

5. LICENSING COMMITTEES SUB COMMITTEES 2010/11

REPORT OF: Tom Clark, Solicitor to the Council
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Wards Affected: All
Key Decision Yes/No

Purpose Of Report

1. To establish the Licensing Sub Committee A for 2010/11 to deal with taxi licensing enforcement matters.

Summary

2. To establish Licensing Sub Committee A for 2010/11.

Recommendations

3. **To establish Licensing Sub Committee A to be composed of five members being three Conservatives and 2 Liberal Democrats in accordance with the requirements for political balance.**
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Background

4. Under the Licensing Act 2003 and also under the Gambling Act 2005 the Council is required to deal with applications under those Acts by means of sub committees of three members which we appoint for each meeting.
5. In relation to taxi licensing enforcement matters the Council has dealt with these matters through a Licensing Sub Committee A composed of five members in accordance with political balance.
6. This system has worked well and the Licensing Committee is recommended to continue with this approach in 2010/11.

Financial Implications

7. There are none arising from this report.

Legal Implications

8. The Licensing Committee can establish such sub committees, as it feels appropriate. In connection with the Licensing Act 2003 and the Gambling Act 2005 it is required to deal with both matters through a sub committee of three members only. In relation to taxi enforcement licensing it can establish a committee of the size it feels appropriate.

Background Papers

9. None.

**Minutes of a Meeting of the Mid Sussex District Council Licensing
Sub-Committee held on 22nd March 2010
from 2.00 p.m. until 3.40 p.m.**

Present: Councillors: Bernard Gillbard (Chairman)
Paddy Henry
Peter Reed

Officers in attendance: Assistant Solicitor, Senior Licensing Officer and Committee
Co-Ordinator.

Also in attendance: Representatives of the Town and City Pub Company Ltd (the
Applicant).
Three Interested Parties

**LS.38 SUBSTITUTES AT MEETINGS OF COMMITTEE – COUNCIL PROCEDURE
RULE 4**

The Sub-Committee noted that no substitutes had been appointed in accordance with Council Procedure Rule 4 – Substitutes at Meetings of Committees etc.

LS.39 APOLOGIES FOR ABSENCE

None.

LS.40 DECLARATIONS OF INTEREST

None.

**LS.41 APPLICATION TO VARY A PREMISES LICENCE – JACOBS POST,
23 CHURCH ROAD, BURGESS HILL, WEST SUSSEX. RH15 9BB**

The Senior Licensing Officer introduced the report and outlined the application for the variation of the Premises Licence. He said that with regard to Bank Holiday weekends it had been agreed prior to the hearing that this included the Friday, Saturday and Sunday but not the Monday. One of the issues for consideration was whether having a later terminal hour than surrounding public houses would attract customers from other establishments. He added that both Sussex Police and the Council's Environmental Protection Team have agreed conditions with the applicant if the Sub-Committee were minded to grant the application and these were set out on pages C and D of the report.

Representation from the Interested Party 1

Councillor Dumbovic Interested Party 1 said that in addition to being a District Councillor she was also a Town Councillor and she endorsed the comments made by Burgess Hill Town Council. She said that she objected to the application on the grounds of the noise and disturbance when the pub closes in the middle of the night. The noise travels further and appears to be much louder at that time of night. The licensee has no control over customers spreading out through the town and spreading the noise and disturbance throughout the town. Burgess Hill has many residents in the town centre and this kind of noise and

disturbance will be detrimental to residents' health and well-being. It would also be detrimental to children in the neighbourhood through loss of sleep.

Representation from Interested Party 2

Mr Agate, Interested Party 2 said that he had lived in the Martlets for 12 years. He suffered problems from the noise of the Waitrose and Wilkinson deliveries, which he could hear in his bedroom. He could hear all the noise in the town. It had been quieter since the fire had burned down the nightclub but customers from pubs continue to shout when they come outside an establishment. He said that there were 41 dwellings between the post office and the corner house; some with two or three bedrooms but there was a high turnover of residents due to the noise at night in the town. He asked whether people would be happy to live with such disturbance late in the night every weekend.

Representations from Interested Party 3

Mrs Fatcher, Interested Party 3 said that she lived in Marten House, which had 40 apartments for the chronically sick. She said that the residents needed a good night's sleep. She said that they could hear the early morning deliveries even though the apartments had double-glazing. She said that there had been quite a problem when the nightclub was operating in the Town and residents dreaded having to live with such noise disturbance again. She said that the deliveries start at 6:30 a.m. and if the pub stayed open so late it would keep them up until 4:00 a.m. so how would it be possible for anyone to get any sleep. One of the residents in 101 years old. She said that one could not get away from noise and she really dreaded it.

Question from Members of the Sub-Committee

In response to a question from Councillor Gillbard, Mr Agate clarified where the 41 dwellings were in relation to the Jacobs Post. In reply to a question from Councillor Reed, Mrs Fatcher clarified where Marten House was in relation to Jacobs Post. In reply to a question from the Chairman Mrs Fatcher added that there were noise problems from other premises besides the problems they had suffered in the past from the operation of the nightclub.

Submission by The Applicant

Graham Cushion the applicant's solicitor introduced himself and said that the Manager of the Jacobs Post and the Area Manager, who would be able to answer any operational questions, accompanied him. He said that they were not unsympathetic to residents but it was their customers wish for them to have extended opening hours. There was no other opportunity in Burgess Hill, if people wished to have late night entertainment they would need to go to Brighton and then the night bus would return them to Burgess Hill at 4:00am in the morning. He said that they had taken on board residents concerns and they had tried to organise an open meeting with residents but had unfortunately run out of time. Jacobs Post was not a nightclub; it had a substantial food operation and was not all about late night entertainment. He said that he wished to amend the application to seek an extension of hours to allow the sale of alcohol until 1:00 a.m. with regulated entertainment finishing at 1:30 a.m. on Thursdays and 2:00 a.m. with regulated entertainment finishing at 2:30 a.m. on Friday and Saturday. He said that they would leave Bank Holiday weekends as they are. He said that they were asking to extend their hours by one hour on Thursday, Friday and

Saturday. He said that they had had 20 late night events in the past year and had received no complaints. The Jacobs Post is an active pub watch member and is not a problem pub. The manager had 12 years of experience, had a good team and an experienced head doorman. The infrastructure at the premises is very good and they were confident that they could deliver the additional service without too great an impact. He said that they sincerely hoped that noise from their premises was not a problem. They had worked with the Environmental Health Officer on a noise action plan. They felt that a later opening time would help them to achieve a more staggered exit, they turn the music down to a soft slow beat in the last hour and have procedures to make sure the customers are dealt with in a sensible manner. They have a dispersal policy and a noise management policy. A mobile number will be available for residents' complaints, which will go through to the duty manager. They would be happy to have a regular meeting with residents. They were involved with the local community and currently taking part in the Adopt a High Street initiative. They were also working with a taxi company to ensure that their customers were picked up quickly. They had successfully managed their late openings but felt that it would be easier to manage if expertise was built up by having late openings on a regular basis. He reiterated that Jacobs Post was not a nightclub, it was definitely a pub; they could not be held responsible for problems caused by other businesses and there had been no specific complaints about their premises.

