



LICENSING AUTHORITY: SWALE BOROUGH COUNCIL

**LICENSING ACT 2003
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005**

NOTICE OF DETERMINATION

Applicant: Sheppey United Football Club Limited

Regarding **NEW PREMISES LICENCE – Holm Park Sports and Recreational Ground, Holm Place, Sheerness, Kent ME12 3DB**

Date(s) of hearing: 25 June 2025

Date of determination: 25 June 2025

Committee Members: Councillor Simon Clark (Chair)
Councillor Carole Jackson
Councillor Lee-Anne Moore

Legal Advisor in attendance at hearing(s): Helen Ward, Senior Lawyer, MKLS

Licensing Officer in attendance at hearing(s): Lorraine Crowley, Johanna Thomas

Democratic Services Officer in attendance at hearing(s): Kellie MacKenzie

This was an application for Grant of a Premises Licence

A: Representations, evidence and submissions:

The Sub-Committee considered the representations, evidence and submissions of the following parties:

Applicant

- David Ingram
- Steve Manning

Responsible Authorities

None

Interested Parties

- Cllr Mike Whiting
- Robert Gallacher
- Elizabeth Stickings
- Pamela Culver
- Stephen Metcalfe

Representations considered in the absence of a party to the hearing:

Those contained within the Report prepared for the Licensing Sub Committee

B: Consideration of the Licensing Act 2003, the Guidance under s. 182 of the Act and the Statement of Licensing Policy of Swale Borough Council

The Sub-Committee has taken into account the Licensing Act 2003 and the Regulations thereto.

The Sub-Committee has taken into account the Guidance under section 182 of the Act:

The Sub-Committee has taken into account its Statement of Licensing Policy:

C: Determination:

The Sub-Committee has decided to:

Grant the application as applied for and amended as set out in in **section D** of this Decision.

Reasons for determination:

■ **Prevention of Crime and Disorder**

Reasons (state in full):

The Licensing Sub Committee considered the application and the amendments, including the removal of the request for off sales and boxing and wrestling. They noted that the hours sought were slightly reduced from those already permitted, although the application did seek to include a larger licensed area and music externally. They considered the evidence of the applicant that the licence currently was restrictive and did not allow them to confirm to FA Regulations. The applicant explained they also required greater operational flexibility to support the primary purpose of the club for grassroots football. The Licensing Sub Committee considered the correspondence from the Police with proposed conditions and noted that the Police did not have any concerns regarding crime and disorder. The conditions were agreed by the applicant and accordingly the Licensing Sub Committee determined to endorse the licence with those conditions.

■ **Public Safety**

Reasons (state in full):

The Licensing Sub Committee considered the application provided, the experience of the applicant in operating this premises and the Guidance regarding how a Licensing Sub Committee should consider public safety as part of its decision. They noted that no concerns had been raised regarding the safety of the public using the premises, which was also subject to a number of other health and safety regimes, and were satisfied that the operating schedule was appropriate and proportionate to promote this licensing objective.

■ **Prevention of nuisance**

Reasons (state in full):

The Licensing Sub Committee carefully considered the application and the representations, in particular the concerns of the residents regarding music and people coming and going from the premises. They considered the comments from the Environmental Health Officer who confirmed there was no recent history of noise issues from the premises. They noted that the application sought reduced hours from those permitted on the existing licence however the application sought to license a larger area of the club grounds and music in external areas. They considered the evidence of the applicant that non football events would be infrequent but that flexibility was required to assist them in creating revenue to support their ability to provide grassroots football facilities. The Licensing Sub Committee were mindful of the limited permission for de-regulated entertainment that the club would be able to benefit from, and accordingly discussed with the application a reduction to the licensable music permitted at the premises, in particular in regards to the frequency, seasonal variations and the terminal hour. They considered the robust noise management plan that had

been provided in support of the application. The Licensing Sub Committee considered that these restrictions would be the appropriate and proportionate step to promote the licensing objectives and accordingly endorsed them on the premises licence. The Licensing Sub Committee welcomed the comments from the applicant about community engagement and accordingly endorsed the licence with conditions to ensure moving forward residents know how they can contact the club should they have any concerns.

■ **Protection of children from harm**

Reasons (state in full):

The Licensing Sub Committee heard evidence regarding the applicant's experience and that they would operate a Challenge 25 Policy. They noted that no concerns had been raised regarding this licensing objective and subject to conditions confirming the operation of the Challenge 25 policy and staff training, they were satisfied that this licensing objective would not be undermined.

D: Terms and Conditions of Premises Licence Granted

Opening

Monday to Wednesday inc. 10:00 hours to midnight / Thursday 10:00hrs to 00:30 hours the following day / Friday 10:00 hours to 01:30 hours the following day / Saturday: 08:00 hours to 01:30 hours the following day / Sunday 08:00 hours to 23:30 hours

Sale of Alcohol (on sales only)

Sunday to Wednesday inc: 10:00 hours to 23:30 hours/ Thursday 10:00 hours to 23:59 hours / Friday and Saturday 10:00 hours to 01:00 hours the following day

Indoor Sporting Events

Monday to Sunday inc. 12:00 hours to 23:00 hours

Live Music (indoors and outdoors)

Monday to Saturday inc. 12:00 hours to 23:00 hours / Sunday 12:00 hours to 21:00 hours
Note: Conditions regarding live music

Recorded Music (indoors and outdoors)

Monday to Thursday inc. 12:00 hours to 23:30 hours / Friday 12:00 hours to 01:00 hours the following day / Saturday 10:00 hours to 01:00 hours the following day / Sunday 10:00 hours to 22:59 hours

Late Night Refreshment

Sunday to Thursday inc. 23:00 hours to 23:59 / Friday and Saturday 23:00 hours to 01:00 hours

Non Standard Timings

On 6 occasions per year and on Christmas Eve and New Year's Eve, the terminal hour shall be extended as below

- Opening until 02:30 hours the following day
- Late night refreshment and sale of alcohol until 02:00 hours the following day
- Live Music until 23:30 hours the following day
- Recorded Music until 01:30 hours the following day

Opening and licensable activities are permitted for 2 hours before kick off and 2 hours after the end of play for international football games which are part of the World Cup or European tournaments, where the England national men and women's teams are participating, and for the final matches of each of those tournaments.

