

DECISION NOTICE

Southern Area Licensing Sub Committee

Decision made on 5 June 2023

Application for: A Club Premises Certificate in respect of – Chalke Valley Cricket Club
Applicant – Helen Souch, Club Secretary

Councillors:

Cllr Kevin Daley (Chairman), Cllr Peter Hutton and Cllr Robert Yuill

Decision:

Arising from consideration of the report, the evidence and submissions from all parties and having regard to the Statutory Guidance, the Council's Statement of Licensing Policy and the Licensing Act 2003, the application for a Club Premises Certificate under section 71 of the Licensing Act 2003 in respect of Chalke Valley Cricket Club be GRANTED, for the licensable activities, subject to the conditions as set out below:

Licensable Activity	Timings	Days
Sale by retail of alcohol ON and OFF Sales	12:00hrs to 21:00hrs	Monday to Sunday

Subject to the following Conditions (1 to 11):

The Prevention of Crime & Disorder

1. The Chalke Valley Cricket Club will open only to members and properly signed in guests. Alcohol sales will be restricted to those individuals and a written record of signed in guests will be maintained. That record will be available to appropriate authorities as required.
2. The cricket pavilion will be maintained to a standard that ensures its reasonable security.
3. Stock of alcohol will be removed from the cricket pavilion out of season.
4. All staff involved in the retail sale of alcohol will complete suitable retail sale of alcohol training.
5. Records of staff training will be maintained and will be available to appropriate authorities as required.

Public Safety

6. Cricket pavilion emergency exits will be maintained in a clear and unobstructed state at all times.

The Prevention of Public Nuisance

7. There will be no music or other regulated entertainment permitted under this club certificate.
8. Where alcohol is consumed outside, staff operating the bar will regularly monitor member and guest behaviour to ensure excessive noise is not created.

The Protection of Children from Harm

9. The cricket club will operate a Challenge 25 scheme.
10. Only recognised original ID documents will be accepted as proof of age.
11. All staff involved in the retail sale of alcohol will be trained in the check and challenge of customers to minimise the risk of under-age sales.

With the following Informatives:

- Regarding condition 4 above – the training record to be made available to the local authority and or responsible authorities upon request.
- The Club will circulate any rules for the consumption of alcohol to all guests and visiting clubs prior to arrival at the site.
- When an event is planned to take place outside of the standard fixtures, the Club is to advertise these events on a display board at the club as well as advertising on digital platforms.

The Applicant

The Applicant informed the Sub Committee that a Club Premises Certificate was being applied for to increase stronger control measures around the consumption of alcohol at the club. The current arrangement allowed for club members and visiting team members and guests to bring their own alcohol to the club and consume freely without any restrictions.

There was no history of excess consumption or any associated issues at the Club throughout the previous 13 years they had operated from the site. The Club had originally been gifted a lease by the previous owner as a show of support for the Club and the game of cricket.

The Club wished to offer the sale of alcohol and refreshments to its members and guests as part of an enhanced experience, which was regularly available at other Cricket Clubs within the league. It was suggested that once a license was in place, the Club would introduce in house rules which would prevent guests bringing their own alcohol to the Club.

The Applicant informed the Sub Committee that in addition to the regular fixtures throughout the season on Wednesday's and Saturday's there may also be occasional additional matches or events held at the Club.

It was clarified that staff members serving alcohol would receive relevant training in addition to the Challenge 25 scheme or similar which would be in operation.

A small range of products would be available to purchase. The Club Secretary advised that they held previous experience in running a licensed premises and would adhere to the required regulations and licensing objectives.

It was noted that Club players and visiting team players were not permitted to consume alcohol during the game.

Representations

Rep 2 explained that their primary concerns were in the permission to sell and consume alcohol at a sports club, seven days of the week.

The Rep also raised a parking concern which was noted as not a Licensing consideration and therefore could not be considered by the Sub Committee.

Reasons

In reaching its decision, the Sub Committee took account of and considered all the written evidence and the representations from all parties present at the hearing. The Sub Committee noted the concerns raised by those that had made relevant representations at the hearing and in writing, concerning:

- The possibility of an increased noise level generated by those attending the Cricket games, if alcohol was on sale.
- Increased litter generated from the sale of alcohol.

The Sub Committee gave consideration to the anticipated increase in public noise nuisance. It was noted that the club had operated at the site for the last 13 years with no previous history of noise nuisance, despite there currently being no restriction on the consumption of alcohol brought to the site by Members and Guests. It was agreed that the granting of a licence alongside the plan of the Club to refuse attendees from bringing their own alcohol, would only increase control over consumption.

The Sub Committee further agreed that relevant training of all staff serving at the bar in monitoring customers level of consumption and refusing to serve anyone who was intoxicated, would further strengthen the Clubs ability to manage and prevent unwelcomed behaviour from arising.

The Sub Committee noted the concern raised by those that had made a representation, relating to litter being discarded over a fence into their garden, by people attending the cricket games. It was agreed that it was not possible to establish whether such actions,

if they occurred, were restricted to attendees of the Club or may have been carried out by members of the public using the public path.

The Sub Committee heard no evidence that the Applicant would fail to promote the licensing objectives and supported the Applicant's proposed conditions as set out in the application. Further to the conditions, the Sub Committee included informatives which they felt would strengthen relationships between the Club and its neighbours.

The Sub Committee also considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 72); the four Licensing Objectives; the guidance issued under Section 182 of the Act and the Licensing Policy of Wiltshire Council.

Right to Appeal

The Applicant and the Interested Parties who made representations were informed that they may appeal the decision made by the Licensing Sub Committee to the Magistrates Court. The appeal must be lodged with the Magistrates Court within 21 days of the written notification of the decision. In the event of an appeal being lodged, the decision made by the Licensing Sub Committee remains valid until any appeal is heard and any decision made by the Magistrates Court.

A Responsible Authority or an Interested Party may apply to the Licensing Authority for a Review of a Premises Licence. Whether or not a Review Hearing takes place is in the discretion of the Licensing Authority, but, if requested by an Interested Party will not normally be granted within the first 12 months except for the most compelling circumstances.