

*Please reply to:*

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Date: 1 August 2014

## **Notice of Meeting**

### **Licensing Sub-Committee**

**Date:** Monday, 11 August 2014

**Time:** 10.00am

**Place:** Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames

**To the members of the Licensing Sub-Committee**

**Councillors:** R.W. Sider (Chairman), C.A. Bannister and R.A. Smith-Ainsley

**Note:** In the event of one of the aforementioned Licensing Committee Members being unable to attend or serve on this Sub-Committee another Member of the Licensing Committee will be called to serve in their place.



# AGENDA

## **1. Disclosures of Interest**

To receive any disclosures of interest from members in accordance with the Council's Code of Conduct for members.

## **2. To consider an application for a Premises Licence under the Licensing Act 2003 by Hazelwood Centre LLP at Hazelwood Centre, Croysdale Avenue, Sunbury-on-Thames TW16 6QU, in light of representations.**

The procedure to be followed at the hearing. (Cream)	1 - 4
The report of the Assistant Chief Executive.	5 - 8
Appendix A - Location Plan	9
Appendix B - Current Application	10 - 25
Appendix C - Representations from 'other persons'	26 - 31
Appendix D - Letter from Mr Woods of Woodsworth Solicitors	32
Appendix E - Relevant sections of National Guidance S.182	33 - 37



## Licensing Act 2003

### Hearing procedure for Licensing Sub-Committee – premises licence applications/variations

	<b>Introductions</b>
1.	The Chairman will open the meeting, introduce members of the Sub-Committee and officers present and explain the nature of the decision to be taken and the procedure to be followed.
2.	The Applicant or their representative will introduce themselves to the Sub-Committee.
3.	Any Other Persons (and their representative, if applicable) will introduce themselves to the Sub-Committee.
	<b>Summary of Application and Representations</b>
4.	The Council's Licensing Manager will outline the application, any relevant representations and highlight any points relevant to the Licensing Authority's Statement of Licensing Policy and statutory guidance. OR summarise the salient points of the report on the agenda.
5.	The Applicant or their representative may ask the Licensing Manager <b>QUESTIONS</b> arising from what he/she has said or relating to the application. (The Applicant will have the opportunity to state his/her case later).
6.	Any Other Persons may ask relevant questions of the Council's Licensing Manager.
7.	The members of the Sub-Committee may ask relevant questions of the Council's Licensing Manager.
8.	The Council's Licensing Manager may respond to any new issues raised.
	<b>The Applicant's Case</b>
9.	The Applicant or their representative will present their case.*
10.	Any Other Persons may ask relevant questions of the Applicant or their representative.
11.	The members of the Sub-Committee may ask relevant questions of the Applicant or their representative.
12.	The Applicant may respond to any new issues raised.

	<b>The Other Persons Case</b>
13.	Any Other Persons will present their case, (and call on their representative, if applicable) in turn.*
14.	The Applicant or their representative may ask relevant questions of the Other Persons.
15.	The members of the Sub-Committee may ask relevant questions of the Other Persons.
16.	The Other Persons may respond to any new issues raised.
	<b>Summing Up</b>
17.	The Chairman will invite the Other Persons to briefly summarise their case if they so wish.
18.	The Chairman will invite the Applicant or their representative to briefly summarise their case if they so wish.
19.	The Chairman will then ask all parties if they are satisfied they have said all they wish to.
	<b>Decision</b>
20.	The members of the Sub-Committee will retire to reach a decision in private, accompanied by the Council's legal officer and Committee Manager.
21.	Members of the Sub-Committee return. The Chairman will announce the decision of the Sub-Committee with (summary or full) reasons for the decision.
22.	Meeting closed.
23.	The Council's legal officer will remain in the room to assist all parties should they require clarification of the decision and/or next steps.

### **GUIDANCE NOTES**

\*The Licensing Authority will allow the parties an equal maximum period of time in which to address the Sub-Committee, but request that all parties keep points pertinent and the discussion moving in the interests of cost and efficiency. However, the overriding principle for the Licensing Authority will be to ensure that all parties receive a fair hearing.

