

**Swindon Borough Council
Licensing Act 2003 – Licensing Panel**

NOTICE OF HEARING

Date of Hearing: Friday, 15 January 2016

Place of Hearing: Council Chamber, Civic Offices

Time of Hearing: 1.30 p.m.

Panel Members:

Conservative Councillors

Michael Bray

Vera Tomlinson

Labour Councillors

Peter Watts

Committee Officer: Shaun Banks (Telephone 01793 463606)

Email: email: sbanks@swindon.gov.uk

Address: Swindon Borough Council, Civic Offices, Euclid Street, Swindon SN1 2JH

AGENDA

1. Appointment of Chair

2. Apologies for Absence

3. Declarations of Interest

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

4. Application for the grant of a Premises Licence in respect of Playfootball Ltd, Upham Road, Swindon together with a copy of each relevant representation made and supporting documents (Pages 7 - 40)

Date of Despatch: 22 December 2015

Access Arrangements – The Venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Clerk above, as soon as possible prior to the date of the meeting.

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

INFORMATION TO ACCOMPANY NOTICE OF HEARING

Action following receipt of Notice of Hearing:

A party shall give to the Licensing Panel within the period of time provided for in the following provisions of this regulation a notice (in the form attached) stating: -

- Whether he intends to attend or be represented at the hearing.
- Whether he considers a hearing to be unnecessary.
- In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.

The following notice periods apply:

No later than one working day in respect of:

- Cancellation of interim authority notice following police objection, or
- Counter notice following police objection to temporary event notice.

No later than two working days before the first day of hearing:

- Review of premises licence following closure order or review of premises licence following review notice;
- Determination of application for conversion of existing licence;
- Determination of application for conversion of existing club certificate; or
- Determination of application by holder of justices' licence for grant of personal licence.

In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.

Right of attendance, assistance and representation:

A party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

The hearing will take place in public. However the Licensing Panel may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. For these purposes a party and any person assisting or representing a party may be treated as a member of the public.

The Licensing Panel may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may:

- refuse to permit that person to return, or
- permit him to return only on such conditions as the authority may specify.

Any such person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

Representations and Supporting Information:

At the hearing a party shall be entitled to:

- Give further information as appropriate in response to a point upon which the Licensing Panel has given notice that clarification is required (Note – if clarification is required from any party this will have been indicated in the Notice of Hearing);
- If given permission by the Licensing Panel, question any other party; and
- Address the authority.
- Failure of Parties to attend the Hearing

If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.

If a party who has not so indicated fails to attend or be represented at a hearing the authority may: -

- Where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
- Hold the hearing in the party's absence.
- Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned

Procedure:

A summary of the procedure that will normally be followed at the hearing is attached.

It should be noted that this is a general procedure intended to cover matters that will normally be applicable at all Hearings. However depending on the circumstances of each individual case, it is recognised that other issues may need to be considered as preliminary points at the hearing. These may include (but are not limited to): -

- Whether to proceed in the absence of a party;
- Whether to admit new documents or information submitted at the hearing;
- Whether it is in the public interest to exclude members of the public from the hearing or any part of it;

- Whether any party wished to withdraw representations previously submitted
- Whether to disregard any information given by a party or any person to whom permission to appear at the hearing is given by the authority which is not relevant to:
 - Their application, representations or notice (as applicable) or in the case of another person, the application representations or notice of the party requesting their appearance, and
 - The promotion of the licensing objectives

Standard procedure for licensing committee or licensing panel hearings, where representations have been made

- 1) The general facts of the application will be put to the hearing by an officer of the Licensing Authority.**
- 2) Ward Members who wish to speak on behalf of constituents who have expressed opposition to the application or aspects of the application will be invited to speak. Written notification of those representations must be submitted within the required period of notice.**
- 3) Where individuals or organisations have given the required notice that they wish to make relevant representations, they will be invited one at a time to clarify and support (but not add to) their written submissions. Representations will be heard only from those who have submitted an objection in writing before the deadline given for comments. This restriction applies equally to Members and Officers of the Council.**
- 4) Members of the Licensing Committee (or Panel) may ask questions arising from each representation, as may any other Member of Swindon Borough Council who is present. The applicant will not be allowed to comment or reply at this stage but may ask those making representations to give a brief clarification of any point they have made.**
- 5) Ward Members who wish to speak on behalf of constituents who have expressed a positive case in favour of the application will be invited to speak. Written notification of the positive representation must have been submitted within the required period of notice.**