Questions from Members of the Sub-Committee

In reply to question from Councillor Gillbard, the applicant said that there would be 2 door staff from 9:00 p.m. onwards as at present. Councillor Gillbard sought clarification about the telephone number for residents and how this would be advertised. The applicant said that this was part of the Noise Management Plan and would be advertised if the application was granted. The Manager added that they would distribute letters to local residents, hold an open residents meeting and advertise the number in the window of the premises. Councillor Gillbard sought clarification on whether the premises would stay open to the limit of its licence and the applicant confirmed that they would if there was business to support it.

In response to a further question from Councillor Gillbard about what the applicant would do to minimise the loss of amenity to local residents that would be caused by their patrons the applicant gave the following information. With the caveat that they could not guarantee that their patrons would never cause a disturbance to residents they believed that they had good measures in place including training, management, friendliness to the customer all the way to the exit and asking people to be quiet, turning down the music in the last hour, ensuring that patrons leave in as calm a manner as possible, not allowing people to drink too much. They had a dispersal policy and a noise management policy.

In reply to a further question from Councillor Gillbard the applicant said that if he researched other premises in the chain he would hopefully get a good result. This pub has a very good management team.

In reply to a question from Councillor Reed the applicant confirmed that they serve food during the day and serve pizzas at closing time. The manager said that they encouraged people to eat and took their social responsibility seriously. The Area Manager added that it was possible to pre order a pizza and pick it up on the way out.

Councillor Reed asked how the applicant proposed to deal with the issue of being a magnet for the customers of other pubs that had closed. The applicant said that they always have a strong door team; they don't let people in if they have had too much to drink and this was an ongoing responsibility.

In reply to the Chairman seeking clarification about what they were now applying for the applicant said that they wished to remain open until 2:30 a.m. on Friday and Saturday and 1:30 a.m. on Thursday.

In reply to a further question from the Chairman the applicant confirmed that they had had 20 late events in the last year comprising Bank Holidays and 12 Temporary Event Notices. They had remained open to 3:30 a.m. and had had no complaints, which had built their confidence to make the current application.

The Chairman commented that residents might take a different view of one off events than of late opening on every weekend. The applicant responded that the flexibility of the Licensing Act gave the local authority the power to review. He said that it was a safety net if they didn't live up to what they claimed. He said that managing the one offs had been good but they would become even better at managing the late opening if they did that every week and they would do everything they could to limit the impact on residents.

The Chairman said that the interested parties concerns may become even greater if the late opening is on a regular basis. He questioned where other premises in the chain were located. The Area Manager responded that they had 130 sites nationwide; they also had 120 sites under the Slug and Lettuce brand and 50 sites under the Ha Ha Grill brand. The two closest were in Brighton and Hove. The Chairman said that Brighton was quite different to a country town such as Burgess Hill. The Area Manager said that they did have establishments in similar areas such as Bexley Heath, Chatham and Hove where it was residential with business from lots of offices in the day.

Councillor Reed sought clarification on what time the bar would close. The Applicant replied that it would be the same as any other day in that the music comes down one hour before closing and the bar closes half an hour before closing. Councillor Gillbard sought clarification on what was being done to combat noise. The Area Manager said that they had identified a perimeter around the pub where no noise was audible; every 45 minutes the duty manager would walk the perimeter to ensure that no noise from the pub was audible. To establish the perimeter they used the Jacobs Post as the central point, had the music on at the normal level and walked in eight different directions until they could no longer hear the music. If the perimeter included any residences then the music would be considered to be too loud. There are no residences inside the perimeter and the patrol of the perimeter is carried out to check for music leak.

In response to a question from the Chairman the Manager said that the smoking area is at the rear of the building, at present there is no seating past 11:00 p.m. and no drinking allowed past 1:00 a.m. The area will be supervised and to date there is no evidence of noise from their establishment.

The Chairman invited final comments.

Representation from the Interested Party 1

Councillor Dumbovic said that the cumulative effect of additional noise from these premises together with the noise from other premises would make the noise nuisance for residents much worse and the noise would seep into more of the nighttime. She had concerns about patrons leaving the premises and not behaving properly and felt that the application should be turned down to protect children from harm as there were children living in the area and the noise would be amplified in the quiet nighttime.

Representation from Interested Party 2

Mr Agate said that he was concerned about the smoking area; he could hear the Waitrose deliveries and the Wilkinson trolleys. He understood that whilst patrons were inside the establishment it may be fine but it was when patrons go home that the problems are caused.

Representations from Interested Party 3

Mrs Fatcher said that noise carries and the more that any noise can be minimised the better.

Submission by The Applicant

The applicant said that they had taken advice from the Environmental Health Officer and would continue to work with the Environmental Health Team. He said that they should be given the chance to operate with the extended hours and they would seek to ensure that they did not add to existing problems.

The Sub-Committee adjourned at 2:55 p.m. to consider the application and reconvened at 3:35 p.m. to deliver their decision

The Chairman said that it had not been easy to reach a decision. The Sub-Committee sought to balance the needs of residents and businesses. The applicant's request to reduce the hours applied for from 3:30 a.m. to 2:30 a.m. on Friday and Saturday and from 2:30 a.m. to 1:30 a.m. on Thursdays had influenced the Sub Committees consideration and they were reassured by the plans regarding patrons coming and going and the attention to limiting the noise. Conditions 1 to 5 had been agreed with the applicant and the Sub-Committee wished to impose an additional condition (6) with a view to preventing the later terminal hour acting as a magnet for patrons from other establishments nearby with an earlier terminal hour.

The Chairman read out the conditions and advised all parties of their right of appeal.

RESOLVED

That the application be granted subject to the following conditions which we believe will satisfy the licensing objective of prevention of Crime and Disorder and Public Nuisance.

1. A minimum of two door supervisors shall be used on Fridays and Saturdays from 21:00 hours. On all Thursdays and Bank Holidays and Sundays where

the premises open for the sale of alcohol beyond midnight door staff shall be employed from 21:00 hours.

2. Door staff shall remain employed until 30 minutes after the venue has closed or until all patrons have cleared from the immediate area.
3. Any live music taking place on the premises shall only take place on Thursday to Saturday between the hours of 20:00 and 23:00
4. No drinking shall take place outside the premises after 01:00
5. The Applicant shall submit a Noise Management Plan, prior to the operation of the new hours. The Plan to be agreed by the Environmental Protection Team. The Plan will be reviewed and be agreed annually by the Environmental Protection Team.
6. No entry to the premises will be granted after 01:00 hours. This is to prevent people trying to gain entry to the premises having come from other licensed premises. This condition is to prevent public nuisance in particular caused by people moving from venues with earlier terminal times in the area

Chairman.

**Minutes of a Meeting of the Mid Sussex District Council Licensing
Sub-Committee held on 4th June 2010
from 10.00 a.m. until 11.00 a.m.**

Present: Councillors: Gary Marsh (Chairman)
Paddy Henry
Julian Thorpe

Officers in attendance: Solicitor to the Council, Senior Licensing Officer and Legal Officer.