Conditions to Apply

- 1) CCTV - CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions. · Cameras shall encompass all ingress and egress to the premises, and all areas where the sale and supply of alcohol occurs. · Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept on the hard drive and kept for a period of 31 days and handed to Police on demand. · The premises licence holder must ensure at all times the DPS or an appointed member of staff is capable and competent at downloading CCTV footage in a recordable format to the Police and Local Authority on demand. · In the event of technical failure of the CCTV equipment the premises licence holder or DPS must report the failure to the Police Licensing Officer within 24 hours unless the CCTV will be repaired before that time - licensing.north.division@kent.police.uk
- 2) Training - All staff who sell alcohol or supply alcohol to customers will have licensing training. · Alcohol training will take place within six weeks of employment. · Refresher training will take place every quarter there or if there is a change in the legislation. · Any new employees will be supervised until training has taken place. · All staff will have individual training records that detail the date and nature of training. · All training will be documented and will be made available to the responsible authorities on demand along with the content of the training. · All records will be kept for a period of 2 years. · All staff to receive training in relation to the conditions applicable to this premises licence
- 3) Incident Log – An Incident log shall be kept at the premises, and made available on request to a police officer, police licensing officer or council authorised licensing officer. It must be completed within 24 hours of the incident and will record the following: · All crimes reported at the venue. · All ejections of patrons · Any complaints

received concerning crime and disorder. · Any incident of disorder · All seizure of drugs or offensive weapons · Any faults in the CCTV system, searching equipment or scanning equipment. · Any visit by a relevant authority or emergency service. Each entry is to be checked and signed by the DPS/Licensee no later than 1 week after the entry has been made. The register must be made available to Police, Police Licensing Officers, and authorised officers from the Local Authority either electronically or hard copy.

- 4) Refusals book – · A refusals log shall be kept at the premises where the sale of alcohol is supplied, and made available on request to a police officer, police licensing officer or council authorised licensing officer. · The licensee must keep a refusals book on the premises and ensure it is completed whenever a sale is refused to a person who cannot prove they are over the age of 18 years. · The date, time of the incident, a description of the customer, the name of the staff member who refused the sale and the reason the sale was refused, should be recorded. · The book should be made available to police and authorised council officer on request.
- 5) Challenge 25 - The premises must implement and prominently advertise a Challenge 25 scheme so that customers are aware, display proof of age signs at the point of sale. · The only acceptable forms of ID are photographic driving licence, passports, or PASS (proof of age standards scheme) cards. If you accept other forms of ID such as EU national ID cards, these must bear a photograph, DOB, and holographic mark.
- 6) Door supervision/stewards - The premises licence holder or DPS/appointed member of staff shall maintain an accurate and up to date register in respect of all stewards, security staff or door supervisors working at the premises when it is open to the public. The register will comprise of (a) the name, address, telephone number of the member of staff (b) any registration number relating to the steward or door supervisor whether employed directly by the licensee or through an agency (c) the name, address and telephone number of the agency providing stewards, security staff or door supervisor where not employed directly by the licensee (d) the dates and times of commencement and finishing of work (e) signature of the member of staff (f) details of any incident in which the member of staff is involved including any calls to the police and any police action taken. · The designated premises supervisor will undertake a risk assessment in respect of the provision of door supervisors for any unusual events and were deemed appropriate a minimum of 2 door supervisors will be employed
- 7) Notices - A notice shall be displayed at the entrance/exit of the premises to remind customers to leave the premises quietly.
- 8) No alcohol to be taken outside of the licensed area
- 9) All drinks which are to be consumed outside of the club house are to be served in drinks vessels which are not made from glass
- 10) No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.
- 11) Live Music is only permitted in external areas of the premises between April and September inclusive.
- 12) Live and Recorded music is only permitted in external areas of the premises until 9.30pm, except during the 6 non standard timings, Christmas Eve and New Year's Eve when Live and Recorded music is permitted in external areas until 11pm.

- 13) The premises shall host and advertise quarterly residents' meetings and shall keep records of such meetings. Records shall be made available to an authorised officer of the police or council on request.
- 14) The website for the premises shall publish the complaints procedure which must include telephone and email contact details for a member of management team.
- 15) The premises shall maintain a noise management policy. Staff shall receive training in respect of the policy and the policy shall be kept at the premises and made available to an authorised officer of the police or council on request.
- 16) The premises shall maintain a dispersal management policy. Staff shall receive training in respect of the policy and the policy shall be kept at the premises and made available to an authorised officer of the police or council on request.

E: Appeal

Entitlements to appeal for parties aggrieved by the decisions of the Licensing Authority are set out in Schedule 5 to the Licensing Act 2003. An appeal has to be commenced by the giving of a notice of appeal by the appellant to the Magistrates' Court within 21 days beginning on the day on which the appellant was notified by the licensing authority in writing of the decision to be appealed against. Parties should be aware that the Magistrates' Court may make an Order as to costs in any Appeal.

A handwritten signature in black ink, appearing to be 'S. Clark', written over a horizontal line.

Signed:

Date: 01.07.2025

Cllr Simon Clark (CHAIR):