detailing the application made.
- 4.2 In relation to the four licensing objectives set out in the Licensing Act 2003, the following matters have been raised:

Licensing Objective	Responsible Authority	Interested Party
The Prevention of Crime and Disorder	The Police have not made any representations.	No representations have been received
Public Safety	Avon Fire and Rescue Service/Environmental Health have not made any representations.	No representations have been received

Public Nuisance	The Environmental Protection team have not made any representations.	2 representations have been received in relation to public nuisance
The Protection of Children from Harm	Children and Young People's Services have not made any representations.	2 representations have been received in relation to protection of children from harm

4.2 Copies of the representations which have been received are shown at **Appendix C**.

4.3 Avon and Somerset Police Licensing have asked for the following conditions to be added and the applicant has agreed;

1. A challenge 25 age related policy.
2. CCTV will be fitted to cover the lounge area of the building and the licensed area between the front of the building and the security fence. This CCTV will be of a standard satisfactory to the Licensing Authority and Police. Images will be stored for a minimum of 31 days and made available on request for evidential purposes.
3. Non-standard times to be between 1000 and 2300 hours for a maximum of 20 occasions in any calendar year.

## **5. FINANCIAL IMPLICATIONS**

**Costs** - None.

**Funding** - None.

## **6. LEGAL POWERS AND IMPLICATIONS**

6.1 The Licensing Authority recognises that its licensing function is only one means of securing the delivery of the service. The Licensing Authority will therefore continue to work in partnership with other stakeholders, such as the Police, Crime & Disorder Partnerships and the Vehicle and Vehicle Standards Agency (DVSA) towards the promotion of any licensing objectives.

6.2 In undertaking this licensing function, the Licensing Authority has regard to the following legislation:

- Licensing Act 2003
- Gambling Act 2005
- Health Act 2006
- The Smoke-free (Premises and Enforcement) Regulations
- The Equality Act 2010
- The European Convention on Human Rights, which is applied by the Human Rights Act 1998

6.3 The Licensing Authority also has regard to any other relevant legislation, strategies, policies and guidance in its decision-making.

## **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

There are no climate change or environmental implications noted in this report.

## **8. RISK MANAGEMENT**

- 8.1 Regularly reviewing licensing policies and practices and using a risk-rated approach to both proactive and reactive enforcement reduces the risk to the Authority. Ensuring MoU agreements are in place with external partner agencies will also help strengthen roles and responsibilities surrounding Licensing work.

## **9. EQUALITY IMPLICATIONS**

None

## **10. CORPORATE IMPLICATIONS**

- 10.1 If the application is refused or amended the applicant may appeal within 21 days of the notification of the Committee's decision to the Magistrate's Court. If the application is granted a person making a relevant representation may also appeal within 21 days of the notification to the Magistrates' Court.

## **11. OPTIONS CONSIDERED**

The Committee may after hearing the application:

- a) Grant the application as applied for, or
- b) Grant the application with modifications to the dates or timing of licensable activities or conditions to be attached to the licence.
- c) Refuse the application.

For the purpose of sub section 8(b) above conditions are modified if any of them are altered or omitted or any new condition is added.

## **AUTHOR**

Amanda Hodge, Licensing Officer

Tel: 01934 426 800

## **BACKGROUND PAPERS**

Licensing Act 2003.

Guidance to the Licensing Act issued under section 182 of the 'Act'.

Statement of Licensing Policy for North Somerset Council.

# APPENDIX A

## North Somerset Council

### Application for a club premises certificate to be granted under the Licensing Act 2003

#### PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING APPLICATION

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

Worle Football Club

(Insert name of club)

**club applies for a club premises certificate under section 71 of the Licensing Act 2003 for the premises described in Part 1 below (the club premises).**

**The club is making this application to you as the relevant licensing authority in accordance with section 68 of the Licensing Act 2003.**

#### Part 1 – Club premises details

Name of club Worle Football Club			
Postal address of premises or, if none, ordnance survey map reference or description Changing Rooms, Worle Recreation Ground, Station Road, Worle,			
Post Town	Weston-super-Mare	Postcode	BS22 6AN
Telephone number (if any)			
E-mail address (optional)		worlefc@hotmail.co.uk	