Also in attendance: Representatives of Sussex Police (Responsible Authority)

**LS.01 SUBSTITUTES AT MEETINGS OF COMMITTEE – COUNCIL PROCEDURE
RULE 4**

The Sub-Committee noted that no substitutes had been appointed in accordance with Council Procedure Rule 4 – Substitutes at Meetings of Committees etc.

LS.02 APOLOGIES FOR ABSENCE

None.

LS.03 DECLARATIONS OF INTEREST

None.

**LS.04 APPLICATION TO VARY A PREMISES LICENCE – BLISS NIGHTCLUB
(FORMERLY WHITEHALL CLUB), 1ST/2ND FLOOR, WHITEHALL PARADE,
LONDON ROAD, EAST GRINSTEAD RH19 4AP**

The Senior Licensing Officer introduced the report and outlined the application for the variation of the Premises Licence. He said that the application was in respect of alterations to the layout of the premises; that the applicant wished to split the interior into two separate areas and an extension of opening times to 3am on a Friday night. The Senior Licensing Officer explained that the applicant had withdrawn this aspect of their application. He also advised the Sub-Committee that there had been 3 complaints about the premises, all from a local resident living in Institute Walk, and directed the Sub-Committee to the written representation. The representation and complaints were in respect of noise emanating from a small metal window at the rear of the premises, which is 20 feet away from the wall of the resident. The resident has agreed to withdraw her representation upon the window being made sound- proof; the applicant's have agreed to carry out these works. He further explained that the conditions on the current Premises Licence only applied to Saturdays. Conditions have been agreed between the applicant and Sussex Police at a very late stage prior to the hearing, copies of which have been provided to the Sub-Committee.

Sussex Police (Responsible Authority)

Sgt Bradford of Sussex Police informed the Sub-Committee that the premise was part of the Sussex Police Action Plan to reduce the number of Crime and Disorder incidences. The Officer mentioned that there were a total of 21 incidences at the premises since June 2009 and listed the various incidences, which included affray, glassing causing injuries, assault and a near fatal homicide.

Due to the number incidences the Police did advise the applicant that unless the premises become a plastics only venue the Police would call for a Review of the Licence as they had serious concerns about the number of glassing incidences at the premises. The applicants have agreed to this as a condition. The Police requested that Sub-Committee consider making the agreed conditions applicable throughout the week as opposed to just Saturday nights, as on the current licence. He added that the changes to the layout included an increase in the bar area and the Police anticipated that there would be more people attending the premises earlier and there would be an increase in capacity from 550 to 600 people.

Councillor Marsh queried when the incidences usually occurred. The Officer advised the Sub-Committee that 16 incidences occurred between Saturday and the early hours of Sunday and 5 incidences occurred between Friday and the early hours of Saturday. The Officer confirmed to the Sub-Committee that all the conditions presented have been agreed with the applicant and confirmed that the conditions were to be applied throughout the week.

Councillor Henry expressed concerns at the serious assaults. The Officer advised the Sub-Committee that these were due to the bottles and glasses being used which caused injury to people on the premises and that condition 8 should stop the majority of such incidences from occurring. The Officer confirmed that there are similar conditions have been implemented in Crawley on a nightclub and as a result they have received less calls. He advised members that the Police have been working with the applicant and Head Doorman and there have been improvements to the premises such as an increase in lighting.

Councillor Marsh asked whether the nightclub were an active member of Pub Watch to which the Officer confirmed they were and that Sussex Police run Operation Marble on a Friday and Saturday.

The Solicitor to the Council sought clarification on the requirement for door supervisors during the daytime if the applicant wished to open before 8pm. The Officer confirmed that the door supervisors would be required if the premises were open after 8pm. Councillor Marsh queried if condition 11 was necessary. The Officer responded by saying the requirement was also a condition at the nightclub in Crawley and such a requirement would enable checks on underage drinking in the premises as there have been some occurrences of youngsters attending bringing their own alcohol to the premises.

**The Sub-Committee adjourned at 10:40 a.m. to consider the application
and reconvened at 10:55 a.m. to deliver their decision**

The Chairman said that the Sub-Committee had deep concerns over the level of serious assaults and other criminal activity on the premises. It was noted by the Sub-Committee that the applicant did not wish to pursue the extension of time to

3am on Friday night/ Saturday morning. The Sub-Committee wished to impose all the conditions as advised by the Sussex Police (Responsible Authority) and agreed by the applicant, save that the door supervisors shall only be required after 8pm, except when under 18 events are taking place. The Sub –Committee also wished to impose a further condition that the work to the window at the top of the stairwell must be completed within 14 days of grant of this licence, in addition to the mandatory conditions. The conditions are imposed to promote the 4 licensing objectives.

The Chairman advised that the full reasons for the decision would be issued within 5 working days and that there was a right of appeal to the Magistrates within 21 days upon receipt of the decision letter.

RESOLVED

That the application be granted subject to the Mandatory Conditions and additionally the following conditions which we believe will satisfy the licensing objective of Prevention of Crime and Disorder, Safeguarding Public Safety, Prevention of Public Nuisance and Protection of Children from Harm.

1. A personal license holder to be present during trading hours
2. CCTV cameras will be fitted inside the premises that meet the requirements set by Sussex Police, will record for at least 30 days and any recordings will be made available to Sussex Police at the earliest opportunity after being requested. Any faults with the system will be reported to Sussex Police Licensing Unit at Horsham Police Station and to Mid Sussex District Council within 48 hours of the fault being discovered. The CCTV recording equipment will be kept in a locked cabinet that only senior management of the premises will have access to
3. The number of door staff that must be on duty will be set as follows, two SIA door staff for the first 100 customers and then 1 per 100 customers
4. Door staff must be on duty after 8pm, except when under 18 events are taking place when door staff shall be on duty at least 30 minutes before the commencement of such events.
5. Door staff will use radios to contact each other and will have high-visibility arm bands
6. 2 door staff will be placed at the front door when admitting customers in and also place around the premises as agreed with Sussex Police
7. At the end of the trading night and for a further 30 minutes or until the last customers have dispersed, which ever is latest, the door staff will be situated immediately outside the premises to assist with the dispersal of customers.
8. From 01:00hrs onwards there will be no entry or re-entry of customers to the premises except for those who are using the designated smoking area.
9. Polycarbonate / plastic drinking vessels and bottles to be used throughout the premises at all times
10. Any customer ejected from the premises will be done by at least two members of the door team when practicable. A senior member of the management will be present where practicable. All ejections of a customer will be recorded and this record to be made available to Sussex Police on request.
11. A challenge 21 scheme is to be in place, with appropriate signage to be displayed in prominent positions throughout the premises. Only photo driving licenses, passports or ID cards bearing the PASS logo to be accepted as proof of age to gain entry to the premises.

