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# Merton Council

## Licensing Sub-Committee

### Membership

#### Councillors:

Pauline Cowper

Mary Curtin

Paul Kohler

A meeting of the Licensing Sub-Committee will be held on:

**Date: 30 July 2020**

**Time: 1.30 pm**

**Venue: This will be a virtual meeting and therefore will not take place in a physical location, in accordance with s78 of the Coronavirus Act 2020**

### Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 Old Rutlishians Trading Limited, The Clubhouse, Poplar Road, Merton Park, SW19 3JS 1 - 50

This is a public meeting and can be viewed live or subsequently by following this link: <https://www.youtube.com/user/MertonCouncil>.

For more information about the agenda and the licensing decision making process contact [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk) or telephone 020 8545 3357.

Press enquiries: [communications@merton.gov.uk](mailto:communications@merton.gov.uk) or telephone 020 8545 3181

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### **Note on declarations of interest**

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Managing Director, South London Legal Partnership.

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## **Procedure to be followed at Licensing Hearing**

1. The Chair will welcome all parties and all present will be introduced/introduce themselves
2. The Chair will confirm the sub-committee hearing procedures, a copy of which was included in the notice and agenda packs sent to all parties.
3. The Chair will ask the Legal Adviser to inform those present that the sub-committee had a briefing prior to the hearing to confirm the procedure and for clarification on any aspect of the application.
4. The Chair will ask Legal Adviser to confirm the process for questioning and whether there had been any requests for adjournments.
5. The Chair will ask the Licensing Officer if there are any technical issues they feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14. If all conditions are agreed by all parties then the Sub-Committee may go straight to point 14)
6. The Applicant will present their case. Questions can then be asked of the Applicant by the Responsible Authorities, the interested parties and members of the Sub-Committee.
7. The Responsible Authorities will present their case. Questions can then be asked of the Responsible Authorities by the Applicant, the interested parties, and members of the Sub-Committee.
8. Presentation by any interested party. Questions can then be asked of the interested party by the Applicants, the Responsible Authorities and members of the Sub-Committee.
9. The Chair will ask the Licensing Officer for any comments/ clarifications
10. The Chair will ask the Legal Adviser for any comments/clarifications
11. The Chair will invite closing statements by the responsible authorities
12. The Chair will invite closing statements by the interested parties
13. The Chair will invite closing statements by the Applicant
14. The Chair will announce that the Sub-Committee are retiring for private session. The Legal Officer and Clerk will be invited to also retire. The Chair will inform those present that all parties should receive a copy of the decision notice within 5 working days and close the hearing.
15. In closed session the Sub-Committee will make their decision. They may ask the Legal Officer for advice during this session and this advice will be detailed in the decision notice.

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## Licensing Sub-Committee Report

Subject of hearing: **Old Rutlishians Trading Limited, The Clubhouse, Poplar Road, Merton Park, SW19 3JS**

Date: **30 July 2020**

Time: **1.30pm**

Venue: **Virtual Meeting**

### **Special Policy Area (premises licences and club certificates)**

1.1 The premises are not in the special policy area.

### **2. Type of hearing and powers of the sub-committee**

2.1 The sub-committee is required to determine the application by taking such of the steps set out below as it considers necessary for the promotion of the licensing objectives.

2.2 In making their determination the sub-committee must have regard to the Licensing Act 2003, the licensing objectives, guidance issued by the Secretary of State and Merton's Licensing Policy.

2.3 New premises licence: s18

(i) To grant the licence subject to conditions

(ii) To exclude from the scope of the licence any of the licensable activities to which the application relates

(iii) To refuse to specify a person in the licence as the premises supervisor

(iv) To reject the application.

### **3. Hearing papers**

3.1 The applications, notices and representations for determination by the sub-committee are contained in the hearing bundles together with any relevant existing licence. This includes any documents which must be sent to any of the parties to the hearing under Regulation 7(2) and Schedule 3 of The Licensing Act 2003 (Hearings) Regulations 2005. This bundle has been issued to all parties to the hearing.

### **4. Legal advice to the sub-committee**

4.1 A legal officer appointed by the Assistant Director of Corporate Governance and Head of Legal Services will attend the hearing to advise the sub-committee on statutory provision and legal matters.

### **5. Licensing Officer comments**

5.1 This is an application for a new premises licence.

5.2 The premises benefits from a club certificate, which this application states, it intends to replace. The current certificate is attached to the report.