Name of person performing duties of a secretary to the club D. Brine			
Address of person performing duties of a secretary to the club 44 Beach Road, Kewstoke,			
Post Town	Weston=super-Mare	Postcode	BS22 9UU
Daytime contact telephone number (if any)		01934 625585	

E-mail address (optional)	worlefc@hotmail.co.uk
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Non-domestic rateable value of premises	£1750
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Are the club premises occupied and habitually used by the club? Yes X ☐

## Part 2 – Club Operating Schedule

When do you want the club premises certificate to start?

1	2	0	9	2	0	2	0
---	---	---	---	---	---	---	---

If you wish the certificate to be valid only for a limited period, when do you want it to end?

N/A	MM	YYYY

### General description of club (please read guidance note 1)

Senior Football Club affiliated to the Somerset Football Association  
Teams play in the Premier Division of the Somerset County League and Division One of the Weston-super-Mare and District Association Football League. The Club is an FA Charter Standard Club meaning it has to meet specified Health & Safety, Safeguarding, Welfare, Ethnicity and Discipline standards and Codes of Conduct..  
The premises comprise of changing rooms with showers and toilets for players and officials, kitchen, leisure/lounge area and public toilets.  
Membership is open to playing and non-playing members

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/A
-----

What qualifying club activities do you intend to conduct on the club premises?

Provision of regulated entertainment

Please tick all that apply

- |   |                          |
|---|--------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   |                          |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | X                        |

# J

<b>Hours club premises are open to the members and guests</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) The Club would only normally be open pre-season and playing season (July – Mid May)
Day	Start	Finish	<b>Non standard timings. Where you intend the premises to be open to the members and guests at different times from those listed in the column on the left, please list</b> (please read guidance note 5) Pre-season training, Evening and Bank Holiday fixtures, Cup Final, Tournament and fund raising events.
Mon			
Tue			
Wed			
Thur			
Fri			
Sat	10.00	19.30	
Sun	10.00	18.00	

# K

<b>Please highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the club premises that may give rise to concern in respect of children</b> (please read guidance note 8). None
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**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and plan to the responsible authorities. ☒
- I have completed and enclosed the club declaration and enclose a copy of the club rules. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

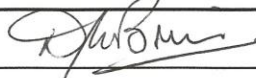
**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 3 – Signatures (please read guidance note 10)**

