

ITEM 3(b)

Minutes of the LICENSING SUB-COMMITTEE held on THURSDAY 24 SEPTEMBER 2015 at 7.00 pm

Present: Councillor Morris (Chair)
Councillors Alexander and McDonald

Officers: D Abel (Solicitor), S Teesdale (Licensing Team Leader), K Evans (Licensing Enforcement Officer) and J Crighton (Democratic Services)

Also Present: Mr Gary Spinks (Chairman [Milton Keynes Rugby Union Football Club]) and Darren Harvey (Designated Premises Supervisor [Milton Keynes Rugby Union Football Club])

LSC04 VARIATION TO A PREMISES LICENCE FOR MILTON KEYNES RUGBY UNION FOOTBALL CLUB, EMERSON VALLEY

The Sub-Committee considered a variation to a premises licence for Milton Keynes Rugby Union Football Club, Emerson Valley.

The Licensing Enforcement Officer informed the Sub-Committee of the following:

- (a) Milton Keynes Rugby Union Football Club had been granted a premises licence in June 2010.
- (b) The existing licence permits the following:
 - (i) Supply of Alcohol
 - Sunday to Thursday - 10:00 to 23:00
 - Friday to Saturday - 10:00 to 00:00
 - (ii) Recorded Music; Films; Indoor Sporting Events
 - Sunday to Thursday - 10:00 to 23:00
 - Friday to Saturday - 10:00 to 23:45
 - (iii) Live Music; Performance of Dance; Provision of Facilities for Making Music; Provision of Facilities for Dancing
 - Indoors:
 - Sunday to Thursday - 10:00 to 23:00
 - Friday to Saturday - 10:00 to 23:45
 - Outdoors:
 - Friday to Sunday - 10:00 to 21:00

subject to a maximum of four events per year all of which must be between April and October.

- (c) The application for a variation to the existing licence was to permit alcohol supply in a marquee on the field outside the back of the Clubhouse during Rugby World Cup events, on the following days and times:
 - (i) Monday to Friday - 14:00 to 22:00
 - (ii) Saturday and Sunday - 11:00 to 22:00
- (d) The application had stated that alcohol supply in the marquee would cease on 1 November 2015.
- (e) That Condition 2.10 be amended to read:

“Apart from visiting away teams, alcohol may only be supplied to club members.”
- (f) That Condition 2.13 be amended to read:

“The evening hire of the bar facilities shall be to members only. Failure to comply with club rules will lead to their disqualification as a member. During the evening hire of the bar facilities, the Designated Premises Supervisor, or a person appointed by him, shall be in continuous attendance to ensure that the hirers comply with the conditions of the licence.”
- (g) There had been issues and complaints recorded against the premises, as follows:
 - (i) 10 May 2011 (Temporary Event Notice) - people noise to 02:00 but event authorised to 01:00 only. Staff could not operate CCTV to investigate, which was a breach of conditions. When staff could download footage it only recorded for seven days, which was a further breach of conditions. A formal warning was issued.
 - (ii) 3 December 2011 - loud music reported at 23:25. When call out officer subsequently visited, the event was finished.
 - (iii) 26 February 2012 - noisy party reported at 01:00 - suspected breach of authorised timing. Following enquires; a letter had been received from John Theobald (Chairman) stating that the member of staff responsible at the event was aware of closing time and relevant licence conditions to prevent noise nuisance and is now no longer employed by the Club.
 - (iv) 24 March 2012 (Temporary Event Notice) - two separate complaints received about loud music, reported at 23:46. The call out officer had visited the

premises and confirmed nuisance in a complainant's home. The DJ at the event adjusted noise levels to resolve when engaged.

- (v) 23 July 2012 - loud music reported to go on from 15:30 to 20:30. The Designated Premises Supervisor had been informed of the complaint and advised to give notice to residents of future events.
- (vi) 22 June 2013 - two separate noise complaints about same Temporary Event Notice event regarding music and people. Environmental Health modified this Temporary Event Notice application to finish at a reduced time at 21:00 to prevent nuisance, however this still caused an issue.
- (vii) 13 July 2013 - loud music reported at 17:59, despite prior advice given to the Designated Premises Supervisor regarding noise control conditions on the premises licence for this event.
- (viii) A warning had been issued, reiterated measures that could be taken such as review or prosecution. The Club sought additional advice from Environmental Health for future events. No further complaints had been recorded since.
- (h) A representation had been received from a local resident referring to noise nuisance.
- (i) No representations had been received from Ward Councillors.