12. When an event is planned for persons under the age of 18 years, the DPS will inform the Licensing Units at Sussex Police and Mid Sussex District Council at least 14 days in advance of the event thus allowing Sussex Police to object to the event going ahead if necessary.
13. Be an active member of the East Grinstead Pub watch
14. The window at the top of the stair well leading to the toilet and office will be screwed shut and boarded with no less than 4 layers, eliminating any sound leakage. To be completed within 14 days of grant of this license

Chairman.

**Minutes of a Meeting of the Mid Sussex District Council Licensing
Sub-Committee held on 7th June 2010
from 10:00am until 3:05p.m.**

Present: Councillors: Paddy Henry (Chairman)
Andrew Brock
Jane Keel

Officers in attendance: Assistant Solicitor, Senior Licensing Officer and Member
Support and Elections Officer.

Also in attendance: Environmental Enforcement Officer
Representatives of Burgess Hill Rugby Football Club (the
Applicant).
Seven Interested Parties
Councillors Ms. Ng and Salisbury attended for training
purposes.

**LS.05 SUBSTITUTES AT MEETINGS OF COMMITTEE – COUNCIL PROCEDURE
RULE 4**

The Sub-Committee noted that no substitutes had been appointed in accordance
with Council Procedure Rule 4 – Substitutes at Meetings of Committees etc.

LS.06 APOLOGIES FOR ABSENCE

None.

LS.07 DECLARATIONS OF INTEREST

None.

**LS.08 APPLICATION TO GRANT A PREMISES LICENCE – BURGESS HILL RUGBY
FOOTBALL CLUB, SOUTHWAY RECREATION GROUND, POVEYS CLOSE,
BURGESS HILL, RH15 9TA**

The Senior Licensing Officer introduced the report and outlined the application for
the Premises Licence. He outlined the background of the current Club Premises
Certificate. He referred to the 16 Temporary Event Notifications given since 2007
and the types of functions these had been granted for. He referred to the 6
complaints of noise and disturbance that had arisen from these functions. He
noted that of the 4 outside functions held only 1 had been covered by a
Temporary Event Notification however the club had asked for advice about how
they could best hold events with the advice being to apply for a Premises
Licence.

The Committee listened to a recording taken by Mr Clifton from 24 Poveys Close
in 2006 of disorderly people outside this address.

Question from Members of the Sub-Committee

In response to a query from the Chairman about the nature of the club, the Senior Licensing Officer explained that the club had a bar and kitchen which was available for use by club members throughout the year for social activities. He noted that when the club had been hiring the premises there had been predominantly non-members attending which was not allowed under the current Club Premises Certificate. He added that this was a common practice amongst clubs across the district and that this was usually due to a misunderstanding of the licensing law rather than a deliberate attempt to flout the law and that when engaged the club had taken steps to remedy this problem.

In response to a query from the Chairman, the Senior Licensing Officer explained that if Sussex Police agreed to a Temporary Event Notification under the current license, the District Authority had no right of objection over the event. He explained that 12 Temporary Events Notices were allowed per year and that the police could only object on the grounds of crime and disorder and it was rare for objections to occur.

In response to a query from the Chairman regarding the audio recording, Mr Clifton, one of the interested parties explained that the audio recording had been taken between 11pm and midnight from a bedroom window. He noted that while this did not occur everyday it did so at a significant number of functions.

Representation from the Interested Party 1

Councillor Barrett-Miles, Interested Party 1 spoke on behalf of his ward residents in Sparrow Way. He explained that the main issue was noise and public disturbance and that this was normally a peaceful area surrounded by ancient woodland and residential housing, schools and a nursing home with little noise from traffic. He outlined the complaints made in a two year period and stated that the reason for the was club not being able to control what happened at these events. He noted that the building was not modern and in summer doors and windows were opened and smokers and others spilled out of the building, creating disturbance for residents. He added that if the Premises Licence was granted, music would be allowed 104 times a year. He expressed concern that the new licence would not result in any more control being exercised. He stated that the licence would create a new drinking establishment that that there was already a sufficient number of pubs and off-licences in the area. He stated that for these reasons the application should be refused.

Representation from Interested Party 2

Mrs Burrows, Interested Party 2 noted that in her letter she had wrote that she supported the rugby club and had tolerated the bad behaviour and noise as it had occurred infrequently, however under the proposed Premises Licence there would be disturbances everyday of the week and that the people likely to be using the club would have bad behaviour as it was not a salubrious venue. She added that the present licence was adequate and that the proposed licence would cause much more aggravation.

Representations from Interested Party 3

Mr Bridger, Interested Party 3 explained that he had been a resident in the area since 1969, three years before the club house had been situated there. He

referred to bad behaviour at an event and stated that the rugby club had consulted residents who had been assured this behaviour would not happen again. He expressed concern that the police were not able to adequately police this area and that his front lawn would continue to be used as a urinal and that he would still find broken glass up his drive.

Representation from the Interested Party 4

Mr Clifton, Interested Party 4 stated that he was not against the club or alcohol being sold to members but that he objected to the extension of liquor sales and hours. He noted that he also spoke on behalf of his wife and neighbour. He noted that since he had moved in, in 2002 he had perceived an increase in functions and a lowering of behaviour standards and that as a shift worker he found Friday and Saturday nights to be stressful, having to work the next day. He stated that when functions were held, there was pounding music and that the bass was so loud it could be heard throughout his house and that there had been violence and anti-social behaviour outside his residence. He noted that his fence had been vandalised, his garden used as a toilet and that patrons had vomited in his garden. He explained that the Chairman of the club had apologised in the past and assured him it wouldn't happen again but it had continued to occur. He stated he had felt that a letter received from the club warning of a large development with affordable homes if the club lost its licence was not appropriate. He expressed concern that the club was not able to control patrons when they were outside the premises and that it took some time for patrons to leave the premises with disturbances from cars and taxis. He expressed concern about the extension of hours and that there would be more functions. He felt the extension was not acceptable or appropriate.

Representation from the Interested Party 5

Mr Allen, Interested Party 5 stated that he was speaking on behalf of his family and neighbours. He explained that he supported the rugby club and the area was a nice one in which to live however he was concerned by the behaviour and activities resulting from functions at the rugby club. He stated that he had experienced damage to his property and car and that his garden had been used as a toilet. He said that his elderly neighbours had been intimidated by the bad behaviour from patrons of the club and stated that he had found a letter from the rugby club about selling the land to developers and affordable homes to be quite threatening. He stated that he wanted the club to survive but there needed to be more responsibility.

Representation from the Interested Party 6

Mr Pearson, Interested Party 6 from 14 Poveys Close stated that he was speaking on behalf of his family. He explained that he felt the club was in an unsuitable place for a licensed premises with large amounts of vehicular and pedestrian traffic. He stated that when he moved in 5 years ago there had been a greater number of functions and more anti-social behaviour than now with extreme noise and disturbance. He said that he supported the rugby club but felt that its location made it inappropriate for entertainment or drinking. He expressed concern that the club could do little to control the behaviour of those leaving.