- 6) The applicant and / or their solicitor or representative will be invited to make representations in support of the application and also to respond to points made by those who have made representations on the application in writing or in person. No unreasonable limits will be placed on the right of the applicant to make their case and they may present plans or artists impressions etc. if they wish.**
- 7) Members of the Licensing Committee (or Panel) may ask questions arising from the applicant's submission, as may any other Member of Swindon Borough Council who is present.**
- 8) Those who have made representations will be allowed to ask the applicant to give a brief clarification of any point they have made and they will be permitted to ask questions of the applicant. They will not be permitted to restate or develop their original representations and must limit their comments to issues that arise directly from answers given by the applicant or the applicant's representative.**
- 9) Members of the Committee or Panel hearing the application will then discuss the application in private, accompanied only by non-partisan officers who are there in a support role.**
- 10) Should any person present act in a disruptive manner the Chair will first warn him or her about their conduct and then, if the Chair considers it appropriate, may require the person concerned to leave the meeting forthwith. Where a party to the hearing insists on wasting the time of the hearing by needlessly repeating points that have been well aired and clearly put by earlier speakers, their actions may be judged to be disruptive and they may be asked to leave. It is strongly recommended that any spoken representations from groups of people with common concerns are made through an agreed spokesperson.**

**Application for the grant of a Premises Licence in respect of
Playfootball Ltd, Upham Road, Swindon**

Licensing Panel

Date: 15 January 2015

Author:	Kathryn Ashton – Licensing Manager
Wards:	Central
Locality Affected:	Central
Parishes Affected:	None

1. Purpose and Reasons

- To consider the application made by Playfootball Ltd, Upham Road, Swindon, for the grant of a premises licence and to determine the application.

2. Recommendations

That The Panel:

2.1 Considers the application made by Playfootball Ltd, taking into account the representation made by local residents (5)(**Appendix B**), in respect of this application, the Licensing Panel is asked to determine the application. The options available to the Panel are:

- To grant the application in its current form with conditions consistent with the operating schedule;
- To grant the application but to modify the conditions by amending, omitting or attaching new conditions; or
- To reject the application in whole or in part.

3.0 Detail

3.1 An application to grant the premises licence for Playfootball Ltd, Upham Road, Swindon has been received from Mr Stephen Bennett of Roko Health Club Ltd, Wilford Lane, Nottingham. The applicant company specialises in health clubs at various locations in the UK. The application is for the sport 'Play football' a 6 a side football sport. This will be located on Churchfield school playing field, it will be sectioned off and a purpose built office/changing rooms and meeting area will be placed on site. The site will be controlled and the sale of alcohol will be subject to Challenge 25 checks and is sited as far away as possible from the school exits and entrances. The applicant is aware of sharing the site with a secondary school and that children will be around during the alcohol hours applied for. Attached are photographs taken of the site and the surrounding houses and road at **Appendix C**.

Application for the grant of a Premises Licence in respect of Playfootball Ltd, Upham Road, Swindon

Licensing Panel

Date: 15 January 2015

3.2 A copy of the application is attached as **Appendix A**.

3.3 The application seeks the following licensable activities:

Sale by retail of alcohol

Sale by Retail of Alcohol for consumption on and off the premises Monday to Sunday 11:00 – 22:00

Opening hours of premises

Monday to Sunday inclusive 11.00 until 22.00 hours

3.4 The premises has not been constructed yet and the site has never been licensed

3.5 The use for this premises is described by the applicant as a pavilion which will house an office, changing rooms, toilets and a bar refreshment area.

3.6 The applicant has offered conditions contained within the Operating Schedule which is attached as part of the application. These will be attached to any licence should the Panel be mindful to grant the application.

3.7 Representations have been received from 5 residents who consider that the licensing objective in respect of the prevention of crime and disorder, Public Nuisance and protection of children from harm will be undermined should the application be granted in its current form.

3.8 These representations are attached as Appendix B.

3.8 There have been no objections from any responsible authorities,

3.9 Photographs of the area and proposed site of the premises are attached as Appendix C.

3.10 The Panel is requested to consider the application for the grant of the Premises Licence having regard to Swindon Borough Council's Statement of Licensing Policy and the amended Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.

3.9 Having regard to the information put forward by the applicant and the representations made by other persons, the Panel must take such steps, (if any), that it considers appropriate for the promotion of the licensing objectives. Such steps are set out in Section 18(4) of the Licensing Act 2003 and are as follows:

Application for the grant of a Premises Licence in respect of Playfootball Ltd, Upham Road, Swindon

Licensing Panel

Date: 15 January 2015

- To grant the application in its current form with conditions consistent with the operating schedule;
 - To grant the application but to modify the conditions by amending, omitting or attaching new conditions; or
 - To reject the application in whole or in part.;
- To refuse to specify a person in the licence as the premises supervisor

4. Alternative Options

4.1 None.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

5.1 There are no direct financial implications arising from the report. Failure to reach a reasonable conclusion, based on the facts, could lead to crime and disorder or nuisance to the public or to unwarranted damage to the business in question. Either scenario could raise issues of compensation. In the case of an appeal, the Council could become liable for costs.

Legal and Human Rights Implications

5.2 A declaration has been made by the Secretary of State, that the Licensing Act is compliant with the Human Rights Act. None of the relevant Articles of the Human Rights Act has absolute sway over the others. Article 8 deals with a right to undisturbed home life; Article 10 gives the right to free expression, including the right to entertain; Article 1 of the Protocol says that licences are 'possessions', which the holder has a right to enjoy. Common sense has to be used, in balancing each of these against the other.

