

Licensing Sub-Committee

Wednesday, 23rd July, 2014
10.00 - 11.20 am

Attendees	
Councillors:	Pat Thornton (Reserve), Roger Whyborn and John Payne
Officers:	Vikki Fennell and Phil Cooper
Also in attendance:	Paul Godfrey and John Murphy (Cheltenham Football Club), Gerald Ford and Councillor Bernard Fisher (on behalf of the objectors)

Minutes

1. ELECTION OF CHAIRMAN

Councillor Whyborn was duly elected as Chairman.

2. APOLOGIES

Mr Kevin Boote, objector, had given his apologies.

3. DECLARATIONS OF INTEREST

No interests were declared.

4. DETERMINATION OF AN APPLICATION FOR A PREMISES LICENCE

Phil Cooper, Licensing Officer, introduced the report as circulated with the agenda. An application had been received for a premises licence at Cheltenham Town Training Ground, Quat Goose Lane, Cheltenham, Gloucestershire, GL51 9RX.

The application sought authorisation for the following licensable activities from 9am to 11pm every day:

- The sale/supply of alcohol for consumption on the premises
- The performance of live music indoors only
- The playing of recorded music indoors only

The Licensing Officer referred Members to page 2 of the report which listed the applicants' steps to promote the licensing objectives;

- Alcohol consumption and entertainment would be restricted to organised events for employees and relatives, or those held in the function room.
- Event organisers and staff would be required to ensure that people leave the premises quietly and do not congregate unnecessarily.
- Adoption of the Challenge 25 scheme (or equivalent).

The Licensing Officer confirmed that none of the eight responsible authorities had objected to the application. Representations had been received from 18 people, 5 of which were withdrawn subsequent to the applicants having made changes to their original application. The end-time for licensable activities was revised, from 01:00 hours to 23:00 hours, music (live or recorded) would be

played indoors only and late night refreshment no longer formed part of the application. The 13 remaining representations were summarised at Paragraph 4.1 of the report and attached at Appendix D.

Before inviting representatives of the applicants to address the committee, the Chairman confirmed that members of the Sub Committee had been in receipt of the papers some days before the meeting and had undertaken a site visit to view the premises.

The applicants were represented at the Sub Committee by company directors Paul Godfrey and John Murphy, who spoke in support of the application.

John Murphy advised the Sub Committee that the premises at Quat Goose Lane had been rented by Cheltenham Football Club last year. The high rental costs had necessitated sharing of the premises with three others and the application aimed to further maximise income and alleviate financial pressure. He explained that the primary reason for the application in its original form was that it matched the licence granted to Zurich in the past. Unlike Zurich, however, which was holding approximately 80 events a year, the applicants estimated that they would hold approximately 3 events per month, with only 7 provisional bookings for the ensuing 12 months. He hastened to add that event organisers would be referred to the Whaddon Road facility in the first instance, which was better equipped to host events. He reiterated some of the measures that would be taken to avoid alienating neighbours; one full time cleaner with responsibility for maintaining the exterior of the facility, a security professional on standby for each event, professional bar staff from the Whaddon Road site, closure of the left-hand car park and removal of the skips. He also noted that no advertising would be undertaken, but instead there would be a reliance on word of mouth, resident liaison meetings could be arranged on a regular or ad-hoc basis and residents could be provided with a list of upcoming events if they so wished.

Paul Godfrey reassured members and residents that Cheltenham Football Club was a community club and did not want to create conflict. In fact, living close to the site himself, he had been central in arranging access to the car park for parents of children at the School during drop off/pick up times. He highlighted that the events market in Cheltenham was very competitive and the application did not constitute an attempt to compete for business with large hotels or venues including the racecourse. He felt it was far more likely that the premises would be used for internal presentations, corporate events, children's parties, etc, with the income being used towards upkeep of the site. There had been queries regarding Temporary Events Notices (TENs) and why the club could not simply use TENs to hold events, but these were limited to 12 per year, required 10 days notice and as such, did not offer the flexibility of a licence.

John Murphy gave the following responses to member questions;

- The financial burden of the rental costs had been eased by sharing the site with three others. The site was already used so extensively that the applicants did not envisage raising more than £5k per year, which would be considered a nice addition to the budget.
- The three others sharing the site were a masseuse, a gym and an engineering architect, all of whom sub let from Zurich and for whom events did not form part of their rental agreement.

- The bar staff would come from the Whaddon Road facility where they were employed full time. No additional full time staff would be employed at the Quat Goose Lane site.