Representation from the Interested Party 7

Mr Brouwer, Interested Party 7 from 22 Sparrow Way stated that when functions were held he could hear exactly what the DJ was saying and the lyrics of the music. He said that he didn't oppose the rugby club or its functions when they were controlled. He explained that he had lived there for 4 years and expressed concern about the club's ability to control an increased number of functions under a Premises Licence. He stated that when he had contacted the club to address the issue of noise it hadn't been picked up and when it had the Chairman had warned him that the club would sell the land to a developer and build affordable housing, which he had found intimidating. He said that when he had walked over to the club in the past to address the issue of noise there had been inappropriate behaviour occurring outside the club. He noted that the area was a quiet one, and that it would be difficult to live with disturbances up to 104 times a year.

Question from Members of the Sub-Committee

In response to a query from the Chairman, the Senior Licensing Officer explained that the issue of whether or not there was a need for a premises licence should not be considered when considering the licence. He explained that under the current licence only a member or a guest could be admitted and that guests could be signed in no more than twice a month however under a Premises Licence anybody could enter the club.

In response to a query from the Chairman as to whether or not a condition could be included to restrict access to the club to members, the Senior Licensing Officer explained that this would restrict the club to the same conditions that existed under the Club Premises Certificate.

In response to a query from the Chairman, the Assistant Solicitor stated that the issue of the letter from the rugby club to residents regarding development was not a matter to be considered.

In response to a query from Councillor Brock, the Senior Licensing Officer stated that Mid Sussex District Council owned the land the rugby club and grounds were sited on.

Submission by The Applicant

Robin Roberts the secretary of the club introduced himself and Neil Upton the Chairman of the Club.

Mr Upton stated that the club was staffed by volunteers who made no profit and that the main intention of the club was to keep it going. He explained that a lack of understanding when the licence was changed over in 2005 had resulted in events being held without a Temporary Event Notification and that the club had since learnt more about the licensing laws. He stated that complaints were taken seriously. He outlined the finances of the club which were driven by membership, fundraising, sponsorship, the bar and events. He noted that the clubhouse was an aging facility which needed repair and that profits made would be kept for future expenses such as replacing an ageing boiler. He stated that the club wanted to hold events for the local community and members such as weddings and 40th and 50th birthdays and there was no intention to turn the club into a pub. He added that the intention was to hold 15-20 member events with music and alcohol and to supplement this with events hired out to applicants affiliated to the

club. He added in this way the club could survive. He noted that there had been issues with functions and hoped that the change in committee could address this. He explained that the club had spoken to police and that there had been few incidences where they had been called. He noted that the club had been approached by developers with the intention of developing the site but that the rugby club wished to stay in Burgess Hill town not on the outskirts. He added that the club wished to work with residents to resolve any issues.

Questions from Members of the Sub-Committee

In response to a query from Councillor Mrs. Keel regarding how the applicant intended the club to be run under the proposed Premises Licence, the applicant, Mr Upton explained that they weren't looking to employ anyone to run the club as other clubs had done. He added that he did not intend on the club being opened every weekend with music.

In response to a query from Councillor Mrs. Keel, the Assistant Solicitor explained that if there was a breach of the licence, residents could call for a review.

In response to a query from Councillor Mrs. Keel regarding how the club planned to address residents concerns, the applicant, Mr Upton explained that the most disruption had occurred at 18th and 21st birthdays and the committee had made the decision to limit these types of parties.

In response to a query from Councillor Brock regarding noise, the opening of windows and doors and whether air-conditioning could be installed, the applicant, Mr Upton explained that the club had discussed the issue of noise with the Senior Licensing Officer and that the club had invested in a noise meter to understand how the noise was being carried. He noted that the issue of doors being open and left open was a problem and that there would be better management of doors and windows. He stated that air-conditioning was not really an option because of the cost.

In response to a query from the Chairman, the applicant, Mr Upton explained that the total membership was around 300 including children and that the bar staff were pulled from a list of 20 volunteers. He outlined how training for the bar staff occurred.

In response to a query from Councillor Brock regarding what could be done to control the behaviour of those leaving, the applicant, Mr Upton stated that the key issue was to target who was using the hall which is why the current executive would be reluctant to allow these parties. He added party organisers would also be asked to take a degree of responsibility.

The Senior Licensing Officer added that it would be difficult to place a condition on the rugby club to control people leaving the club.

In response to a query from the Chairman as to what constituted an adult event, the Senior Licensing Officer stated that this would be something such as pole dancing or strip tease. The applicant, Mr Upton, stated that an event like that had never been held nor was he expect one to.

In response to a query from the Chairman as to which events would have SIA door staff, the Senior Licensing Officer stated that this condition related

specifically to 18th and 21st birthdays and would not be needed on a normal club night.

In response to a query from the Chairman as to how many club staff oversaw functions, the applicant, Mr Upton explained that there was always a senior member on the bar taking money. He added that the club was only let out with club members on the premises. He noted that those hiring the club were required to sign a contract and that club members were required to ask people to come back inside if they went outside.

In response to a query from Councillor Brock clarifying changes from the current to the proposed licence, the Senior Licensing Officer confirmed that alcohol could currently only be served to members of the club and those signed in. He added that alcohol could only be served to others under a Temporary Event Notification. He stated that the Premises Licence would allow the club to serve alcohol and hire the venue to whoever they wanted to and that any conditions to restrict this would basically end up the same as the current licence.

Representation from the Interested Party 1

Councillor Barrett-Miles noted that even though the club had said it would try and restrict events to more responsible people, two of the noise complaints in the pack had related to a wedding anniversary and the club annual dinner and dance. He stated that the issue of noise transcended all events and as it was an old building with no air-conditioning these issues would remain. He expressed concern that bar staff would not adequately be trained and that there did not seem to be the ability to control the noise issue. He expressed concern that the economic situation would lead to the temptation to hold 18th and 21st birthdays. He expressed concern that residents would have to suffer if the licence was granted before a review could be asked for.

Representation from Interested 2

Mrs Burrows expressed concern that large numbers of young people would still be attending other events and that there was more of a focus on selling alcohol to raise money.

Representations from Interested Party 3

Mr Bridger stated that he had been a resident in the area for a long time and that he had heard this before. He expressed concern that it was difficult for consistency if the rugby club committee changed.

Representations from Interested Party 4

Mr Clifton suggested that the police hadn't often been called in the past as it was difficult to decide which number to call and that there was no response if the non-emergency number of called. He stated Environmental Health at the District Council could not be called outside office hours.

Representations from Interested Party 6

Mr Pearson expressed concern that he had not heard any substantive or meaningful assurances about noise control. He expressed concern that when

people started drinking, they disregarded contracts signed to control noise and behaviour.

Representations from Interested Party 7

Mr Brouwer stated that residents were being penalised for not complaining to the police more in the past. He expressed concern that the fields were used by children as a play area in the summer holidays and that this would be on the doorstep of a licensed premises.