5.3 All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

This report relates to the requirements of licensing legislation.

5.4 Diversity Impact Assessment

It is not considered that the preparation of a DIA is required in respect of this report.

5.5 Consultees

Application for the grant of a Premises Licence in respect of Playfootball Ltd, Upham Road, Swindon

Licensing Panel

Date: 15 January 2015

The Director of Law and Democratic Services (Monitoring Officer) is consulted in respect of all reports.

5.6 Background Papers

Licensing Act 2003

Secretary of State revised Section 182 Guidance

Licensing Authority Statement of Licensing Policy

5.7 Appendices

Appendix A - Application for the grant of a Premises Licence in respect of
Playfootball Ltd, Upham Road, Swindon.

Appendix B – Representation from five residents

Appendix C – Photographs of area

Appendix

‘A’

Peter Harris

From: Ashley Peachey
Sent: 25 June 2015 15:04
To: Cherry Jones; Environmental Protection; Food Health&Safety; Frances Mayes; 'Police Admin'; SBC Development Control; Swindon Trading Standards; 'licensingd@wiltshire.pnn.police.uk'; 'Michael.Diffin@wiltshire.pnn.police.uk'; 'swindon.firesafety@wiltshire.gov.uk'; Cllr Steve Allsopp; Cllr Abdul Amin; Mark Dempsey (External)
Cc: Kathryn Ashton; Robin Grey; Fiona MacAdam
Subject: PlayFootball Premises Licence Application
Attachments: DPS Consent form signed.pdf; (04) 001 REV A00 - License plan.pdf

Dear all,

Please find an application attached for the grant of premises licence in respect of the above premises.

Any representations should be sent to licensing@swindon.gov.uk no later than Friday 24th July 2015.

Kind regards,

Ashley Wheeler (awheeler@swindon.gov.uk)

Business Support Administrator

Business Support Unit
Swindon Borough Council
Wat Tyler House West 5th floor
Beckhampton Street
Swindon
SN1 2JH
Tel: 01793 46 6331
Web: www.swindon.gov.uk

Please consider the environment before printing this email.

From: Steve Bennett [mailto:Steve.Bennett@PlayFootball.net]

Sent: 25 June 2015 10:51 AM

To: Ashley Wheeler; E & P Licensing

Subject: PlayFootball license application amendment

FAO Fiona McAdam

Hello Ashley/Fiona

I am writing to confirm that PlayFootball is not wanting to apply for the Provision of Regulated entertainment. I apologise for this, I must have made a mistake on the online form.

Please accept this email as notification that we only wish to apply to Supply Alcohol.

This will be an on license. Drawings are to follow.

Kind Regards

Steve Bennett
Head of Commercial Development
PlayFootball
steve.bennett@playfootball.net

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From: noreply@swindon.gov.uk [mailto:noreply@swindon.gov.uk]

Sent: 19 June 2015 10:19

To: Steve Bennett

Subject: Application for a premises licence to be granted under the Licensing Act 2003 Ref : 0130-18

Swindon Borough Council

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

Reference No.:

0130-18

Time and date this form was completed: 19/06/2015 - 10:33

Thank you for submitting this form. We will aim to respond to your request within 5 working days.

Your Responses

PART A1 - Premises Details

Premises Name PlayFootball
Address 1 Upham Road
Town Swindon
Non-domestic rateable value of premises £43000

PART A2 - Applicant Details

Please state whether you applying for a premises licence as

An individual or individuals No
A Person other than an individual As a limited company
A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital No
The chief officer of police of a police force in England and Wales No

(A) Individual Applicant

Title Mr
First Name Stephen
Last Name Bennett
Address 1 PlayFootball
Address 2 Roko Health Club, Wilford Lane
Town Nottingham
Postcode NG2 7RN

(B) Other Applicants

Title Mr
First Name Stephen
Last Name Bennett
Address 1 PlayFootball
Address 2 Roko Health Club, Wilford Lane
Town Nottingham
Postcode NG2 7RN

Email address steve.bennett@playfootball.net

Telephone Number (07984) 404479

Registered Number 05341893

**Description of applicant
(and extra information)** Sport and Leisure Provider

**PART 3 - Operating
Schedule**

When do you want the 01/01/2016

premises licence to start?/td>	
General description of premises	A small sided football centre which consists of 6 5aside pitches, 2 7asides pitches and a pavilion. The pavilion incudes staff offices, changing rooms, toilets and a bar/refreshments area
What licensable activities do you intend to carry on from the premises?	Provision of regulated entertainment
Provision of entertainment facilities for	
Provision of late night refreshment and Supply of Alcohol	
ACTIVITY M - Supply of Alcohol	Standard days and timings (please put all times in 24hr clock format hh:mm)
Monday Slot A	Start time 11.00 Finish time 22.00
Tuesday Slot A	Start time 11.00 Finish time 22.00
Tuesday Slot B	Start time 11.00 Finish time 22.00
Wednesday Slot A	Start time 11.00 Finish time 22.00
Wednesday Slot B	Start time 11.00 Finish time 22.00
Thursday Slot A	Start time 11.00 Finish time 22.00
Thursday Slot B	Start time 11.00 Finish time 22.00
Friday Slot A	Start time 11.00 Finish time 22.00
Friday Slot B	Start time 11.00 Finish time 22.00
Saturday Slot A	Start time 11.00 Finish time 22.00

Saturday Slot B Start time 11.00 Finish time 22.00
Sunday Slot A Start time 11.00 Finish time 22.00
Sunday Slot B Start time 11.00 Finish time 22.00

ACTIVITY N

Please highlight any adult None

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.

