

ACSC Services Limited,
Ansty Village Centre,
Recreation Ground,
Ansty,
West Sussex,
RH17 5AS

Jon Bryant,
Senior Licensing Officer
Mid Sussex District Council,
Oaklands,
Oaklands Road,
Haywards Heath,
West Sussex
RH16 1SS

22 March 2021

By e-mail

Dear Mr Bryant,

**Application for a Premises Licence under the Licensing Act 2003 –
Ansty Village Centre - Ref - LI/21/0123
Response to the Comments from Respondents.**

Thank you for sharing the comments from the respondents. The Club's Alcohol Committee has considered the comments and its responses are set out in this letter. The first part of the response includes general comments which provide context to the application and how the Club plans to operate. The second part of the response seeks to address the specific points raised by the respondents.

General Comments

The respondents express concern about the Club in likening it to a public house and operating on a commercial basis. It might be helpful if we comment further on the history of the members club at Ansty and how it will continue under the new licence. It is also worth commenting on the governance changes and the role of ACSC Services Ltd (the applicant), the trading subsidiary to the new Ansty Community Sports Club. At the end of this section, we also comment on community engagement.

Members Club

Ansty Sports and Social Club has operated on its existing site as a members' club since before the Second World War. It has provided the umbrella for its sporting clubs and sections over many years including currently: four senior cricket teams, three ladies cricket teams, nine junior cricket teams, three girls cricket teams, two senior football teams, four

snooker and billiards teams, and three darts teams. The Club has recently entered into an agreement with English Cricket Board and the Sussex Cricket Foundation to host disability cricket, as the first Disability Cricket Champions Club in the country and the first in Mid Sussex. Presently over 80% of the Club's members come to the Recreation Ground either as participants, volunteers, or parents of junior members to take part in sporting activity.

The Club has operated under its current licencing arrangements for well over 30 years without any complaint from the public or intervention from the Police or any other authority. While the Club is moving into a new building, under a new governance framework, and seeking a new license, the commitment to continue to operate as a member club remains. The only change we are proposing to the membership structure is to add a new discounted Social Membership for the benefit of Ansty Residents. This recognises that there is no social meeting space for residents in the village. It also responds to a request from the Parish Council to offer lower membership fees to residents as a condition of its financial support to the Ansty Village Centre and to promote community life in the village.

The application for a Premises Licence rather than the existing Club Premises Certificate offers greater flexibility in the operation of the facility. It also places the Club under a clearer set of responsibilities and obligations which we believe will help ensure the continuation of an effective operation of the premises on the new site.

ACSC Services Ltd – The Applicant

The change in the governance framework reflects the fact that the Sports and Social Club Rules, which date back to 1969, are no longer suitable for the operation of the Club in the new premises. Moving into new modern premises, with the attendant operating costs for light, heat, security, and maintenance costs, demand that a new management structure is put in place that is fit for purpose.

The Ansty Community Sports Club (ACSC) has been registered with the Charity Commission as a Charitable Incorporated Organisation to promote 'heathy recreation' through participation in sporting activity. As the representations identify, the operation of a subsidiary trading company, ACSC Services Limited (the applicant), is ancillary to the charitable purpose. The trading subsidiary is, however, necessary to comply with the Commission's requirement on the delivery of 'non-charitable' activities such as bar services, and to host snooker and darts. The company will also be responsible for managing Social memberships (set at the same level as those for the sporting sections) and for Ansty Residents and Senior Citizens memberships which will be offered at discounted rates.

The sole purpose of the company is to provide funds that will help support the ACSC in the delivery of its charitable objective. These funds will in turn be applied to assist in meeting the majority of the costs in running the Centre, to contribute to the maintenance of the sports pitches in the Recreation Ground, and to keeping the membership fees of the Club at affordable levels in line with its charitable purpose. The profit or other gains from the from the operation of the bar will not be distributed to any party other than the charity. This includes the company directors, who it should also be noted are not remunerated.

Community Engagement

One respondent has described our commitment to work with local residents as ‘somewhat shallow when local residents have not been consulted on what is likely to affect their neighbourhood’. As a community project we very much understand the need to work closely with our direct neighbours and the village as a whole. We have as part of the project to bring the Ansty Village Centre project to fruition, been involved in two planning applications and one amendment and three public consultation exercises. Throughout that time no resident has raised the issues which are now being put forward in the representations. In a normal world we would have engaged face to face with all of the local interested parties to allay any concerns they may have with the new Centre and the formation of the new Club. Unfortunately, because of the current pandemic this has not been possible.

We are nevertheless keen to reassure all respondents that the management of the new Club are committed to creating an inclusive facility that is at the heart of the village life and there for everyone’s enjoyment. This includes an acknowledgement of the need to balance the running of the premises whilst being sensitive to the wishes of our neighbours. With this in mind, we are committed to regular dialogue with our close neighbours to ensure that we can work together to ensure a good working relationship.

The government roadmap for the reopening of licensed premises restricts the initial service to outdoors only. We are mindful that this will put some of the licence conditions around the external facilities to an early test but would hope that in establishing an early dialogue with neighbours and working collaboratively on potential areas of concern we can achieve an outcome with which all are comfortable from day one.