Submission by The Applicant

Mr Roberts noted that there had been a change to the executive committee and that there was a desire to run the club in a more professional way. He stated that the club was not looking to run as a pub or make lots of money and that it hoped to break even by holding a similar number of events to that held now. He added that the club was continuing to look for sponsorship so that the club didn't need to be opened as often. He stated that the premises supervisor would ensure the conditions were followed and that the club did not want to cause problems for residents.

The Sub-Committee adjourned at 12:00 p.m. to consider the application and reconvened at 1:00 p.m. to deliver their decision

The Chairman read out the conditions and advised all parties of their right of appeal.

RESOLVED

That the application be granted subject to the following conditions which we believe will satisfy the licensing objective of prevention of public nuisance.

1. All windows and doors to the premises shall be kept closed during the times when a regulated licensable activity is taking place on the premises.
2. The Applicant shall submit a Noise Management Plan to be agreed by the Protection Team. The Noise Protection Team will review the Noise Management Plan on an annual basis.
3. The Club shall install a noise limiter to the equipment used either by live bands or recorded music.
4. A designated smoking area shall be made to the rear of the premises. The area will be signed as the designated area.
5. The fire door that opens in the side of the building shall not be used as an access or egress route to or from the premises other than as a fire escape route. This is to prevent nuisance to the local residents in Povey's Road.
6. Two SIA door staff be employed for 18th and 21st birthday parties and at any event of an adult nature.
7. The premises shall employ a Challenge 25 policy.

8. All staff shall be fully trained in their responsibilities under the Licensing Act 2003 prior to making any sales of alcohol.
9. Training shall be renewed at a minimum of 3 monthly intervals and shall be fully recorded.

LS.09 APPLICATION TO GRANT A PREMISES LICENCE – HORSTED CLUB, THE GREEN, HORSTED KEYNES, RH17 7AE

The Senior Licensing Officer introduced the report and outlined the application for the Premises Licence. He referred to the previous use of the premises as the Horsted Keynes Royal British Legion Club, which had had a Club Premises Certificate and had been allowed the performance of live and recorded music, indoor sporting events and the sale of alcohol. He noted that Environmental Protection had reached an agreement where live music events would not be permitted. He noted that 4 parties had objected based on noise disturbance from the previous use of the premises.

Question from Members of the Sub-Committee

The Chairman noted that it was usual to take the interested parties first however as this application could not be compared to the previous licence held by the British Legion Club, which had closed, the applicant would be asked to speak first.

Submission by The Applicant

Mr Jones, the applicant introduced himself and noted that the premises had been licensed for many years prior to this application. He stated that there had been no official complaints and he was not seeking an extension of licensing hours and was, in fact seeking a reduced number of hours to the previous licence. He noted that less disturbance to residents was advantageous to residents which was why he was seeking reduced opening hours. He added that indoor sporting events had been dropped from this license. He noted that the interior and exterior had been refurbished and all the loud speakers had been removed. He added that the wall backing on to a neighbouring property had been soundproofed. He stated that he had agreed to all police and fire conditions and requirements by the Environmental Protection Team. He referred to the area surrounding the premises and noted that he had no control over these areas such as football games held on the village green. He said that he made an effort to keep the area surrounding the premises free of litter by keeping the grass cut. He stated that he had been a resident of the village for 30 years and was involved in a number of village communities and that the village hall was overused and this club would provide another meeting place for village groups and organisations.

Questions from Members of the Sub-Committee

In response to a query from the Chairman about smoking arrangements, the applicant, Mr Jones explained that ashtrays were in place outside the front door.

Representations from Interested Party 1

Mr Newnham, Interested Party 1 referred to his letter of objection and said that he felt the same problems that had occurred under the previous licence would continue under the proposed licence. He noted that he lived in Chapel Lane and experienced disturbance from the car park and the club and its patrons. He expressed concern about the noise from the car park and stated that the hours applied to the previous Club Premises Certificate had not been kept to resulting in disturbance at unacceptable hours. He stated that there were litter problems in the car park and that he had found cans in his garden. He felt that the proposed hours were still too late for a village location where families were living. He stated that he had received no communication regarding the refurbishment and that this had taken place early on weekends.

Representations from Interested Party 2

Mr Brimfield, Interested Party 2 expressed concern about the noise and felt that the hours music could be played should be restricted further than those outlined in the application. He expressed concern about the volume of the music and suggested 10pm would be an appropriate time for the music to end. He said that while the removal of the speakers was a positive step he was concerned about the soundproofing of the building. He stated that smokers had been a problem in the past however the applicant was arranging for them to be in the best place possible. He stated that children who accompanied customers had been a problem creating disturbance outside after dark and that customers should be reminded to leave quietly. He felt that alcohol should only be served until 10:30 and the building should be closed by 11pm.

Representations from Interested Party 3

Mr Clark, Interested Party 3 stated that a lot of issues he wished to raise had been touched on. He referred to the wall next to his property which had been soundproofed and stated that the soundproofing had had no effect. He expressed concern about the hours and felt that they should be reduced and expressed concern about the disturbance when customers were leaving. He referred to the refurbishments and stated that there had been no communication around this and that building materials had been dropped into his property.

Question from Members of the Sub-Committee

The Chairman confirmed with the Assistant Solicitor that any issues around the refurbishment could not be considered as it was a separate issue.

In response to a query from Councillor Brock concerned whether or not the soundproofing could be made more effective, Mr Clark, Interested Party 3 suggested that the current timber wall could be packed with material to make it more solid and soundproof.

The applicant, Mr Jones suggested that he would test the wall with equipment from Environmental Health, if the Committee thought it was necessary.

In response to a query from Councillor Brock concerning the opening hours and the sale of alcohol hours being the same, the applicant, Mr Jones stated that this was a mistake and that the sale of alcohol would end at 23:15.

In response to a query from the committee about the representation from the Parish Council, the Assistant Solicitor noted that the representation had been received late and that the Parish Council would like to see the hours reduced to 23:00, in line with other premises in the village. The Parish Council had expressed concern about the noise disturbance for neighbouring properties, some of which were in very close proximity to the premises and that music should be restricted.

In response to a query from the Chairman, the Senior Licensing Officer stated that each premises should be judged on its own merits, not in relation to other premises.

The Chairman invited final comments.

Submission by The Applicant

Mr Jones stated that the premises was a vital part of the village and that he was prepared to listen to residents concerns and that he had tried to approach residents but had not had the opportunity to come into contact with them all.

Representations from Interested Party 1

Mr Newnham stated that he felt the licence was in excess of what was reasonable based on past experience that that the hours were too late for a village location.

Representations from Interested Party 2

Mr Brimfield stated that he felt the opening hours and hours for selling alcohol was too late and would lead to disturbance in the immediate area. He stated that he was a Parish Councillor and when this item had been considered, he had declared an interest and left the room.

Representation from Interested Party 3

Mr Clark stated that the past 6 months where the premises had been shut had resulted in a massive change in lifestyle.

The Sub-Committee adjourned at 2:15 p.m. to consider the application and reconvened at 3:00 p.m. to deliver their decision

The Chairman read out the conditions and advised all parties of their right of appeal.

RESOLVED

That the application be granted subject to the following conditions which we believe will satisfy the licensing objectives.