5.3 The premises is described as a sports club house with sports fields primarily for the use of club members and their guests.

5.4 The application is to apply for indoor sporting events – Sunday to Thursday 12:00 to 22:00 then Friday & Saturday 12:00 to 23:00

- 5.5 Live music, recorded music, performances of dance and anything of a similar description to these – Sunday to Thursday 12:00 to 22:00 then Friday & Saturday 12:00 to 23:00. These are also applied for an outside event on a Sunday preceding the second Bank Holiday each May until 20:30 (or an alternative date to be advertised in advance).
- 5.6 The supply of alcohol for consumption both on and off the premises – Sunday 11:00 to 22:30 then Monday to Saturday 10:00 to 23:00. Then on New Year’s Eve from the end of permitted hours to the start of permitted hours on New Year’s Day.
- 5.7 The opening hours requested are Sunday 11:00 to 22:30, Monday to Thursday 10:00 to 23:00 then Friday & Saturday 10:00 to 00:00. The opening hours would also extend to New Year’s Day as for Alcohol.
- 5.8 There are 10 possible conditions offered in the operating schedule of the application. I would draw your attention to number 6, which states that “No live or recorded music shall be played outside, other than at the annual Rutsfest when this shall be allowed until 20:30 hours. This will normally take place on a Sunday preceding the second Bank Holiday in May”

**For enquiries about this hearing please contact**

Democratic Services  
 Civic Centre  
 London Road  
 Morden  
 SM4 5DX

**Telephone:** 020 8545 3357

**Email:** [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)

## Parties to the hearing

This document forms part of the notice of hearing.

The following are parties to the hearing having submitted relevant applications, notices or representations under the statutory provisions indicated:

<b>Applicant</b>	
Old Rutlishians Trading Limited	
<b>Statutory Authorities</b>	
None	
<b>Interested Parties</b>	
Mr CD Abbott and Mrs HGG Abbott	Jane Conlin
David Forward	Christine Mayne
Sara Phillips	Tristan Wood

**Regulatory Services Partnership (Merton)**

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

**We** Old Rutlishians Trading Limited

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Old Rutlishians The Clubhouse Poplar Road Merton Park			
<b>Post town</b>	London	<b>Post code</b>	SW19 3JS

<b>Telephone number at premises (if any)</b>	
<b>Non-domestic rateable value of premises</b>	£21,750.00

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as  
Please tick yes

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current residential address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current residential address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Old Rutlishians Trading Limited
--------------------------------------



Address The Clubhouse Poplar Road Merton Park London SW19 3JS
Registered number (where applicable) 12297224
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
A S A P		

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

### A

Please give a general description of the premises (please read guidance note 1)

This is a sports club house with sports fields primarily for the use of club members and their guests. This licence is intended to replace the existing club premises certificate. The purpose of applying for a premises licence is to permit the use of the premises for private functions without the need for temporary event notices.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A
-----

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment** (please read guidance note 2)

**Please tick all that apply**

- |   |                                     |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J) ☒

In all cases complete boxes K, L and M

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>	
				Outdoors	<input type="checkbox"/>	
			Both			<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)			
Mon						
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)			
Wed						
Thur			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6)			
Fri						
Sat						
Sun						

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>	
				Outdoors	<input type="checkbox"/>	
			Both			<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)			
Mon						
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)			
Wed						
Thur			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)			
Fri						
Sat						
Sun						

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b>Please give further details</b> (please read guidance note 4)  Possible exhibition events, for example, darts or pool where spectators are present.
Day	Start	Finish	<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)
Mon	12:00	22:00	
Tue	12:00	22:00	<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 6)
Wed	12:00	22:00	
Thur	12:00	22:00	
Fri	12:00	23:00	
Sat	12:00	23:00	
Sun	12:00	22:00	

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Tue					
Wed			<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon	12:00	22:00	Unamplified/amplified music may be via artists singing, DJ, bands and other music of a similar nature (for example karaoke).		
Tue	12:00	22:00			
Wed	12:00	22:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur	12:00	22:00	<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun	12:00	22:00	Outdoor Live Music performances on a Sunday preceding the second Bank Holiday each may until 2030 to cover the annual Rutsfest event.(or such alternative date to be advertised in advance)		