Specific Points Raised in the Representations

The following paragraphs set out the responses to the specific concerns raised in the representation letters. In several of these we acknowledge the concern and believe we are already proposing or can take additional steps to allay the concerns. These areas include use of the Club, glass, noise, lighting, smoking areas, and closed-circuit television etc.

In others, such as hours of operation, we can reassure the respondents that the Club’s request for some limited flexibility on the closing time will be for the benefit of members only. We are committed to taking any action necessary in the event of public nuisance or criminal or disorderly behaviour but would point to the experience of the Sports and Social Club and the absence of any of these types of incidents in the past.

In other areas, such as the use of the external areas we have regard for MSDC’s Licencing Policy in so far as it relates to beer gardens and proposed a limit on the time that members can frequent these areas within the 23.00 terminal hour. Our preference would be to stick with these arrangements and rely on the existing safeguards within the application, such as noise and no additional lighting in these areas as opposed to setting tighter licencing restrictions.

Hours of Operation

The respondents have expressed concern about the hours of operation. The hours of operation between 12.00 and 23.00 are no different from those that were available under the Club Premises Certificate operated by the Ansty Sports and Social Club. We have

requested some flexibility in the licence which allows up to 12 evenings in a year when the Club may serve alcohol to midnight on specific occasions, such as, Christmas Eve, New Year's Eve, Awards Nights, and other Club events. We believe this offers sufficient flexibility in the licence and will not require further applications for Temporary Events Notices, save for where the Club may support village fetes or large sporting events on the Recreation Ground itself, and probably no more than the odd occasion in any year.

As one of the respondents identifies, the provisions in the licence will not apply where the Ansty Village Hall Trust, the other occupant of the Centre, hires out the Village hall privately or chooses to run its own events where alcohol is sold.

Glassware

The respondents have expressed concern about the use of glass and the risks associated with glass being taken onto the Recreation Ground. One respondent asked that no glassware or bottles shall be permitted outside the Clubhouse.

We believe a policy of prohibiting glass bottles and glasses being removed from the Clubroom is likely to be difficult to enforce however we are very mindful of potential issues with glasses being used externally. Accordingly, we propose to:

- Prohibit glasses and bottles being taken beyond an enclosed (designated) area which comprises the outside areas of the balcony, the patio and the grass terrace extending 3 metres into the Recreation Ground, which is intended to be surrounded by a picket fence. In the event of a picket fence not being permitted, the designated area will be restricted to the patio and balcony areas.
- Where consumption is likely to be outside of this area, but within the premises, such as for a club BBQ or whilst watching cricket, we will serve all drinks in eco-friendly re-useable polycarbonate cups of the type used at large sporting events or festivals. As these cups are re-useable and will require payment of a small returnable deposit they will not be discarded causing a litter or environmental impact. Additionally, they are unbreakable and will therefore cause no health and safety risk.
- We will prohibit all beer and soft drinks bottles from being taken out of the Clubroom and invite members and guests to decant bottles into drinking vessels (glass or polycarbonate substitute) before going outside.
- We will include clear guidance in the 'Members Code of Conduct' on the prohibition of drinking glasses outside of the designated area and to act responsibly within it. This Code will be issued to members on registration. We will deploy signage to reinforce the safety message to members who take drinks into the external areas.
- The policy will be reinforced with clear signage stating no drinks on the perimeter of the designated area stating, 'No glasses beyond this point'.
- All areas will be subject to a policy of regular inspection and glass collection.

A specific concern was raised about glassware on the balcony and the risk to people below on the patio / grass terrace. While this remains a potential risk, we believe this is largely mitigated by the balustrade screening on the balcony and the use of lower table heights that mean it will not be possible to knock glasses from tables over the balcony.

Use of Club

One respondent asks how the use of the Club will be monitored and what constitutes 'a user'? As we review the membership arrangements in the new entity, we can provide more detail.

- All members will be issued with a membership card and will be required from time to time to present it.
- Given the four membership categories being operated, we are confident that the members falling into one or other of these sub-groups will be well known to the management and to each other.
- We are proposing to recruit a full time General Manager to supervise and provide continuity behind the bar.
- While we propose to suspend the signing in of guests, as required under the existing Club Premises Certificate, all guests must be accompanied by a member. Visiting sports teams will be guests.
- Patrons who are not known to be members or identified as a guest will be open to challenge.
- Other 'users' will be clubs or groups that may hire out the facility for a function. Each hiring will be subject to a risk assessment process and the arrangements for the identification of participants agreed with the organiser. (Note that these events will usually take place during the day as the Clubroom will be available for members in the evening).

Closed-Circuit Television (CCTV) System

A respondent has raised specific points regarding CCTV. We have sought to address this in the application but can confirm that a CCTV system is being installed at the premises. We will record the numbers and position of all cameras a plan of premises to be kept with the licence if considered necessary. The planned installation provides for cameras to be located to cover all entrance and exit points. The installed system will be kept in effective working order and shall be in operation at all times the premises is open to the public. All recordings made by the CCTV system shall be retained and stored in a secure manner for a minimum of 31 days and shall be made available on the appropriate request from the relevant authorities. We will ensure that at least one member of staff on duty will be able to operate the CCTV system.