Once members had concluded their questioning of the applicants, the Chairman invited representatives of the objectors to address the committee.

Councillor Bernie Fisher spoke as the relevant Ward Member. The principle concern of residents was the resulting noise of those leaving the premises late at night. He asked that taxi's be encouraged to drop off and pick up from the site itself rather than on the corner of Quat Goose Lane.

Gerald Ford addressed the committee on behalf of this daughter and other residents of Sumner Court, who had objected to the application. Given the proximity of Sumner Court to the left-hand car park, residents overarching concerns was that noise would be an issue, especially given the number of residents with children under the age of seven. Whilst the site was being well run by the club, the application seemed to indicate an apparent change of use from sports to events. He asked that members consider making the following conditions of the licence; security guard, only using the right-hand car park, the use of a noise limiter, contact numbers for neighbours and perhaps a review of the licence in 12 months time. These were sincerely held concerns of the residents and it was hoped that the sub committee would give them due consideration.

In response to a question from a member of the sub committee, Gerald Ford accepted that concerns about noise were based on past experiences with those that previously occupied the site.

Members of the Sub Committee did not dispute that residents had genuine concerns about noise resulting from any late night events and the Solicitor reassured members that should the application be granted, objectors would have 21 days right of appeal to the Magistrates Court and should their fears come to fruition they could request a review of the licence at any time.

The applicants gave the following responses to questions from members;

- It would be surprising for a taxi not to enter the site to drop off/pick up given that there was a turning circle.
- Events would be a small operation with no full time staff, with income being used to maintain the facility.
- Each event raised approximately £150. After having paid bar staff and the security professional, events would no longer be financially viable if a car park attendant also had to be employed. The left-hand car park would be blocked with bollards and signs would be displayed.
- Clear up of an evening event would take place the following day. Bottles would be put behind the bar at the end of an evening and then taken to the Whaddon Road facility the following day, ready for collection by Carlsberg. There was no provision for Carlsberg to visit the Quat Goose Lane site.
- A security guard would be tasked with preventing people from congregating and consuming alcohol in the car park.

Following a query raised by the Chairman, Gerald Ford confirmed that the site had been built some 35 years ago, with the addition of Sumner Court, 7 years ago.

In summing up, John Murphy said the facility had been designed as a sport and social club and it would therefore be remiss of them not to use it as such and benefit from any associated income. He assured members and residents that minimising disruption was of the utmost importance to the applicants.

The Sub Committee adjourned to deliberate their decision at 10:48am.

The Sub Committee reconvened at 11:20am and the Chairman read the following statement;

In respect of the application from Cheltenham Town Association Football Club Limited of the Football Club's training and function facility at Quat Goose Lane, Cheltenham;

The sub committee has read the material presented to it and has listened to all of the evidence and submissions. The sub committee in coming to its decision has also considered the four licensing objectives, the national guidance and the council's statement of policy.

The decision of the sub committee is as follows:-

The application for determination of a premises licence be granted.

There will be the following conditions added to the licence:-

1. All of the steps outlined in 2.3 on page 2 of the report will be incorporated in to conditions of the licence; this included implementing a challenge 25 scheme.
2. There will be no alcohol consumption to take place in the car park.
3. There will be a security guard present at each event.
4. All members of the public to vacate the premises by midnight.

The sub committee recommends the following:-

1. There be a residents liaison meeting when required. The applicant to provide contact numbers/email addresses to residents.
2. The applicant to take steps to ensure that taxi's use the car park not the road.
3. The applicant to take steps to encourage the use of the right hand side car park and not the left.

The sub committee has placed these conditions on the licence for the purpose of promoting all four of the licensing objectives and the potential noise disturbance on local residents.

In all other respects the sub committee has found that the licensing objectives are satisfied and the conditions imposed on the licence will ensure that the licence meets those objectives.

The interested parties are reminded that should the applicant fail to meet the licensing objectives, that they can report matters to the licensing authority and the applicant and that licence can be subject to a review.

He explained that no conditions had been set in relation to the car park as members of the Sub Committee were concerned that on occasions when the right-hand car park was full, people would instead use the road, which members considered to be a worse scenario than use of the left-hand car park.

Members considered it acceptable for Councillor Fisher to assist in the arrangement of any resident liaison meetings.

Upon a vote it was unanimously;

RESOLVED that the application is granted as requested, with the relevant conditions.

Chairman
Councillor Whyborn