ACTIVITY O - Hours

Premises are open to the
 public

Standard days and timings (please put all times in 24hr clock
 format hh:mm)

Monday Slot A Start time 8.00 Finish time 22.30
Tuesday Slot A Start time 8.00 Finish time 22.30
Tuesday Slot B Start time 8.00 Finish time 22.30
Wednesday Slot A Start time 8.00 Finish time 22.30
Wednesday Slot B Start time 8.00 Finish time 22.30
Thursday Slot A Start time 8.00 Finish time 22.30
Thursday Slot B Start time 8.00 Finish time 22.30
Friday Slot A Start time 8.00 Finish time 22.30
Friday Slot B Start time 8.00 Finish time 22.30
Saturday Slot A Start time 8.00 Finish time 22.30
Saturday Slot B Start time 8.00 Finish time 22.30
Sunday Slot A Start time 8.00 Finish time 22.30

Sunday Slot B	Start time 8.00 Finish time 22.30
ACTIVITY P	Describe the steps you intend to take to promote the four licensing objectives:
a) General - all four licensing objectives (b,c,d,e)	PlayFootball has a detailed licensing policy which will be submitted as part of this application. In this policy it clearly states how it will support the four licensing objectives
b) The prevention of crime and disorder	Included in the PlayFootball licensing policy is a detailed section on the prevention of crime and disorder. This will be document will be submitted as part of this application
c) Public safety	Included in the PlayFootball licensing policy is a detailed section on Public Safety. This will be document will be submitted as part of this application
e) The protection of children from harm	Included in the PlayFootball licensing policy is a detailed section on the protection of children from harm. This will be document will be submitted as part of this application
d) The prevention of public nuisance	Included in the PlayFootball licensing policy is a detailed section on the prevention of public nuisance. This will be document will be submitted as part of this application
PART B3 - Premises Supervisor	
Title	Mr
First Name	Stephen
Last Name	Bennett
Address 1	62 Amberwood
Town	Ferndown
Postcode	BH22 9JT
Personal Licence Number	PA0137
Issuing Licensing	East Dorset

Authority (if known)

Please tell us the address for correspondence with this application

Address 1 PlayFootball
Address 2 Roko Health Club, Wilford Lane
Town Nottingham
Postcode NG2 7RN
Email address steve.bennett@playfootball.net
Telephone Number (07984) 404479

Declarations

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I understand that I must now advertise my application

I understand that if I do not comply with the form requirements my application will be rejected

Limited Company

Please state in what capacity you are making this application

(This is the end of the form)

Data Protection

Personal and business information which you supply through this form will be used by Swindon Borough Council for the purposes of processing your application. Data will be kept as necessary to facilitate renewals and for enforcement purposes related to the licence or other authorisation. In some cases, information which you supply also becomes part of a

public register. Please contact us for more information about this. In addition, various statutory bodies such as the Inland Revenue have a right to access your data, by serving notice on the Council. Disclosure may be made in the furtherance of legal proceedings.

For further information on Data Protection please contact:

The Data Protection Officer
Swindon Borough Council
Civic Offices
Euclid Street
Swindon
SN1 2JH

Information contained in this e-mail is intended for the use of the addressee only and is confidential. If you have received this message in error, please notify us immediately by email or ring 0115 9823276 and ask for the sender. Attachments to this e-mail may contain software viruses which could damage your computer system. While PlayFootball Ltd have taken every reasonable precaution to minimise the risk, we cannot accept liability for any damage which you sustain as a result of software viruses. You should carry out your own virus checks before opening any attachments.
PlayFootball Ltd - Registered at Wilford Lane, West Bridgford, Nottingham, NG2 7RN - Registered Number 05341893.

Consent of individual to being specified as premises supervisor

I STEPHEN JOHN BENNETT
[full name of prospective premises supervisor]

of 62 AMBERWOOD
FERNDOWN
BH22 9JT

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENSE
[type of application]

by

PLAYFOOTBALL Ltd
[name of applicant]

relating to a premises licence [number of existing licence, if any]

for PLAYFOOTBALL
CHURCHFIELDS SCH
UPHAM ROAD
SWINDON
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

PLAYFOOTBALL LTD
[name of applicant]

concerning the supply of alcohol at

PLAYFOOTBALL
CHURCHFIELDS SCH
UPHAM ROAD
SWINDON

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

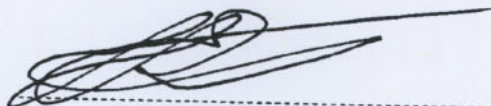
Personal licence number

PA0137
[insert personal licence number, if any]