(a) Cross examination of parties is at the discretion of the Sub-Committee.

(b) When the Applicant questions the Licensing Manager or any other party he/she should not go into the merits of his/her case as he/she will have an opportunity to

present it at Stage 9. He/she should only ask questions relating to what the Licensing Manager or other person has said or relating to the application as a whole.

- (c) The Applicant or any other party may be represented by a friend or a professional person to speak on his/her behalf who will follow the same procedure as described above and who may call the Applicant as a witness.
- (d) The order or proceedings may be varied by the Chairman if he/she thinks that it is necessary to do so in the interests of affording the Applicant a fair hearing or in order to take into account all relevant considerations.
- (e) If, after the Sub-Committee has withdrawn to make their decision, they decide that they need to ask a question of any of the parties involved in the proceedings or to clarify any matter then they shall do so in the presence of all parties.
- (f) Members of the Sub-Committee must be present throughout the hearing and must not communicate with any party involved in the proceedings except for when they are in the presence of all of the parties and the remainder of the Sub-Committee.





# Licensing Sub-Committee

11/08/2014

Hazelwood Centre



<b>Subject</b>	Application for a <b>new</b> Premises Licence at Croysdale Avenue, Sunbury on Thames, TW16 6QU.		
<b>Purpose</b>	For determination		
<b>Report of</b>	Assistant Chief Executive	Ward	Halliford and Sunbury West
<b>Contact</b>	Dawn Morrison, Licensing Manager, (01784) 446432		

<b>Description and Location</b>	The Hazelwood Centre is a new premises, located at the far end of Croysdale Road, Sunbury on Thames, set behind a residential area on land previously used as a Golf Club. Location plan at <b>Appendix A</b> .
<b>The Application</b>	<p>The application is to permit:</p> <ul style="list-style-type: none"> <li>• the provision of <b>regulated entertainment</b>, including live or recorded music and performances of dance from 07.00 to 23.00hrs Sunday to Thursday and 07.00 to 01.00hrs on Friday and Saturday</li> <li>• the provision of late <b>night refreshment</b> from 23.00 to 01.00hrs on Friday and Saturday</li> <li>• the <b>sale of alcohol</b>, on the premises, from 07.00 to 23.00hrs Sunday to Thursday and 07.00 to 01.00hrs Friday and Saturday</li> </ul> <p>The application form is attached at <b>Appendix B</b>.</p>
<b>Representations</b>	Six relevant representations were received from nearby residents on the grounds of prevention of public nuisance and are attached at <b>Appendix C</b> .
<b>Options</b>	<ol style="list-style-type: none"> <li>1. The Sub-Committee is requested to consider the application for the grant of a premises licence on its merits.</li> <li>2. Having had regard to the representations the Sub-Committee must decide on one or more of the following options as it considers appropriate for the promotion of the licensing objectives: <ul style="list-style-type: none"> <li>▪ <b>To grant the application subject only to such conditions as are consistent with the operating schedule and the mandatory conditions;</b> or</li> </ul> </li> </ol>

	<ul style="list-style-type: none"> <li>▪ <b>To grant the application and modify the conditions of the licence, by alteration, addition or omission or</b></li> <li>▪ <b>To reject the whole or part of the application</b></li> </ul>
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## 1. Background

- 1.1 The Hazelwood Centre, Croysdale Avenue, Sunbury on Thames, is a new building, which has been constructed on the site of the demolished Hazelwood Golf Club. A location plan is attached as **Appendix A**.
- 1.2 The Centre is located in a residential, but not overly built-up, area of Sunbury.
- 1.3 The Hazelwood Centre will become the new home of the London Irish Rugby Club and, aside from the sporting facilities, the centre will include both bar and catering facilities. The applicant's intention is that the facilities will be available for hire by members of the Community.