**I** David William Brine

*(Insert full name)*

**make this application on behalf of the club and have authority to bind the club**

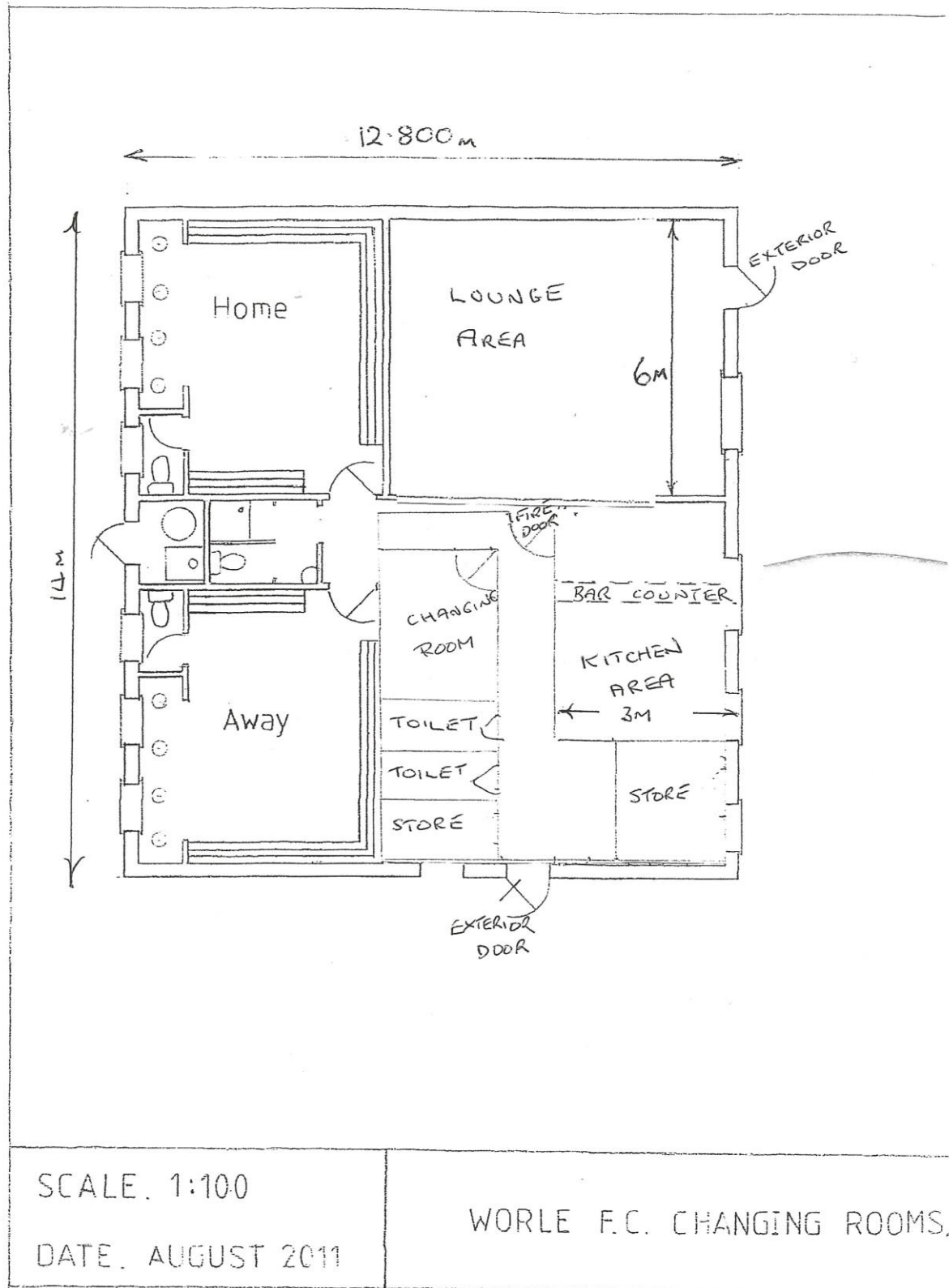
Signature	
Date	11/8/20
Capacity	Secretary

**Address for correspondence associated with this application (please read guidance note 11)**

Post town		Post code	
Telephone number (if any)	01934 625585		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) worlefc@hotmail.co.uk			



# APPENDIX B



THIS SECTION IN PRBCI CAN BE MADE PUBLIC IF REALLY NECESSARY

[REDACTED]  
North Somerset Council  
Licensing Team  
Warne Road Depot  
Warne Road  
Weston-s-Mare  
Somerset  
BS23 3ND

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
4th September 2020

**Notice of Application for the Grant of a Club Premises Certificate at Worle Recreation Ground**

Dear Sirs,

I am writing in connection with the application for a licence to purvey and consume alcohol by the Worle Football Club based at the Community's Public Recreation Ground in Station Road, Worle.

In recent years, residential flats for older folk have been erected within a few feet of the Recreation Ground's Pavilion to the north-west which overlook the entire Recreation Ground and only a few paces (about the length of two cars) to the south-east is a child's play area for the very young. The Recreation Ground is open 24 hours a day, therefore children can be expected to be present at any daylight hour and even afterwards in the earlier dark evenings of Autumn, Winter and Spring up to perhaps ten o'clock in the evenings. It cannot be right for them to have to be subjected to the behaviour of over-imbibed and possibly foul-spoken footballers with raised voices – not acceptable for two, three or four year olds or even older I would argue. Do you really believe that all this alcohol will be drunk fully inside that tiny building out of sight? It is not much larger than a double garage and contains separate sets of showers and changing rooms for the two teams and another for the referee, plus a kitchen.