Smoking

We agree that the location of the "smoking area" needs to be explicit to ensure that it does not create a public nuisance, litter, or additional work for others. We propose to designate an area at ground floor level on the patio at the corner of the north and west elevations, close to the bottom of the stairs.

Lighting

One respondent has asked how the balcony will be lit.

There is external emergency lighting on the balcony. The balcony area would also benefit from the spill lighting from the fully glazed doors to the Clubroom. There is no proposal to

introduce further lighting to avoid providing an incentive for customers to remain on the balcony after dusk.

Noise

The respondents have expressed concern about noise breakout from the building, from external areas and from customers leaving the premises.

Breakout

The application sets out the steps we plan to take to mitigate this risk, see:

- Noise breakout from the premises
- Reporting Noise Disturbances
- Engagement with local residents and the landlord.
- Noise and nuisance from customers using external areas

This includes windows and doors being kept closed whenever noise breakout is likely to occur.

External Areas

On the use of external areas we will remind customers that the use of these areas is conditional on acting responsibly and keeping noise to a minimum. This will be achieved through the communication of the Club Rules to all members on joining and through signage.

On Leaving the Premises

We can confirm that notices shall be displayed at all exits from the premises requesting customers leaving the premises late at night to do so quietly and with consideration to nearby residents.

Use of Door Staff

Where events take place within the premises after 23.00 SIA registered door staff shall be employed to monitor entry and egress from the premises.

As stated above we are unaware of any incidents or types of undesirable behaviour in the operation of the Social Club over the past 75 years (which have included countless parties, receptions and other sporting club awards events) that have given rise for the need to employ door staff. We consider door staff are more relevant to a metropolitan setting where members of the public are attending events than to a village Club.

Ordinarily we therefore consider that events involving members will not require door staff. However, we undertake to carry out risk assessments when planning a special event in the Clubroom or providing bar services in support of an event in the Village Hall to determine whether door staff may be required.

External Areas

Our application asked that consumption will be permitted on the balcony, ground floor patio area and when the Centre is running an event an area extending 25 m north. We also asked that it allow for spectators to consume alcohol while watching cricket from the boundary. One respondent has asked for consideration be given to restricting alcohol sales

and consumption to the area in the plans rather than the whole of both fields. The respondent has also highlighted the potential for public nuisance and crime and disorder under this arrangement.

We consider the risk of public nuisance and criminal disorder is extremely remote given the historic lack of any such conduct and if effectively managed, by:

- Recognising that the occasions when members and guests will wish to consume alcohol from the boundary will be limited and would present a low risk of public nuisance and disorder.
- The practice will only be allowed where sporting activity is in progress.
- Any customer indicating that they wish to consume alcohol from the vantage of the boundary will be required to use a re-useable polycarbonate cup
- All members will be reminded of their obligations under the 'Members Code of Conduct' to act responsibly and with consideration to others.
- Bar staff and / or Club officials will regularly monitor the boundary areas to safeguard against potential abuse of the arrangement.
- The Alcohol Committee would regularly review the responsible consumption of alcohol on the boundary to determine whether the 'low risk' assessment holds and, if not, remove this privilege for members.

It should also be noted that Club's lease from the landlord, the Ansty Village Centre Trust (AVCT) will give a right of use of the external areas, the patio and the balcony, these areas will remain in control of the Trust. There are therefore strong incentives for the Club's members to behave responsibly in these areas and not to cause a nuisance or otherwise risks the rights of access being curtailed.

Outsides Areas – the patio and balcony

Respondents have noted that the ambient noise in this area reduces considerably in the evening and noise from the Recreation Ground will travel and affect local residential properties. They have therefore proposed that the use of outside space has a terminal hour of 21.00. One has asked for conditions that strictly limit the use of the balcony so that it cannot be used after 18.00; so that there is no need for external lighting and to protect the amenity of the neighbouring properties.

On considering the use of the Centre on summer evenings – May to early Sept – ceasing of activity in the outside space is likely to be impractical before 21.00. Evening cricket matches can go on to 20.30 on summer evenings and allowing for players to change and the ground to be cleared it is unlikely that activity on the outside area will cease much before 21.30. We would regard the extension of this 'terminal hour' to all outside areas (i.e., the balcony and patio areas) is unreasonably limiting and that the 22.00 proposed for weekdays is not unreasonable. We nevertheless recognise the need for members to act responsibly and keep noise to a minimum.

Our strong preference would be to stick with the arrangements proposed in the application and see how the arrangements operate in practice before considering whether more restrictive licencing restrictions are required.

We hope this response provides further clarification to the licence application and assists in dealing with the concerns raised in the letters from respondents. Should you require further information of clarification on any of the response we will be pleased to provide it.

Thank you for your assistance.

Yours sincerely.

A handwritten signature in black ink, appearing to read 'John Thorpe'. The signature is stylized with a large 'J' and 'T' and a horizontal line underneath.

John Thorpe
for ACSC Services Limited