Personal licence issuing authority

EAST DORSET
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

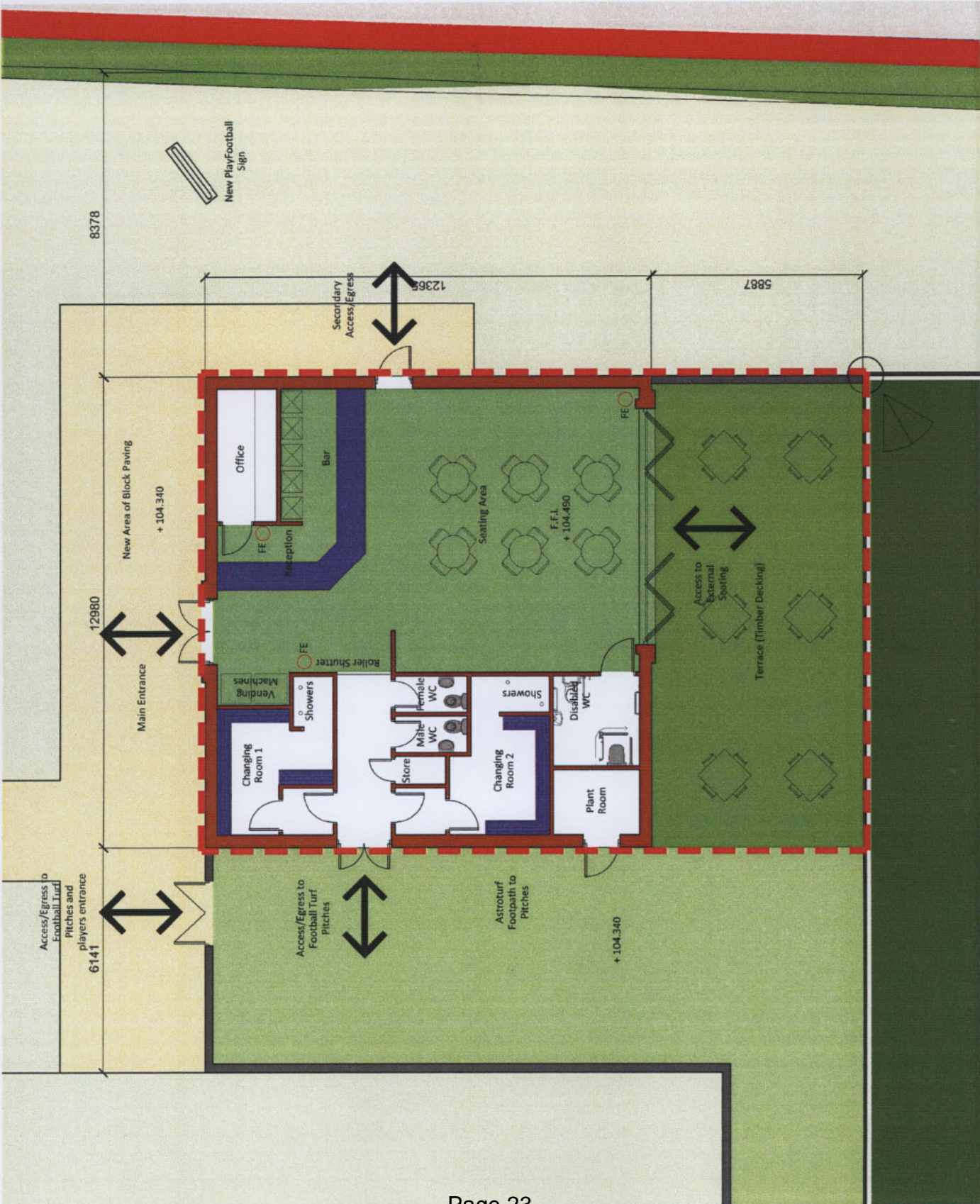


Name (please print)

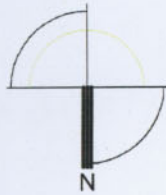
STEPHEN JOHN BENNETT

Date

25/6/2015



- NOTES
1. No dimensions are to be scaled from this drawing.
 2. All dimensions are to be checked on site prior to construction.



0m 2m 4m 6m

0mm 10mm 20mm 40mm 60mm

SCALE 1 : 100

- KEY
- Perimeter of Building Premises
 - Bar/Licence Area
 - Location of Fixed Furniture
 - Location of Fire Extinguishers
 - Access Points

0 DRAWING STAMP

LK2

Studio 2, Despatch Enterprise Park,
Netherfield, Lincoln
LN4 3LL
Tel: 01532 750777
Fax: 01532 750778
Email: info@lk2.co.uk
Web: www.lk2.co.uk

Client: PlayFootball Ltd and Churchfields Academy
Swickton

Project: New Sports Pavilion and Pitches

Title: Licence Plan

Scale:	1:100 at A3	Date:	June 2015	Drawn by:	AJS
Project No:	LK073	Drawing No:	(04) 001	Revision:	A00

Operating Procedure – PlayFootball

PlayFootball licensing objectives policy

This document has been designed to ensure that the 4 key licensing objectives are a top priority for the management of the new PlayFootball Swindon Centre. The document is split into 4 key areas:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of a Public Nuisance
- The protection from Children from Harm

In addition, PlayFootball can assure Swindon Borough Council that we will ensure:

All staff will be suitably trained, ongoing and under constant review.