## 2. Application summary

- 2.1 On 23 June 2014 Spelthorne Borough Council received the application (attached as **Appendix B**) for the grant of a new premises licence to permit the following:
- (a) the sale of alcohol, on the premises, from 07.00 to 23.00hrs Sunday to Thursday and 07.00 to 01.00hrs Friday and Saturday
  - (b) the provision of **regulated entertainment**, including live or recorded music and performances of dance from 07.00 to 23.00hrs Sunday to Thursday and 07.00 to 01.00hrs on Friday and Saturday  
and
  - (c) the provision of late **night refreshment** from 23.00 to 01.00hrs on Friday and Saturday.
- 2.2 The public was consulted in accordance with the Licensing Act 2003, by way of a blue poster detailing the application, which was displayed at the premises for 28 consecutive days from 24 June 2014 to 22 July 2014.
- 2.3 A newspaper public notice advertising the application was also published in the Herald and News on Thursday 26 June 2014.

### Licensing Objectives

- 2.4 The Licensing Objectives together with examples from Government Guidance are set out below for information:

#### Prevention of crime and disorder

- Criminal behaviour on, or directly attributable to, the premises.
- Under age sales
- Anti-social behaviour on, or directly attributable to, the premises.

#### Public safety

- Overcrowding, fire safety, emergency exits and anything related to the safety of the public within the premises.

### **Prevention of public nuisance**

- Noise/light or odour nuisance
- Litter

### **Protection of children from harm**

- In relation to off sales of alcohol, the most relevant issue under this licensing objective is the prevention of sales of alcohol to under 18s

## **3. Representations**

### **3.1 i) Representations from Responsible Authorities**

No representations were received from the responsible authorities.

### **ii) Representations from 'other persons'**

- 3.2 Six relevant representations were received from other persons in relation to the original application, which are attached as **Appendix C**.
- 3.3 On receipt of the first representation Mr Andrew Woods of Woodswhur Solicitors, acting on behalf of the applicant, was provided with a copy of the representation, which made reference to the premises being used as a 'night club'.
- 3.4 As the application made no reference to the use of the premises as a night club, Mr Woods sought to reassure residents that the applicant did not propose to operate the premises as a nightclub, and that they sought to establish themselves as part of the community, both in terms of promoting the licensing objectives, and generally.
- 3.5 Mr Woods offered to arrange a meeting to discuss the application with local residents to reassure them regarding the intentions for the business. A letter from Mr Woods, which was forwarded to all the representees, is attached as **Appendix D**.
- 3.6 One representee responded to the letter but declined Mr Woods' offer to meet to discuss the premises licence application. The representee stated that although he had submitted a written representation he did not wish to be involved in the process any further.
- 3.7 The grounds upon which the representations against this application are made, under two of the four licensing objectives, are shown below:

#### ***Prevention of crime and disorder***

- Increase in anti-social behaviour from people leaving the premises late at night

#### ***Prevention of public nuisance***

- Noise caused by people leaving the premises on foot
- Noise of cars leaving the premises

## **4. Licensing Policy**

- 4.1 The following sections of the Council's Licensing Policy are relevant.

- Section 3 Licensing Objectives and Licensable Activities

- 16.1 Licensing Hours – General

## **5. National Guidance**

5.1 The following sections of the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 are relevant in the consideration of this application:

- 2.1 to 2.7 (Crime and Disorder)
- 2.18 to 2.24 (Public Nuisance)

These sections are attached at **Appendix E**.

## **6. Making a decision**

6.1 In making its decision the Sub-Committee must promote the licensing objectives only, taking into account National Guidance and Spelthorne's Statement of Licensing Policy.

6.2 The Sub-Committee must give reasons for its decision.

6.3 It is only where additional and supplementary measures are appropriate to promote the licensing objectives that there will be a requirement for appropriate, proportionate conditions to be attached.

6.4 Conditions on licences must:

- be precise and enforceable;
- be unambiguous;
- not duplicate other statutory provisions;
- be clear in what they intend to achieve; and,
- be appropriate, proportionate and justifiable.

6.5 It is important in considering the promotion of the licensing objective on prevention of public nuisance, that the Sub-Committee focuses on any disproportionate or unreasonable effect the licensable activities at the premises, have on persons living and working in the area around the premises.

