

DECISION NOTICE
Eastern Area Licensing Sub Committee
Decision made on 2 November 2016

Review of a Club Premises Certificate for Clarendon Club, Nadder Road, Tidworth

Decision:

The Eastern Area Licensing Sub Committee has resolved to vary the Club Premises Certificate for the Clarendon Club, Nadder Road, Tidworth by the addition of the following conditions:

1. Local residents to be given 28 days - notice of events taking place at the premises (to include the date/time).
2. When functions/events take place at least two committee members must be present.
3. The club's committee to develop maintain and implement a Management Plan which must include the chain of command and responsibilities, risk assessments, procedures and policies to enable the Club to comply with the four licensing objectives.
4. Noise generated on the premises shall be kept at such a level at the boundary of any occupied property that it shall not adversely impact on the occupier of that property.
5. Until 23:00 members and guests will be permitted to use the smoking area at the front of the premises (near the car park). This area is to be monitored and limited to 10 people at any one time. The only permitted outside area to be used from 23:00 is the rear of the building, away from residential housing. Noise from people using these areas is to be managed so as not to adversely impact on local residents.
6. SIA Door Staff to be employed at the premises when events take place on a risk assessed basis.
7. Challenge 25 policy will apply to the premises and all staff serving alcohol shall be trained in the operation of the scheme so that anyone attempting to buy alcohol who appears to be aged 25 or under will be asked for identification of age in the form of either a valid passport, photo driving licence, government issued identity card or PASS accredited card or its equivalent successor card and if none is supplied or that supplied is unacceptable, a sale will be refused and a record kept of the refusal. Staff selling alcohol will be subject to refresher training every 3

months and records of training shall be kept. Records of refusals and training shall be made available to enforcement officers on request.

8. CCTV equipment which is fit for purpose and which covers all trading areas, smoking areas and entrance areas shall be provided and maintained in working condition when the premises are open for business. The CCTV product will be maintained for a minimum of 28 days and shall be provided to enforcement bodies on request. There must be a person on the premises able to download CCTV at all times the premises is open for trading.
9. An incident book will be kept on the premises and used to record any incidents of disorder as soon as practicable. An entry should also be made if a customer is injured, escorted from the premises or detained. The entries should include time, date and brief details of what has happened and those involved.
10. The premises licence holder will ensure that no open vessel that can carry alcoholic beverages are taken from the premises.
11. No persons under 18 shall be allowed into the premises after 2100 hours unless accompanied by an adult.
12. No staff shall be permitted to sell alcohol until they have completed training upon induction, designed to ensure that no person who is unduly intoxicated is sold alcohol and to ensure that they understand the 'Challenge 25' policy. Those staff shall receive refresher training every three months. Records of this training shall be kept at the premises and shall be made available to officers of any of the responsible authorities on request.
13. Accurate and up to date member records and guest signing in book must be maintained at all times and made available on request to Wiltshire Police and Wiltshire council Licensing Authority.

Reasons:

The Review had been called by the Licensing Authority in view of concerns about the management of the Club and the failure of the Certificate Holder to adequately promote the licensing objectives. In particular, there had been complaints from local residents regarding noise nuisance from users of the premises. This review had been supported by the Wiltshire Police. There had been no other representations in respect of this Review.

The Sub Committee members were advised that discussions had taken place between the Licensing Authority (as Responsible Authority), the Police and the Club Certificate Holder. The Police and Licensing Authority had proposed a number of additional conditions to be attached to the Certificate, which they felt would adequately address their concerns. These had been accepted by the Certificate holder. For this reason, no oral representations were made by any party.

In view of the agreement that had been reached between the parties, the members of the Sub Committee considered that it was appropriate to add the proposed conditions to the Certificate in order to meet the concerns that had been raised by the Responsible Authorities in relation to the management of the Club and in order to prevent public nuisance and for the protection of children from harm.

In reaching its decision the Sub Committee also considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 18); the guidance issued under Section 182 of the Act and the Licensing Policy of Wiltshire Council.

Right to Appeal

All parties have the right to appeal to the Magistrates Court within 21 days of receipt of this decision. Any person has the right to request a Review of the Licence, in accordance with the provisions of section 51 of the Licensing Act 2003.