All personal license holders will hold a nationally recognised licensing qualification.

Persons shall be prevented from leaving the premises with alcohol.

A daily register will be kept at the premises. The register will be maintained and kept for 12 months.

The maximum number of persons (including staff and entertainers) allowed at the premises shall not exceed the number stipulated by building control and the fire officer.

CCTV as required by the local police shall be installed and maintained, and relevant staff shall be trained to operate it.

All external door will be kept closed and not wedged open

A challenge 25 system will be in place, and signage will be displayed.

Operating hours will be displayed at the entrance.

PLAYFOOTBALL

5-A-SIDE

1. The Prevention of Crime and Disorder

- a. CCTV will be installed
- b. The CCTV can be controlled remotely or from inside the building. It will be stored on a hard drive for at least 31 days. Staff will be fully trained on the CCTV operation.
- c. PlayFootball will supply hotdogs (or similar) to ensure that there is a food offering to potentially reduce the effects of alcohol
- d. Alcohol will be stored in a locked cellar and fridges at closing time.
- e. No alcohol will be allowed to go beyond the terrace.
- f. All players participating in the PlayFootball leagues must complete the registration form. PlayFootball leagues are sanctioned by the FA and therefore follow the FA's code of conduct procedure.

2. Public Safety

- a. All new staff will be fully trained on the licensing rules before they start work. This will be in house training carried out by the Designated Premises Supervisor.
- b. If required by Swindon Borough Council, Polycarbonate cups will be used. Bottles will be decanted by staff prior to the customer receiving the drink.
- c. The security alarm will be a grade 3 installation and monitoring which allows for monitoring by the local police and an immediate police response. The alarm will include movement sensors throughout the building.
- d. PlayFootball will implement an accident and incident reporting procedure
- e. PlayFootball will implement a licensing incident procedure which will include a log book to record the following:
 - i. Any alcohol related issues

PLAYFOOTBALL

5-A-SIDE

- ii. Any reported crimes
 - iii. Details of any ejections from the centre
 - iv. A record of any complaints
 - v. A record of anyone who has been refused service
 - vi. Details of any faults with the CCTV
- f. PlayFootball has a full and thorough Fire policy, this includes:
- i. A thorough fire risk assessment will be carried out
 - ii. All staff will be fire trained prior to starting work and refreshed at a minimum of every 6 months.
 - iii. Fire alarm call point will be checked weekly
 - iv. An evacuation will be practised at least every 6 months

3. The Prevention of a Public Nuisance

- a. PlayFootball will ensure the PlayFootball Dispersal policy is introduced:

PlayFootball General Dispersal Policy

PlayFootball operates a "good neighbour" policy throughout its estate. The company has always emphasised building and maintaining close relationships with local residents and the company's premises are managed accordingly. The PlayFootball General Manager is expected to deal with any complaints from local residents quickly and effectively. If complaints cannot be resolved at site level, then they are done so by the PlayFootball Operations Director.

In addition, the company ensures that it enjoys close working relationships with the statutory authorities including the police and the local authority to ensure that we are aware of any local issues.

In relation to dispersal, all our premises are aware of and operate the following procedures and systems, as required, to ensure that our premises operate in a neighbourly manner:

PLAYFOOTBALL

5-A-SIDE

- Effective management of customer behaviour whilst in the premises. This is achieved through:
 - High staff/management to customer ratio
 - Management presence in customer areas at all times
 - Consistent management and staff training
 - Adoption of the companies responsible drinks retailing policy to minimise the risk of anti social behaviour away from the premises
- A 30 minute drinking up time which will be incorporated into the license for the purposes of the Licensing Act 2003 which assists with a gradual dispersal of customers at the end of an evening
- Appropriate signage will be placed at exit doors
- A strong management presence in customer areas during the closing time period to ensure all customers leave quietly
- Providing appropriate information to customers who require a taxi
- Premises windows and door to be kept closed where appropriate
- External disposal of bottles and refuse to be done at a reasonable time
- PlayFootball staff will ensure that the entire site including the carpark is cleared and the gates are locked at the designated closing time

PlayFootball Responsible Drinks Retailing Policy

Even though a relatively small amount of our business comes from the alcohol sales, PlayFootball still recognises the important need for social responsibility. Restrictions on how we serve and whom to, is extremely important.