The Sub-Committee noted that mandatory conditions would be attached to the licence, as required by the Licensing Act 2003. The applicant had agreed to the following conditions provided by Trading Standards:

- (a) All persons involved in the sale of alcohol must receive full and adequate training on the law relating to underage sales. A written record of the training that each person had received shall be maintained. Regular refresher training was also to be given and recorded. The training records / log were to be kept on site and should be provided to the Police, the Local Authority or Licensing Authority on request.
- (b) A refusal log to record all attempts to purchase alcohol that were refused should be kept on site and all refused sales recorded. The log should be checked and counter signed by the Designated Premises Supervisor on a regular basis and should be provided to the Police, the Local Authority or the Licensing Authority on request.

The Sub-Committee noted that the applicant had also provided an operating schedule, which included further conditions, as follows:

- (a) An area would be fenced off to minimise access onto the field. Staff would be employed to control numbers of guests and tickets would be sold to limit the numbers in the Clubhouse at any one time. Litter pickers would ensure the area is cleaned up after each event and car parking would be marshalled.
- (b) A professional security company would be employed and access would be by ticket only.
- (c) Guests would be monitored by security staff and bar staff were to ensure acceptable standards of behaviour and noise levels were kept to a minimum.
- (d) Children would only be admitted when accompanied by a parent or guardian.

Mr Gary Spinks (Chairman [Milton Keynes Rugby Union Football Club]) informed the Sub-Committee:

- (a) that the Clubhouse had been planned from 1990 and construction had taken place between 2008 and 2010;
- (b) that 350 children play rugby on Sunday mornings at the Clubhouse;
- (c) that the marquee holds a capacity of 1,000;
- (d) that the following would apply for each stage of the Rugby World Cup:
 - (i) Group Stages
No outdoor bar service or temporary structures would be used, but additional bar staff, security and car parking management would be required for inside the Clubhouse.
 - (ii) Quarter Finals
A marquee over the patio area to the rear of the Clubhouse with the use of a temporary outdoor 'bottle' bar under the canopy. Alcohol would be served in plastic glasses and until 10.00 pm. Additional bar staff, security and car parking management would be required. There would be no music in the outside area and the fields would be roped off as a guide to members / guests.
 - (iii) Semi-Finals
As the quarter finals but an option for a marquee on the adjacent field to the Clubhouse. There would be a managed entrance and a heris fence installed. The use of the changing rooms would provide extra toilet facilities.

(iv) Finals

As the semi-finals. All outside activity would close by 9.00 pm with a view to close the marquee at 10.00 pm. A Halloween party would take place inside the Clubhouse from 8.00 pm.

- (e) an SIA registered security firm would be employed for the Finals; and
- (f) the marquee would be removed by the contractor on 1 November 2015.

The Sub-Committee felt that this would be a potentially well managed event, would encourage the local community to participate in sport and would promote sport, particularly rugby, within the Borough.

RESOLVED -

That the variation to the premises licence be granted, subject to the variations stated below:

1. That the Premises Licence be varied to allow the supply of alcohol in a Marquee outside the back of the Milton Keynes Rugby Football Club during Rugby World Cup events in 2015.
2. That alcohol supplied in the marquee will cease on 1 November 2015.
3. That Condition 2.10 of the Premises Licence be amended to read:
“Apart from visiting away teams, alcohol may only be supplied to club members.”
4. That Condition 2.13 of the Premises licence be amended to read:
“The evening hire of the bar facilities shall be to members only. Failure to comply with club rules will lead to their disqualification as a member. During the evening hire of the bar facilities, the Designated Premises Supervisor, or a person appointed by him, shall be in continuous attendance to ensure that the hirers comply with the conditions of the licence.”

THE CHAIR CLOSED THE MEETING AT 7.50 PM