1. All windows and doors to the premises shall be kept closed during the times when a regulated licensable activity is taking place on the premises.

2. The Applicant shall submit a Noise Management Plan to be agreed by the Protection Team. The Noise Protection Team will review the Noise Management Plan on an annual basis.
3. The Club shall install a noise limiter to the equipment used either by live bands or recorded music.
4. A designated smoking area shall be made to the front of the premises. The area will be signed as the designated area. A sign will be erected to remind patrons using the area to do so quietly.
5. The premises shall employ a Challenge 25 policy.
6. A refusal/incident register to be kept and maintained and to be made available for inspection by Sussex Police as and when required.
7. CCTV will be in operation throughout trading hours. Recorded material is to be kept for one month and will be kept in a secure cabinet and will be made available for inspection if requested by a Police Officer. Failure of CCTV will be repaired as soon as is practical and will be reported to the Police immediately.
8. No 18th birthday parties to take place on the premises.
9. Children under the age of 14 years not to remain on the premises after 21:30hrs unless by prior agreement with the premises management.
10. The existing Club Certificate Premises Rules to transfer to the Premises Licence and remain in force.
11. No person under the age of 18 years shall remain on the premises when adult entertainment is being performed.
12. No more than six (6) Live Music events shall take place on the premises during the period January to December

The Committee note that during the hearing the Applicant agreed to reduce the hours alcohol will be sold to 23:15 hrs and the premises will close at 23:30hrs.

Chairman.

**Minutes of a Meeting of the Mid Sussex District Council Licensing
Sub-Committee held on 14th June 2010
from 3.00 p.m. until 5.27 p.m.**

Present: Councillors: Paddy Henry (Chairman)
Jane Keel
Robert Salisbury

Officers in attendance: Assistant Solicitor, Senior Licensing Officer and Committee
Co-Ordinator.

Also in attendance: Representative of Nalbant Leisure Limited (the Applicant).
Representatives of Sussex Police (Responsible Authority)
Two Interested Parties

**LS.10 SUBSTITUTES AT MEETINGS OF COMMITTEE – COUNCIL PROCEDURE
RULE 4**

The Committee noted that, in accordance with Council Procedure Rule 4 –
Substitutes at Meetings of Committees etc., Councillors Mrs. Keel and Salisbury
had replaced Councillors Dixon and Hersey respectively for the duration of the
meeting.

LS.11 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Dixon and Hersey.

LS.12 DECLARATIONS OF INTEREST

None.

**LS.13 APPLICATION TO VARY A PREMISES LICENCE – TRYST, THE NIGHTCLUB,
BASEMENT, ATRIUM CENTRE, KING STREET, EAST GRINSTEAD RH19 3DJ.**

The Senior Licensing Officer introduced the report and outlined the application to
vary a Premises Licence. He noted that the applicant owned another club in The
Atrium Centre. He outlined the area and noted that the previous premises had
not traded since Autumn 2009 and had gone into administration in March 2010.
He stated that the premises was currently unlicensed. He noted that the latest
license in the area was until 3am on a Saturday at a nearby club. He stated that
the applicant had agreed a number of conditions with Sussex Police including a
closing time of 2am with the sale of alcohol ceasing at 1:30am. He noted that 2
parties had objected on the basis of public nuisance.

Question from Members of the Sub-Committee

In response to a query from Councillor Salisbury concerning what was located
opposite The Atrium Centre on Little King Street, the Senior Licensing Officer
informed the Committee that a disused Vauxhall garage was located opposite.

In response to a query from Mrs. Lewis, Interested Party 1 concerning the proposed opening hours for New Years Eve, the Senior Licensing Officer confirmed that the applicant was applying a licence allowing the club to be open from 9am on New Years Eve until the close of licensable hours on New Years Day.

Submission by The Applicant

Mr Hassan, the applicant introduced himself and noted that didn't wish to fight with residents and had been happy to accept Sussex Police's recommendation to shut at 2am rather than 3am.

Questions from Members of the Sub-Committee

In response to a query from Councillor Salisbury, the applicant, Mr Hassan explained he was seeking a licence on Christmas Eve that extended until 3am on Christmas Day. He also explained that the close of business on New Years Day would depend on the day of week. He added that he had no intention of staying open for 24 hours.

In response to a query from Councillor Mrs. Keel concerning the proposed closing time of the club and impact on the area, the applicant, Mr Hassan stated a door supervisor would be out half an hour after close, assisting people to leave the area quietly. He added that he was happy to work with the police and listen to police suggestions.

In response to a query from the Chairman about the closing time on New Years Day, the applicant, Mr Hassan stated that he wanted the same hours as his competitor so there was a fair playing field.

In response to a query from the Chairman about whether competitors were able to stay open for 24 hour periods, the Senior Licensing Officer stated that he believed they did however the Committee should consider each application independently on its own merits.

The Assistant Solicitor confirmed that the Committee needed to consider the application before them and that whilst they might hear about surrounding premises they must only consider such evidence with the appropriate weight attributed to the evidence placed before them.

Submission by Sussex Police

Sergeant Andy Bradford from Sussex Police gave a background to the site and noted that there was a 2am planning restriction on The Atrium Centre. He stated that the application concerned was a large premises with a capacity of 1000 people and that the applicant had agreed with Sussex Police of a set of conditions which included a closing time of 2am if permission was granted. He referred to previous incidents at the venue before it had been taken over by the applicant and added that even if it were well managed there would probably still be incidents. He referred to where the police had flashpoints and noted that the main problems occurred when people left different venues and large groups congregated outside a late night eating establishment and places to await transport. He provided a list of incidences, which occurred at the venue when it was in operation. He stated that there were now less police available to police this area as Haywards Heath and Burgess Hill police were required in their own

areas. He outlined the number of door staff that would be required on a regular evening and at events such as under 18 nights. He added that a Challenge 21 condition would allow more flexibility and that the venue was responsible for running a dedicated security room however the police would work with management to arrange this. He noted that while the Inspector for East Grinstead didn't like the idea of the club opening, the applicant had had very few incidences at his other club.

Questions from Members of the Sub-Committee

In response to a query from Councillor Salisbury, Sergeant Andy Bradford from Sussex Police confirmed there had been no reported incidences at the other venue owned by the applicant, the Crows Nest. He noted that there were less customers and it had a different audience than what might be expected at Tryst. He added in response to a further query about what procedures the police had in place to deal with disorder associated with clubs, that the police had an operation in place to target the main disorder locations and that this operation would be reviewed if the licence was granted.

In response to a query from Councillor Mrs. Keel about door staff checks on under 18s, Sergeant Bradford confirmed that this was a similar procedure to that at other venues and that the number of door staff stipulated in the licence was sufficient to cover an under 18s event.

In response to a query from the Chairman about safety checks at under 18s events, Sergeant Bradford stated that everybody was screened with metal detectors to ensure the safety of those attending. He added that usually those attending had very little with them so checks didn't take very long.

