

**Meadowbank Football Ground, Mill Lane, Dorking, Surrey**

**Decision Notice: Variation of a Premises Licence**

**This notice confirms the decision of the Licensing Sub-Committee made at a meeting on 1<sup>st</sup> October 2018**

**The Application**

1. Mole Valley District Council received an application from Dorking Wanderers FC Limited (**Applicant**) for a variation of a premises licence at Meadowbank Football Ground, Mill Lane Dorking, Surrey RH4 1DX. (**Application**) The Application seeks to extend the sale of alcohol from 5pm Monday to Friday to 11am Monday to Friday
2. 24 relevant representations in respect of the Application were received from members of the public. A hearing was arranged to take place on 1<sup>st</sup> October 2018 at 10.00am in the Council's Chamber to enable the Council's Licensing Sub-Committee; comprising of Councillor Metin Huseyin and Councillor Elizabeth Daly to determine the Application. The hearing was chaired by Councillor Metin Huseyin.
3. The Council's Senior Licensing Officer summarised the Application and confirmed that the application initially sought to allow patrons to consume alcohol pitch side whilst watching a game. However, during the period for representations the applicant withdrew this part of their application.

**Attendance and Participation**

4. The hearing was attended by:

Senior Licensing Officer	Paul Holliday	Mole Valley District Council
On behalf of the Applicant	Marc White Kris Lea	Director/ Chairman of Dorking Wanderers FC Limited Director Dorking Wanderers FC Limited
On behalf of the Interested Parties	Duncan Rollo Mike Johnson Andy Thompson	Local Resident Representative of the Archway Place Residents Association Representing the Fairfield Drive residents

5. The Sub-Committee were satisfied that notice of the hearing was served on all relevant parties.

## Summary of Discussion

### Applicant

6. The Applicant explained that Dorking Wanderers were recently granted a premises licence on the 31<sup>st</sup> July 2018. The application for the premises licence incorrectly stated the hours the Applicant wanted to serve alcohol Monday to Friday. This Application has been submitted in order to correct that mistake and authorise the sale of alcohol from 11am Monday to Friday. The current licence authorises the sale of alcohol from 5pm Monday to Friday.
7. The Applicant wished to address what he felt was a misconception about the restaurant/lounge area at the club which he believed stemmed from the previous football club which the applicant has no association with. The restaurant/lounge's focus is serving good food, coffee and cake and the variation is sort so they can offer alcoholic drinks to their visitors should they desire. Mr Lea noted that the club had been monitoring the footfall to the restaurant/lounge area and they estimate that over 70% of the visitors between 11.00am and 5pm to date are over the age of 65 and are of retired status.
8. The Applicant added that the restaurant The Healthy Kitchen has received excellent reviews on TripAdvisor and no complaints have been received since the granting of the original premises licence on 31<sup>st</sup> July 2018. Upon questioning from the Chairman, the Council's Senior Licensing Officer confirmed that no comments had been received from the Police regarding the Application and Environmental Health had no comments to make regarding the licensable activities.
9. The Applicant was questioned by the Sub-Committee as to whether the bar would offer special offers on drinks. The Applicant responded that they couldn't say that wouldn't happen as they are a club that needs to generate income but they added that the restaurant/lounge is different from a Weatherspoons type business.
10. The Sub-Committee then asked the Applicant whether they would consider widening their litter picks as a number of the representations received mentioned the increase in litter. The Applicant responded by saying the complaints about litter are irrelevant as the Application is just seeking an extension to the hours they are able to serve alcohol Monday to Friday and not match days.
11. The Council's Senior Licencing Officer noted that if the Application was granted then the extended alcohol sale hours Monday to Friday would extend to the Fanzone. The Applicant responded by saying that they would only wish to allow alcohol sales in the Fanzone on Monday to Fridays if there were matches on a Bank Holiday but this could be authorised by a Temporary Event Notice in the event the Sub-Committee were minded not to grant the increased hours to the Fanzone area.
12. In summing up the Applicant added that this application is a simple extension to the weekday licensing hours which has been prompted by an earlier admin error on the application for the original premises licence. The Applicant asked the Sub-Committee to focus their thoughts on what had been asked for and the fact that no formal complaints have been made about the current licence.

The Applicant added that the club is well run and they employ a full time receptionist as well as security staff at great expense on match days to protect the community. Some of the representations that have been received relate to the development as a whole which is not relevant to this Application.

### Interested Parties

13. Duncan Rollo spoke first on behalf of the Interested Parties. He explained that his biggest concern was the pitch side drinking but he notes that this has now been removed from the Application. He understood the nature of the bar being a bar/restaurant but he was concerned that this could increase the likelihood of drinking and drunkenness in Meadowbank as well as causing damage to property.
14. Mike Johnson then spoke as Chairman of the Archway Place Residents Association. He added that he wished the venue every success and the development is a major asset for the area. He reminded the Sub-Committee that the licence is for the building and not the current occupier. What might be a restaurant today could be a pub tomorrow. He added that he would like to see some sort of mandatory requirement imposed where a customer must buy food when purchasing a drink. The Council's Senior Licensing Officer said as a point of clarification that under the Licensing Act 2003 a licence can be reviewed so the licence conditions are not set in stone and can be changed.
15. Mr Johnson stated the residents are concerned about increased litter and rubbish and they want to know what steps are going to be taken to ensure food and drink are consumed within the premises. He added that the level of noise from the football ground is already intrusive and by increasing the hours that alcohol can be served is likely to increase the noise levels.
16. Mr Johnson added that the football ground offers no parking for its visitors. There is a concern that the Application could lead to an increase in drink driving and that the applicant's responsibility does not end at the gates of the ground. Mr Johnson said he was also concerned about the increased consumption of alcohol when the football club is next door to a children's playground.
17. In summing up Mr Johnson added that the Application appears disorganised and unprofessional in nature and there is concern that the applicant runs their business in the same way. The Applicant has shown little regard to working with the local community to address their concerns.
18. Next to speak was Andy Thompson representing the residents of Fairfield Drive who had made relevant representations. Mr Thompson confirmed that the football ground is 300m from the nearest boundary at Fairfield Drive. He added that the concerns of the residents go way beyond this Application and relate to the site more generally. However the general consensus is this facility is better than the Malt House pub and the old football club that were there before.

## Decision

19. Having considered the Council's own licensing policy, s.182 Secretary of State guidance and the written and oral representations made by the Applicant and the Interested Parties, the Licensing Sub-Committee decided to grant the variation applied for subject to the variation only being applicable to the lounge/bar area and not the Fanzone.
20. In making the decision the Sub-Committee was mindful of the written and oral representations made by the Interested Parties, however, not all representations were relevant to the Application and the Sub-Committee gave particular weight to the fact the Responsible Authorities, including the Police and Environmental Health, did not make any representations regarding the current licence or this application for a variation. The Sub-Committee noted that the venue is more akin to a restaurant/bar rather than a conventional public house. The Sub-Committee reminded the Interested Parties that should some of the problems eluded to come to fruition then the premises licence could be reviewed.
21. In coming to this decision the Sub-Committee were cognisant of the need to uphold the fundamental licensing objectives of public safety, protection of children from harm and prevention of public nuisance in accordance with the Secretary of State's guidance issued under section 182 of the Licensing Act 2003

## Rights of Appeal

22. There is a right to appeal to the Magistrates Court within 21 days of receiving this written decision notice. The variation to the premise licence will take effect from 1<sup>st</sup> October 2018.