

## **Licensing Sub-Committee**

**21 March 2016**

Present: Councillor M A Green (Chair)  
Councillors L Darke and John Hunter

### **LSQ28/03/16 Appointment of Chair**

**Resolved** that Councillor M A Green be appointed Chair for this meeting.

### **LSQ29/03/16 Declarations of Interest and Dispensations**

There were no Declarations of Interest or Dispensations reported.

### **LSQ30/03/16 Application for a Premises Licence – North Shields Football Club, Silkeys Lane, North Shields (Chirton Ward)**

The Sub-Committee met to consider an application for a Premises Licence from North Shields Football Club in relation to its clubhouse in Silkeys Lane, North Shields. The club sought permission to provide live music each day of the week from 18:00 hours to 23:00 hours, the playing of recorded music each day of the week from 11:00 hours to 23:00 hours and the supply of alcohol each day of the week from 11:00 hours to 23:00 hours. The supply of alcohol was for consumption both on the premises, i.e in the clubhouse, and off the premises, in a designated drinking area within the football ground.

Following introductions, the Sub-Committee's legal advisor, set out the procedure to be followed during the course of the hearing.

The Council's Licensing Officer then presented details of the application, the representations received and the options available to the Sub-Committee.

North Shields Football Club were represented at the hearing by A Matthews, Chairman, and M Taylor, Treasurer. Northumbria Police were represented by N Kirkpatrick, Licensing Officer, and the Licensing Authority, North Tyneside Council, were represented by J Lee.

N Kirkpatrick confirmed that the Police had met with club officials on 28 January 2016 when they had discussed the conditions suggested by the Police and the club had indicated that they would be prepared to accept them. N Kirkpatrick had been under the impression that the club intended sometime in the future to seek permission for the consumption of alcohol within a designated area inside the football ground. The Police had not therefore sought a condition requiring the use of polycarbonate glasses in the designated area. As the Police were now aware of the extent of the current application he expressed his support for such a condition. In response to questioning N Kirkpatrick did not consider it necessary to propose a condition requiring the club to undertake a dynamic risk assessment in relation to match days because the club already undertook risk assessments. N Kirkpatrick stated that there were no recorded incidents of crime and disorder relating to the football ground.

J Lee expressed her concerns regarding the safety of players and officials if supporters were able to consume alcohol immediately next to the playing area within the designated drinking area. J Lee was of the view that any alcohol sold for consumption off the premises must be supplied in polycarbonate glasses or bottles.

On behalf of the football club A Matthews indicated that the club agreed whole heartedly to the conditions being put forward by both the Police and the Licensing Authority and he confirmed that a CCTV system would be installed at the clubhouse.

A Matthews explained how the football club had been rebuilt over the past 25 years culminating in the FA Vase victory in 2015. This showed that the club operated with integrity and possessed appropriate management skills. The club's biggest games of the season attracted attendances of around 1,300 when there had been no incidents of violence or disorder. The club had a good relationship with the Police and they occasionally visited the ground as part of their normal patrols. At present the club had to comply with the Northern League's rules which did not permit alcohol to be consumed inside the ground. However the Annual General Meeting of the Northern League to be held in June 2016 was to consider whether or not alcohol consumption inside Northern League football grounds would be permitted.

During questioning A Matthews confirmed that all sales of alcohol would be within the clubhouse, the clubhouse would be available to hire for private functions and the Designated Premises Supervisor, Mr Lilley, would be responsible for the management of the premises and for training staff and committee members in relation to the Licensing Act. In order to prevent glassware being taken into the designated area, it was envisaged that a committee member would supervise the doorway to the ground and warning signs would be displayed in the area. It was stated that under the terms of a licence any door supervisors would have to be registered with the Security Industry Authority (SIA). A Matthews indicated that the club had in the past employed SIA registered stewards when this had been considered necessary.

All parties were given the opportunity to sum up their respective submissions.

The Sub-Committee withdrew from the meeting to make its decision in private. The Sub-Committee returned and the Chair announced its decision.

**Resolved** that (1) the application for a Premises Licence in relation to North Shields Football Club, Silkeys Lane, North Shields be granted; and  
(2) the following conditions be attached to the grant of the Premises Licence:-

1. The licence holder will maintain a dynamic risk assessment for the general operation of the premises and for individual bespoke events or football matches, particularly in relation to events or football matches or circumstances which may potentially increase the risk of crime or disorder, increase the likelihood of harm to children, undermine public safety, or increase the likelihood of issues that may cause a nuisance to the public. Such a risk assessment must:
  - (a) Identify not only the potential risks but also the tactics to reduce such risks. The licence holder will take into account the level and type of staffing to be employed at the Premises and consider if it is necessary for the Designated Premises Supervisor to be in attendance at the Premises during particular events.
  - (b) Give due attention to any information given to the licence holder or staff by any Responsible Authority, particularly from Northumbria Police.
  - (c) Be fully documented and kept at the Premises at all times and made available for inspection by representatives of Northumbria Police or the Licensing Authority immediately on request.
2. A CCTV system will be installed and maintained in proper working order at all times at the Premises and the licence holder will ensure that:-