I would also argue that under the present virus circumstances, there cannot possibly be sufficient space to dispense and consume on the premises safely, beverages of this nature. It would be like expecting two baked beans to keep apart in a can of them with tomato sauce! We should not overlook the fact that the resolution of the virus pandemic is a very, very, long way off yet – perhaps even never in spite of all the positive talk in the media. This very week, we have learned about the identification of yet another mutated strain of this infernal intrusion upon our lives and yet another threat to our very survival on our planet.

Further, the club already has a poor reputation at conforming to the Pavilion Lease rules for rubbish and other materials being stored around the walls of the Pavilion behind the pallsade security fencing surrounding it, which I doubt it would dispute itself. Lease Clause 2 (3) refers demanding that the club is obliged to "*keep the premises tidy and slightly and free from litter at all times*". It has been storing a huge tractor tyre against the outer walls of the building contrary to fire safety rules, for the past five years at least. This fire risk has been raised with NSC but it is still there! Complaints with photographic evidence, have made some difference in the past, but the rubbish still comes back again – all on display to the sight of other local users and visitors. The previous Pavilion did not have a security fence so the community and its visitors never had to put up with stored rubbish or any other unwanted or unused materials right in front of the main entrance to the Ground. The lease demands no such materials to be stored thus and the purveying of alcohol would surely increase the amount of boxes, crates and bags of empty cans and bottles being dumped in this space and left for weeks-on-end contrary to lease behavioural demands and expectations of the community for tidiness and cleanliness at their only village Recreational Open Space. What is the point of keeping the grass well maintained if it has a mini town-tip, now perhaps additionally giving off the smell of stale beer alongside it as well as all the other rubbish? Also consider the risk of rat infestation and breeding amongst it – they love wallowing in rubbish and they carry very nasty infections such as Weil's disease (Leptospirosis).

In addition to such observations, there would be a potential for increased injury threat from broken glass migrating into the grassed areas surrounding the pavilion on two sides. Once deposited it would be almost impossible to clean out completely and we must not forget those, very, very young children who may spend as much time on their hands and knees as they do on their feet in this area. My dog once wiped his feet on grass

and slit off almost the entire main pad of his foot from broken glass embedded 'end on'. If Council officers would like to see what can happen to an area in close proximity to a public house, would they please go to the Kings Head Pub at the top of the Scaurs at Worle only a couple of hundred metres away from the Recreation Ground and walk down the hill to the High Street, as I do almost daily. I would suggest that they will probably have never seen so much broken glass strewn about on the pavements and the road as there has been there for the past many months (in one spot it almost qualifies to be described as being of bulk quantity) it goes all the way to the Car park entrance behind Lloyds Bank. I often walk my dog in the middle of the road to avoid it or even pick him up. Such could also become the case at Worle Recreation ground, right alongside a tiny tots play area and once distributed, glass particles would never be recoverable and so remain a latent danger perhaps forever or until the entire area were to be re-turfed.

Giving permission to sell and consume alcohol at our village pleasure park on any other basis than perhaps once per year to celebrate, for example, the end of season, would be a great mistake that we would all be sure to live to regret as its potentially negative consequences for the very young alone, playing close by, could never be completely or even adequately controlled and would risk, eventually, driving the parents with children away. For a once a year licence, the Club would be asked apply annually of course.

END OF PUBLIC SECTION IF DEEMED NECESSARY

NOT FOR PUBLIC DISPLAY BEYOND THIS POINT

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dear Sir

I have several concerns regarding the Club Premises Certificate for Worle Football Club:

- 1) The area at Station Road is designated as a Recreational area therefore there should be no barriers
- 2) The premises are small for the facilities they provide and in my opinion would not provide a safe environment for the consumption of alcohol
- 3) There is a children's play area in the vicinity of the clubhouse and an elderly residences home
- 4) Car parking is not adequate and an increase in club use would cause greater inconvenience to the residents with driveways being blocked and emergency vehicles having difficulties in accessing the area

I look forward to your response.

Please acknowledge receipt of this e mail

Yours Sincerely



## APPENDIX D