- PlayFootball operates a challenge 25 system. Signs will be displayed and staff will be trained accordingly

PLAYFOOTBALL

5-A-SIDE

- PlayFootball will not serve anyone who is deemed to have already drunk too much
- We will have a minimum price policy
- We will not sell spirits in quantities greater than a double normal serve in one glass
- We will not serve spirits in the same glass
- Promotional material will not have the alcoholic strength, high alcohol content, or the intoxicating effect, as a dominant theme
- Promotional material will not suggest that the consumption of alcohol will lead to social success or popularity
- Promotional material will not urge customers to drink rapidly
- Promotional activity will not condone, encourage, or glamorise excessive drinking or drunkenness or anti social behaviour. Effects of intoxication should not be referred to in any favourable manner
- Promotional activity will not refer to consuming alcohol to recover from previous over-indulgence
- We will avoid any promotion that relies on an unpredictable event e.g. 'first goal scored', and therefore encourages urgent or unplanned alcohol consumption
- We will avoid promotions that involve drinking games
- We will avoid any promotion that involves an initial payment to obtain reduced price alcohol for a sustained period
- All promotional activity will include a soft drinks offer

4. The prevention from Children from harm

- a. After 9pm, no children under the age of 16 will be allowed in the bar area unless accompanied by a responsible adult.

PLAYFOOTBALL

5-A-SIDE

- b. PlayFootball will not sale alcohol at anytime that there is a school or children based community group using the centre prior to 4pm.

Appendix

'B'

Ashley Peachey

From:

Sent:

To:

E & P Licensing

Subject:

playfootball licence churchfields school

Categories:

Forwarded to Licensing Manager, Forwarded to Licensing Officer

With reference to the above would like to point out the following:

With drink available from morning until late evening this will encourage crime and disorder in a residential area, being the only licensed premises around.

This could jeopardise the safety of residents living nearby who are mostly of a mature age.

The development in the school grounds is in itself a danger to the safety of the children attending school, even more so with drink being available.

I cannot see how the pitches can possibly be shut off from the rest of the school site if the car park, as I am told, is to be used by school staff also.

There was previously vandalism on a daily basis in the school grounds, I can see this happening again if the play football pitches and clubhouse are open to all. I wasn't until the former head, Steve Flavin had a security

fence erected that we all felt safe, we were used to witnessing people in the grounds on a nightly basis,.

I do not think that this proposal has been thought through properly, those of us who have lived in this area for a long time [over 50 years] are appalled at the idea.

Robin Grey Esq.,
Licensing
Swindon Borough Council
Wat Tyler House (5th Floor)
Beckhampton Street
Swindon
SN1 2JH

22nd July 2015

Dear Sir,

My objections to the granting of a licence to PlayFootball are given below. Would you kindly note the preamble, as it bears on all four of your headings.

Objections to the granting of a Licence to the PlayFootball Sports Pavilion in Upham Road

Preamble

Has a check been carried out to ascertain whether there are legal restrictions preventing trading at the site on which the pavilion is to be built. The deeds of my own property on the North side of Upham Road include a section which forbids the carrying on "any trade manufacture or business".

The plan of the pavilion submitted with this application is very different to that submitted to the Planning Committee on 9th June (agenda p10). The entire changing area and the area behind the bar have been altered.

Crime and Disorder

There has been a long history of drunken disorder around the site. The public house on the Queen's Drive (originally called the Bulldog but now demolished) and the one in Windsor Road were closed because of trouble. Added to that there has been long standing vandalism on the estate from drunks returning from the pubs and bars in Old Town. Council records will detail the meetings that were held to complain about it.

A bar on a floodlit site will be a magnet for troublemakers, who will spill out into Upham Road and the Queen's Drive when the bar is closed causing damage to property and possible injury to pedestrians. Some of them will undoubtedly head for bars in Old Town which have late extensions, so this will affect the whole road and its surroundings. Of course they will also increase the probability of road accidents.

PlayFootball state in their Operating Procedure 1d that

"Alcohol will be stored in a locked cellar and fridges at closing time"

The current plan shows only a small store in the changing area and the office behind the bar. There is no sign of a secure room to store drinks.

Public Nuisance

The application is for a 7 day licence from 11.00 to 22.00 and PlayFootball state that :

"PlayFootball will not sale alcohol at anytime that there is a school or children based community group using the centre prior to 4pm."

Thus unless juniors play through their lunchtime the bar will be open for lunchtime drinking on weekdays as well as at the weekends and the bar will be open for late afternoon drinking on all days. This will provide an alternative to Old Town for people stopping for a drink on the way home. Such trade will cause further parking problems in Upham Road as the New College cars will still be in position.

There will be more serious problems on the nights and Saturday afternoons when Swindon Town FC. is playing at home. At present a considerable number of fans park in Old Town, have some drinks and then walk down to the match. The pavilion bar will offer a convenient alternative with the advantage of a shorter walk. This will lead to further traffic and parking problems in Upham Road and the surrounding streets from cars coming from Old Town and parts of Western Swindon. Since it seems unlikely that local teams would wish to play when Swindon Town was at home, the pavilion will become a football pub on these occasions with all the associated rowdiness and nuisance.

Protection of Children

Having a bar within school grounds flies in the face of the efforts by both government and various charities to reduce drinking among teenagers and people in their twenties. Even if all the precautions are observed, it provides a shocking counter example.