- The CCTV cameras are located at the Premises to cover all public areas, including entrances both internally and externally and the designated area provided by the licence holder for the consumption of alcohol off the Premises.
  - The CCTV system is able to capture clear images permitting identification of individuals
  - The CCTV system is able to capture a minimum of 4 frames for second and all recorded footage must be securely retained for a minimum of 31 days.
  - The CCTV system operates at all times that the Premises and the designated area provided for the consumption of alcohol are open to the public
  - The CCTV is capable of constantly generating an accurate date and time.
  - The CCTV system is fitted with security functions to prevent recordings being tampered with e.g. password protection
  - There will be members of staff present at the Premises during the operating hours which are trained to provide viewable copies of CCTV images as soon as possible following a request from representatives of Northumbria Police or the Licensing Authority made in accordance with the Data Protection Act 1988 (or any replacement legislation).
3. Signs will be displayed at the Premises and the area designated by the licence holder for the consumption of alcohol off the Premises, informing customers that a CCTV system is in operation at the Premises. Such signs will be displayed so as to be readily seen and read by customers and must be a minimum size of A5.
  4. All members of staff responsible for the sale of alcohol at the Premises shall seek credible photographic proof of age evidence from any person who appears to be under 25 years of age and who is seeking to purchase or obtain alcohol. Such credible evidence, which shall include a photograph of the customer, will either be a current passport, photographic driving licence, proof of age card carrying a pass logo and hologram or a military identification card showing a date of birth. If no such evidence is produced the sale will be refused.
  5. All members of staff responsible for the sale of alcohol will receive training in relation to their duties and responsibilities under the Licensing Act 2003 (or replacement legislation) and generally on the Act before being permitted to sell and serve alcohol at the Premises. Such training will be provided by the designated premises supervisor or accredited trainer.
  6. All members of staff responsible for the sale of alcohol will receive refresher training at least every 6 months as to their duties and responsibilities under the Licensing Act 2003 (or replacement legislation) and generally on the Act. Such training will be provided by the designated premises supervisor or accredited trainer.
  7. All training received by staff in relation to the Licensing Act 2003 (or replacement legislation) will be recorded and such records kept at the Premises at all times and be made available for inspection immediately on request by representatives of Northumbria Police or the Licensing Authority.
  8. A refusals register (electronic or paper based) is to kept at the Premises at all times and kept up to date detailing all challenges made to customers as to their age and the reason for any refusal recorded in the register. The register will be made available for inspection immediately on the request of a representative of Northumbria Police or the Licensing Authority.

9. No glass drinking vessels, bottles or any other container shall be permitted in the area designated by the licence holder as the area for the consumption of alcohol off the Premises
10. Any alcohol supplied for consumption off the Premises must be supplied in polycarbonate glasses and the contents of any glass bottle decanted into a polycarbonate glass.
11. A notice must be displayed prominently at all exits informing customers that no glassware is permitted to leave the Premises.
12. At least 1 member of staff or club steward or similarly designated person must be present in the area designated as the area for the consumption of alcohol off the Premises on football match days and must be present in that area at all times during a football match and at least 30 minutes before a football match and 30 minutes after a football match. The level of supervision in the area will be a matter to be considered in the risk assessment.
13. The only area in which alcohol may be consumed off the Premises is in the Designated Drinking Area as delineated on the plan of the football ground attached to the Premises Licence.

Reasons for Decision:

Having heard the oral representations, having taken into account the written representations, and having had regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003, North Tyneside Council's Statement of Licensing Policy and the licensing objectives which underpin the Licensing Act 2003, the Sub-Committee concluded that:-

- a) the football club is an asset to the area and has demonstrated that it is properly managed and has a good relationship with Northumbria Police;
- b) there is no reason to challenge the stance adopted by Northumbria Police that provided the conditions suggested by the Police and the Licensing Authority are attached to the licence then they do not object to a licence being granted;
- c) if alcohol sales adjacent to the football ground and consumption of alcohol within the ground are not carefully managed and monitored they could undermine the licensing objectives concerned with the prevention of crime and disorder and public safety;
- d) it is therefore appropriate to attach those conditions set out above to promote the licensing objectives concerned with the prevention of crime and disorder and public safety; and
- e) having particular regard to likely attendance of children at football matches, the safety of players and officials and the likely attendance of supporters from opposing clubs in the designated drinking area it is appropriate to attach conditions requiring the use of polycarbonate glasses in the designated drinking area and for an appropriate number of stewards to be located in the area to ensure that only polycarbonate glasses are used and to monitor the behaviour of supporters in that area.