In response to a query from the Chairman concerning limited public transport at closing time, Sergeant Bradford stated that the closing time of 2am would stagger departures from this venue and the nearby club, Bliss which closes at 3am.

Representation from the Interested Party 1

Mrs Lewis, Interest Party 1 stated that she had lived in East Grinstead since before The Atrium Centre had been built and that there had been a lot of noise and nuisance over the years. She stated that most disturbances occurred when people were leaving venues within the vicinity and that whilst the applicant had stated that he would ask patrons to respect neighbours, he had no control once they had left the building. She added that there had been a similar promise by the previous owner. She expressed concern about the possibility of the licensed hours extending beyond 2am as people always hung around after the close of the venue.

Representation from Interested Party 2

Miss White, Interested Party 2 added that Bliss affected her back garden and Tryst would affect here front. She stated that people would congregate outside the house between 2am and 4am. She added that she would accept a 2am closing time.

Questions from Members of the Sub-Committee

In response to a query from Councillor Salisbury, Miss White, Interested Party 2 stated there was only 1 twitten.

The Chairman invited final comments of which there were none.

The Sub-Committee adjourned at 3:52 p.m. to consider the application and reconvened at 5:22p.m. to deliver their decision

The Legal Officer confirmed that the legal advice provided to the Licensing Sub-Committee was with reference to paragraphs 4.0 and 5.0 of the Mid Sussex District Council's Licensing Policy Statement of January 2008 and Guidance issued under section 182 of the Licensing Act 2003 at paragraphs 2.32- 2.39, 8.77-8.80 and 13.24 to 13.27.

The Chairman stated that a lot of thought had been given to the application. He read out the conditions and advised all parties of their right of appeal.

RESOLVED

That the Licensing Sub-Committee grant the premises licence save for the licensable activities from Sunday to Wednesday must terminate at 00:00 hours (midnight) and from Thursday to Saturday and Bank Holidays at 01:30 hours, with the premises remaining open for a further 30 minutes until 02:00 am. The Licence granted is also subject to the Mandatory Conditions and additional conditions as follows:-

1. A personal licence holder to be present during trading hours;
2. CCTV cameras will be fitted inside and outside the premises that meet the requirements set by Sussex Police, that will record for at least 30 days and any recordings will be made available to Sussex Police at the earliest opportunity after being requested. Any faults with the system will be reported to Sussex Police Licensing Unit at Horsham Police Station and to Mid Sussex District Council within 48 hours of the faults being discovered. The CCTV recording of the equipment will be kept in a locked cabinet that any senior management of the premises will have access to;
3. The number of door staff that must be on duty will be set as follows:
 - two SAI store staff for the first 100 customers; and
 - one per 100 customers from 20:00 hours and from 30 minutes before any special event and/or under 18 night.
4. Door staff will use radios to contact each other and will have high visibility jackets;
5. Two door staff will be placed at the front door when admitting customers, this is in addition to the number at point (3) above;
6. At the end of the trading night and for a further 30 minutes or until the last customers have dispersed, whichever is latest, the door staff will be situated immediately outside the premises to assist with dispersal of customers.

7. From 01:00 hours onwards there will be no entry or re-entry of customers to the premises except for those who are using the designated smoking area.
8. Polycarbonate/plastic drinking vessels and bottles to be used throughout the premises at all times.
9. There will be a dedicated security room where any persons taken in by security staff can be taken in isolation to the general public for safety and security.
10. Any customer ejected from the premises will be done by at least two members of the door team and when practical a senior member of management will be present. All ejections of a customer will be recorded and this record must be made available to Sussex Police on request.
11. A Challenge 21 Scheme is to be in place, with appropriate signage to be displayed in a prominent position throughout the premises. Only photo driving licences, passports or id cards bearing the "pass" logo to be accepted as proof of age to gain entry to the premises.
12. When an event is planned for a person under the age of eighteen years, the dps will inform the licensing unit that Sussex Police at the Mid Sussex District Council at least twenty-eight days in advance of the event thus allowing Sussex Police to work with the venue to ensure the safety of the young people. The following will also be put in place for an under eighteen event;
 - The entire venue for the evening will be alcohol free and dedicated to the under 18s disco. Having one room or floor set aside for an underage disco, whilst having other rooms or floors open for adults and serving alcohol is not acceptable.
 - SIA registered Door Staff to be employed for this event. This should be a ratio of 1 door person to every 50 children. This should include at least one male and one female member of door staff on the front door.
 - No persons over the age of 17 should be allowed into the venue unless a member of staff.
 - It is preferred that all members of staff working within the venue, other than Door Supervisors should be CRB checked. All members of management of the venue must be CRB checked. All persons actively involved in the entertainment at the venue must be CRB checked e.g. D.Js.
 - All prior marketing (internet, flyers, posters or radio etc) should make it clear in prominent writing what the permitted age of attendees is (both minimum and maximum ages permitted), and that persons under the age or over those ages will not be granted entry. The permissible ages should also be prominently printed on tickets. Any agent or promoter that may sell tickets for the vent over the phone should also

be instructed to state on every sale the age range permitted before the ticket(s) are sold.

- On entrance every person would be searched, this includes their person as well as any bags carried and hand held metal detectors is suggested for quick searches for metal objects such as knives.
- Persons entering should have proof of age, this is to reduce the likelihood of over 18s gaining entry (again this requirement should be clearly stated on tickets etc.)
- As a result of the above all aerosols, marker pens, alcohol and any item that could be used as a weapon should be confiscated. It is also recommended that cigarettes be taken off persons as well as lighters and chewing gum.
- Staff should be vigilant as to the arrival and departure of youths attending the event and must be aware of any undesirable persons loitering in the direct vicinity.
- Youths should not leave the premises, once entered, unless this is to go home. This is to reduce and control the level of Anti Social Behaviour outside the venue as well as protecting the child to outside elements.
- No alcohol should be served or available inside the venue. Youths should be monitored, on entrance, to ensure no alcohol has been consumed.
- Any person/s refused entry for alcohol reasons should be assisted in the best possible way to ensure their safety.
- There should be at all times a qualified First Aider on site who will be immediately available should an incident occur.
- Inside the venue door staff should be located throughout the venue and should be constantly monitoring the youths for any drink, drug related incidents as well as any possible sexual harassment or any other criminal activity.
- Toilets, both male and female, should be regularly monitored. This should mean a visit to each toilet every 30 minutes minimum.
- Storage facilities should be considered for the youth's bags and coats so to reduce the chance for theft.
- It is strongly recommended that the event close later than 2200 hours, however 2300 hours should be the latest terminal hour. This is to ensure the use of public transport is maximised, and also the majority of the children have dispersed prior to the area's influx of adults coming into the area to enjoy the night time economy.
- If the event is held in premises which will be opened up to adults later in the evening, the premises should be closed completely for a period

of 30 mins in between events to ensure no children remain in the venue.

13. Be an active member of the East Grinstead Pub watch.
14. The door entry system will include a hand held metal detector for use by the door team for searching on entry.
15. There will be no “all inclusive” drinks promotions or other irresponsible drinks promotions.

Chairman.