



**LICENSING SUB-COMMITTEE HEARING
MEMBERS' RECORD OF DETERMINATION**

**OLNEY RUGBY FOOTBALL CLUB, RECREATION GROUND, EAST STREET, OLNEY
REVIEW OF A PREMISES LICENCE UNDER SECTION 84 OF THE LICENSING ACT 2003
(‘THE ACT’)**

14 SEPTEMBER 2020

Constitution of the Sub-Committee: Councillors Marlow and Nazir
Chair Councillor Legg

Legal Advisor: Kat Hulatt
Committee Manager: Jane Crighton

Licensing Officers: James Sloan Senior Licensing Officer

Applicant/Licence Holder Robert Taylor Olney Rugby Football Club
/Licence Holder’s Representative Andrew McGrath Total Licensing Solutions

Also Present: Councillor Hosking, Meurig Tiley (Solicitor - Litigation), Mr P Norbury (Interested Party) and Mr D Waddell (Supporter)

Documentation: Report of the Senior Licensing Officer and documentation.

Apologies: None

Disclosures of interest: None

CHAIRMAN	Councillor Legg
SIGNATURE	
DATE	14 September 2020

1. Reason for Hearing

The Senior Licensing Officer advised the Sub-Committee that a hearing was necessary to determine an application for a New Premises Licence in respect of Olney Rugby Football Club, Recreation Ground, East Street, Olney, for the following licensable activities:

(a) **Live, recorded music and anything similar**

0900 - 0100 hrs

(b) **Sale of alcohol on and off the Premises**

0800 - 0100 hrs

(c) **Late Night Refreshment**

2300 - 0100 hrs

The Senior Licensing Officer informed the Sub-Committee that there were a number of objections from residents regarding noise and some concerns as regards anti-social behaviour. There were also comments from the Police regarding off sales and from Environmental Health regarding noise.

2 Considerations

During the consultation process, eight objections had been received from Thames Valley Police, six interested parties and the Council's Environmental Health Team.

The representations submitted by Thames Valley Police and Environmental Health were subsequently agreed by the applicant and the following conditions would form part of the operating schedule:

- (a) that the Club only permit off-sales of alcohol from the 'shed' to be provided to those attending rugby matches or Club events; and
- (b) a noise limiter be installed if management controls were not sufficiently robust so as to prevent repeated and justified complaints of noise from amplified music from the licensed premises.

The remaining six representations raised concerns regarding the length of time for potential drinking and entertainment, current problems with noise and behaviour of members of the Club and the application to permit the Club serving alcohol seven days a week until 0100 hrs.

CHAIRMAN	Councillor Legg
SIGNATURE	
DATE OF MEETING	14 September 2020

The application had also received a representation from the Olney Bowling Club in support of the application.

The applicant's representative informed the Sub-Committee that the Club was attempting to ensure it was providing licensable activities with the correct requirements. The number of events within the next 12 months was proposed between 16 and 22 which far exceeded the number of Temporary Event Notices permitted in a year, which was 15, and events would not take place seven days a week. The Club had recently been awarded 'The Queen's Award for Voluntary Service'.

Councillor Hosking, on behalf of the six representations, informed the Sub-Committee that, whilst the majority were in support of the Club, there was concern that it was becoming a licensed premises and that events be limited to 15 a year through Temporary Event Notices. There had been reports of anti-social behaviour prior to the application being submitted and the 'shed' backs onto a children's play area.

2. Decision

The Sub-Committee carefully considered all the evidence before it, including the applicant's representative's comments and all the representations, and resolved:

1. that the application for a New Premises Licence be granted, with the following conditions:
 - (a) That all licensable activities commence at 10.00 am each day.
 - (b) That regulated entertainment cease at 11.00 pm, Sunday to Thursday.
 - (c) That a designated employee of the Club be a point of contact for any noise concerns residents may have and a contact number be available on the Club's website and noticeboard and the Club work with the local community.
 - (d) That the condition from Thames Valley Police regarding off-sales of alcohol to those partaking in events and activities be endorsed.
2. That the Environmental Health Officer's conditions be applied, as agreed, in that:

CHAIRMAN	Councillor Legg
SIGNATURE	
DATE OF MEETING	14 September 2020

- (a) doors and windows to be closed when music (recorded or live) is being played, with an emphasis on the Environmental Health Officer's report regarding a noise limiter if there were frequent complaints from residents; and
- (b) music to be limited to the Club House only, with the exceptions of the May Ball and Rugby Sevens events which were held outside and go on until 0100hrs on a weekend.

3. Reasons

The Sub-Committee heard from the applicant's representative and carefully considered the submissions from the interested parties on this matter.

It noted that the Club already held a Club Premises Certificate to supply alcohol and provide regulated entertainment to members and guests between 1000 - 0100 hrs, that the application contains a relatively comprehensive operating schedule and that the applicant had offered some conditions to add to the application in respect of monitoring noise breakout.

The Sub-Committee were of the view that, given the concerns regarding potential anti-social behaviour, an 8:00 am start would increase the chances of people drinking for longer and associated issues. As a result, the Sub-Committee was of the view that all licensable activity should only be licensed to commence at 10:00 am each day.

Given the concerns of residents about the potential noise nuisance, the Sub-Committee limited regulated activity only until 11.00 pm, Sunday to Thursday.

The designated contact at the Club for noise concerns should be made available to address any noise concerns and, ultimately, the Sub-Committee expected the Premises to be good neighbours to those surrounding it.

The Sub-Committee endorsed the Police recommendation at Page 44 of the Agenda, regarding off sales generally and from the 'shed' and the Environmental Health recommendations regarding noise.

CHAIRMAN	Councillor Legg
SIGNATURE	
DATE OF MEETING	14 September 2020