## **Appendices:**

**Appendix A – Location Plan**

**Appendix B – Current Application**

**Appendix C – Representations from 'other persons'**

**Appendix D – Letter from Mr Woods of Woodswhur Solicitors**

**Appendix E – Relevant Sections from National Guidance**





Acknowledged 25/06/14  
 Fee paid ✓

Spelthorne Borough Council

**Application for a premises licence to be granted  
 under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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.

I/We Hazelwood Centre LLP  
 (Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description Hazelwood Centre Croysdale Avenue			
Post town	Sunbury on Thames	Postcode	TW16 6QU

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ Not yet rated

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)

- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a  
 statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					



**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

<b>Name</b> Hazelwood Centre LLP
<b>Address</b> Hazelwood Centre Croysdale Avenue Green Street Sunbury on Thames Middlesex TW16 6QU
<b>Registered number (where applicable)</b> OC392995
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> Limited Liability Partnership
<b>Telephone number (if any)</b>
<b>E-mail address (optional)</b>

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)  
 The Hazelwood Centre will provide a bar and catering and sports facilities which will be the new home of the London Irish Rugby Club. Facilities will also be available for the community.

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
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4 000033050967

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

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

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Wed					
Thur					

Fri			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Sat			
Sun			

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Fri			
Sat			
Sun			

D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>

Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)
Tue			
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)
Thur			
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Sat			
Sun			

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	07.00	23.00			
Tue	07.00	23.00			
			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4)		
Wed	07.00	23.00			
Thur	07.00	23.00			
			<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri	07.00	01.00			
Sat	07.00	01.00			
Sun	07.00	23.00			

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**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3) In house music system		
Mon	07.00	23.00			
Tue	07.00	23.00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Wed	07.00	23.00			
Thur	07.00	23.00	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	07.00	01.00			
Sat	07.00	01.00			
Sun	07.00	23.00			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3) Performances of Irish Dancing		
Mon	07.00	23.00			
Tue	07.00	23.00	<b>State any seasonal variations for the performance of dance</b> (please read		
Wed	07.00	23.00			

			guidance note 4)
Thur	07.00	23.00	
			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Fri	07.00	01.00	
Sat	07.00	01.00	
Sun	07.00	23.00	

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	07.00	23.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	07.00	23.00	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed	07.00	23.00			
Thur	07.00	23.00	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri	07.00	01.00			
Sat	07.00	01.00	<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun	07.00	23.00			



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**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3) Provision of hot food and drinks		
Mon					
Tue			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri	23.00	01.00			
Sat	23.00	01.00			
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	07.00	23.00			
Tue	07.00	23.00			
Wed	07.00	23.00			
Thur	07.00	23.00	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	07.00	01.00			
Sat	07.00	01.00			
Sun	07.00	23.00			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name Christopher J Kane	
Address 20 Grove Gardens Teddington Middlesex	
Postcode	TW11 8AP
Personal licence number (if known) 16022	
Issuing licensing authority (if known) London Borough of Richmond upon Thames	

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).**  
 Not applicable

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	07.00	23.30	<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 5)</p>
Tue	07.00	23.30	
Wed	07.00	23.30	
Thur	07.00	23.30	
Fri	07.00	01.30	
Sat	07.00	01.30	
Sun	07.00	23.30	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

**b) The prevention of crime and disorder**

1. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
2. Staff will be trained in all aspects of relevant legislation and records of the training will be held at the premises.
3. CCTV to be installed at the premises. Tapes or recordings shall be kept for a minimum of 28 days and made available to the Licensing Authority and the Police upon request. The equipment to be maintained in working order and continually record during the operating hours and for one hour after.
4. No glassware will be allowed outside the building. Plastic/polycarbonate glassware will be provided to customers consuming drinks outside the clubhouse.

**c) Public safety**

See (b) and (d)

**d) The prevention of public nuisance**

1. Clear notices will be displayed at prominent points requesting patrons to leave the premises quietly to respect the needs of local residents and to behave in a quiet and orderly manner.
2. A mini cab number will be available at all times for customers.