There are two obvious loop holes that may be exploited. Children may borrow identity cards from older brothers and sisters in order to drink. The pavilion is shown as having opening patio doors onto the terrace. If these are open in the early evening, it will extremely difficult to prevent drinks being passed out to children on the terrace or children slipping in and picking up a drink purchased for them.

The proposed bar is at the most 3 minutes walk from New College. A sizeable number of the daytime students are 18 or more, so can buy drinks for themselves. As the bar will be open from 16.00 and probably most lunch times, some students will get into the habit of regular drinking at lunchtime and on the way home. While this will be legal, it is surely most undesirable.

Yours faithfully

Ashley Peachey

From:

Sent:

To: E & P Licensing

Subject: licence application 0130-18

Categories: Forwarded to Licensing Officer, Forwarded to Licensing Manager

FAO Robin Grey

I do not support the granting of the licence contained in application reference 0130-18. I submit that the granting of this application will undermine one or more of the statutory licensing objectives.

PlayFootball [the company] advertises that it provides and can organise events which *".... provide an unlimited range of packages including live music, DJ's ..."*

Such events are therefore likely to give rise to anti-social behaviour within the area. There is a history of previous licensed premises in the area being closed due to anti-social behaviour. There is also a potential for noise nuisance if live music is allowed. Whilst the application states the *"Premises windows and door to be kept closed where appropriate"* the question is what is considered "appropriate" and how do they imagine that this will abate noise.

The company also state that *"As a corporate event specialist, PlayFootball deliver premiership level company days and tournaments at a local, regional and national level."* Given the small size of the proposed bar most of the clients will be using the outside areas [see PlayFootball brochure] and thereby generate more noise and disturbance not to mention the additional vehicular movements that will be generated - i.e. safety issues and nuisance.

With the main justification for the facility being the promotion of school sport why then request a licence starting at 1100hrs. The application states. *" PlayFootball will not sale alcohol at anytime that there is a school or children based community group using the centre prior to 4pm."* There appears to be a contradiction between the application and PlayFootball's advertising.

Is there a justification for a licence under the Licensing Act 2003? If the development is fundamentally a school sports facility which will be made available for use out of school hours then the licence applied for is inappropriate and should be rejected. If however the facility is viewed as a purely commercial activity then the impact on the local community and the views of that immediate community **must** be given greater weight in the decision making. It is my contention that given:

1. the past history of licensed premises in the neighbourhood,
2. the provision of live music, events and Discos with resulting noise disturbance,

Ashley Peachey

From:
Sent: 22 July 2015 08:41
To: E & P Licensing
Subject: Churchfields

Categories: Forwarded to Licensing Officer



has requested that I should Email you on her behalf (she is 93)

She has lived at the above address since it was built and is rather perturbed at the proposed Licensed premises to be opened in the grounds of Churchfields School.

The green railings were erected in order to keep out intruders. I believe that there will be a new opening at the bottom of Upham Road which will enable anyone to go into Churchfield grounds and be a public nuisance.

The volume of traffic in Upham Road using the Football facilities will be horrendous for local residents and after a few drinks, very noisy.

I am amazed that you are even considering this.

Ashley Peachey

From:
Sent: 21 July 2015 12:44
To: E & P Licensing
Subject: licence applicatio 0130-18

I wish to object to the granting of this application (0130-18), on the following grounds.

This is totally out of keeping with the residential area, we already suffer from parking problems due to New College, this development will exacerbate the problem.

Previous licenced premise near by eg; The Bulldog and Cock Robin public houses were closed due to antisocial behaviour and serious crime, as this will be the only licenced premises in the area there is a great risk of antisocial behaviour, criminal damage to property and crime. Playfootball states in one of its documents that the door will be maned, but when the residents questioned their representative at a meeting he stated they did not need or use door staff, this is one of the many discrepancies that we have heard, or read in their literature.

Why have they requested a licience from 11am when it was stated at the planing meeting, the premises would not be open in school hours. Is it a wise decision to have licenced premises, within a school, with so many vulnerable young people, surely we should be trying to reduced drinking in young people as alcohol related hospital admissions are higher in Swindon than the national average.

PlayFootball also state on their website that their premises are available for hire for Weddings, Discos and Parties with late night extentsions. Also all major world football screened live. This would create additional noise and disturbance, when people are trying to sleep.

The PlayFootball representative stated at a meeting with residents and others "that sometimes a few have to suffer for the greater good of others" so they know this development will cause problems for the residents, therefore a licience should not be granted. Everyone is keen to stated Churchfields School need this to improve their results, alcohol will not improve their results or the behaviour of others.

The application should be rejected, or at the very least greater restrictions applied and no late night extensions allowed, for any reason.

Appendix 'C'



Tarmac area where the licensed premise is to be built



Tarmac area (above) to the left of this picture



Houses facing the school field nearest to the licensed premise



Bus Gate out onto Main Road



Entrance onto school field gives access to tarmac area from main dual carrigeway