**e) The protection of children from harm**

See (b) and (d)

**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 the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- 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 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>Woods Whur 2014 Limited</i>
Date	23 June 2014
Capacity	Woods Whur 2014 Limited – Solicitors for applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Andrew Woods  
Woods Whur 2014 Limited  
Devonshire House  
38 York Place

Post town	Leeds	Postcode	LS1 2ED
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Telephone number (if any)	0113 234 3055
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
andrew@woodswhur.co.uk



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Reba Danson  
Spelthorne Borough Council  
Licensing Department  
Council Offices  
Knowle Green  
STAINES  
TW18 1XB

Our ref AW/KB/HAZ001-1-8/1728

Your ref

18 July 2014

Dear Reba

### **Hazelwood Centre Premises Licence Application**

I am writing to confirm that I represent Hazelwood Centre in their application for a Premises Licence and I am grateful to you for forwarding to me a letter of representation received by you.

I have not been provided with contact details for the person who made the representation or else I would have contacted them directly as my client will at all times seeks to be part of the wider community not only in promoting the licensing objectives but also generally.

I would be grateful if you would forward this letter to the person who has made the representation and I would like to ask whether it would be helpful for us to arrange a meeting/site visit so that we can point out the extent of the clubhouse, its grounds and its facilities.

There is no proposal whatsoever for these premises to operate as a nightclub. The proposal is for the premises and facilities to be used for training and matches not just for the London Irish Amateur Team but for any team in the community that wishes to use the facilities. The premises will most definitely not be operated as a nightclub and the licence applied for is similar to other sports ground licences.

It may be that if we could arrange a meeting with the person who has made the representation then we can alleviate any concerns.

I will leave it with you to forward this letter accordingly and let me know if a meeting can be agreed. If we are able to meet then it would have to be sometime the week after next i.e. anytime after Tuesday 29 July 2014.

Yours sincerely

**Andrew Woods**  
**Woods Whur**





## 2. The licensing objectives

### Crime and disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.
- 2.5 In the context of crime and disorder and public safety, the preservation of order on

premises may give rise to genuine concerns about the ability of the management team with responsibility for the maintenance of order. This may occur, for example, on premises where there are very large numbers of people and alcohol is supplied for consumption, or in premises where there are public order problems.

- 2.6 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.
- 2.7 It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. However, licensing authorities must ensure that they do not stray outside their powers and duties under the 2003 Act. This is important to ensure the portability of the personal licence and the offences set out in the 2003 Act and to ensure, for example, that the prevention of disorder is in sharp focus for all managers, licence holders and clubs.

## **Public safety**

- 2.8 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

paragraphs 15.10 and 15.15 below), section 177 of that Act provides that any licence condition which relates to a performance of dance has no effect if certain conditions are met. In particular, the suspension of licence conditions can only occur if the permitted capacity of premises is not more than 200 persons. The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the "permitted capacity" of those premises should be.

- 2.16 Whilst the Cinematograph (Safety) Regulations 1955 (S.I. 1955/1129) – which contained a significant number of regulations in respect of fire safety provision at cinemas – no longer apply, authorisations granted under Schedule 8 to the 2003 Act will have been subject to conditions which re-state those regulations in their new premises licence or club premises certificate. Any holders of a converted licence seeking to remove these conditions and reduce the regulatory burden on them (to the extent to which that can be done while still promoting the licensing objectives), would need to apply to vary their converted licences or certificates. When considering applications for variations, minor variations, and the grant of new licences, licensing authorities and responsible authorities should recognise the need for steps to be taken to assure public safety at these premises in the absence of the 1955 Regulations.
- 2.17 Public safety includes the safety of performers appearing at any premises.

## **Public nuisance**

- 2.18 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and

unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

- 2.19 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.20 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.21 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.22 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late-evening or early-morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise immediately surrounding the premises may

also prove appropriate to address any disturbance anticipated as customers enter and leave.

- 2.23 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.24 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

## **Protection of children from harm**

- 2.25 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated with alcohol but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment).
- 2.26 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
  - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);