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon	12:00	22:00	Music via a recorded source (CD, download, etc) for entertainment		
Tue	12:00	22:00			
Wed	12:00	22:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur	12:00	22:00	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun	12:00	22:00	Outdoor Recorded Music performances on a Sunday preceding the second Bank Holiday each may until 2030 to cover the annual Rutsfest event.(or such alternative date to be advertised in advance)		

## G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	12:00	22:00	Performance where dance is part of the entertainment by staff and performers.		
Tue	12:00	22:00			
Wed	12:00	22:00	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur	12:00	22:00			
Fri	12:00	23:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	12:00	23:00			
Sun	12:00	22:00	Outdoor Performance of Dance on a Sunday preceding the second Bank Holiday each may until 2030 to cover the annual Rutsfest event.(or such alternative date to be advertised in advance)		

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			<b><u>Please give a description of the type of entertainment you will be providing</u></b>		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	12:00	22:00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	12:00	22:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed	12:00	22:00	Other miscellaneous activities not listed above.		
Thur	12:00	22:00	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri	12:00	23:00			
Sat	12:00	23:00	<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun	12:00	22:00	Outdoor activities not listed above on a Sunday preceding the second Bank Holiday each may until 2030 to cover the annual Rutsfest event.(or such alternative date to be advertised in advance)		

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6)		

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00			
Fri	10:00	23:00			
Sat	10:00	23:00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	11:00	22:30			

**State the name and details of the individual whom you wish to specify on the licence as premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

<b>Name</b> Michael Stallard
<b>Date of birth</b> [REDACTED]

<b>Address</b> [REDACTED]	
<b>Postcode</b>	[REDACTED]
<b>Personal Licence number (if known)</b> NOT YET GAINED – AWAITING TRAINING COURSE – WILL BE PROVIDED IN DUE COURSE	
<b>Issuing licensing authority (if known)</b> NOT YET GAINED – AWAITING TRAINING COURSE – WILL BE PROVIDED IN DUE COURSE	

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)**  
NONE

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	23:00	<p><b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
Tue	10:00	23:00	
Wed	10:00	23:00	
Thur	10:00	23:00	
Fri	10:00	00:00	
Sat	10:00	00:00	
Sun	11:00	22:30	

**M Describe the steps you intend to take to promote the four licensing objectives:**

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 10)**

See boxes b) below.

**b) The prevention of crime and disorder**

- After 2030, when regulated entertainment is being provided, patrols shall take place on an hourly basis at the perimeter of the property to ensure that no sound is audible at the nearest residential property;
- After 2300 the patrols shall also address noisy patrons outside the premises.
- Any sound audible at the nearest residential property shall be addressed immediately and reduced to a level that is not audible at the nearest residential property. This condition will not apply to the annual Rutsfest, which normally takes place on the Sunday preceding the second Bank Holiday in May;(or such alternative date to be advertised in advance)

4. A logbook shall be kept to record such patrols and any incidents that occur and the logbook shall be made available for inspection by any relevant authorities;
5. Clear signs that are a minimum of A4 size shall be placed at all exit points stating "This is a residential area, please leave quietly";
6. No live or recorded music shall be played outside, other than at the annual Rutsfest when this shall be allowed until 2030 hours. This will normally take place on the Sunday preceding the second Bank Holiday in May;
7. Licensable activities will only be provided for the benefit of club members, guests of the club or its members or persons attending a pre-booked private function;
8. Good quality CCTV must be fully operational at all times the premises are open for Licensable Activities. Footage will be kept for at least 31 days, and will be available to Police attending a live incident;
9. A Challenge 25 Policy will be adopted and clear signage displayed;
10. The supply of alcohol during private events will remain the full responsibility of the premises staff.

**c) Public safety**

See box b) above.

**d) The prevention of public nuisance**

See box b) above.

**e) The protection of children from harm**

See box b) above.

Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected
- **[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships]** I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

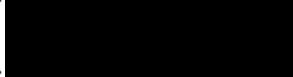
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE



**IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 14)</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	05 June 2020
Capacity	Poppleston Allen – Solicitors for and on behalf of the applicant

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent.** (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 14)			
Angela Gardner Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
<b>Post town</b>	Nottingham	<b>Post code</b>	NG1 1LS
<b>Telephone number (if any)</b>	0115 9349 157		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> a.gardner@popall.co.uk			

**Notes for Guidance**

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.

**15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the following documents (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below)

### Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds;
 or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;

- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

### **Home Office online right to work checking service**







As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

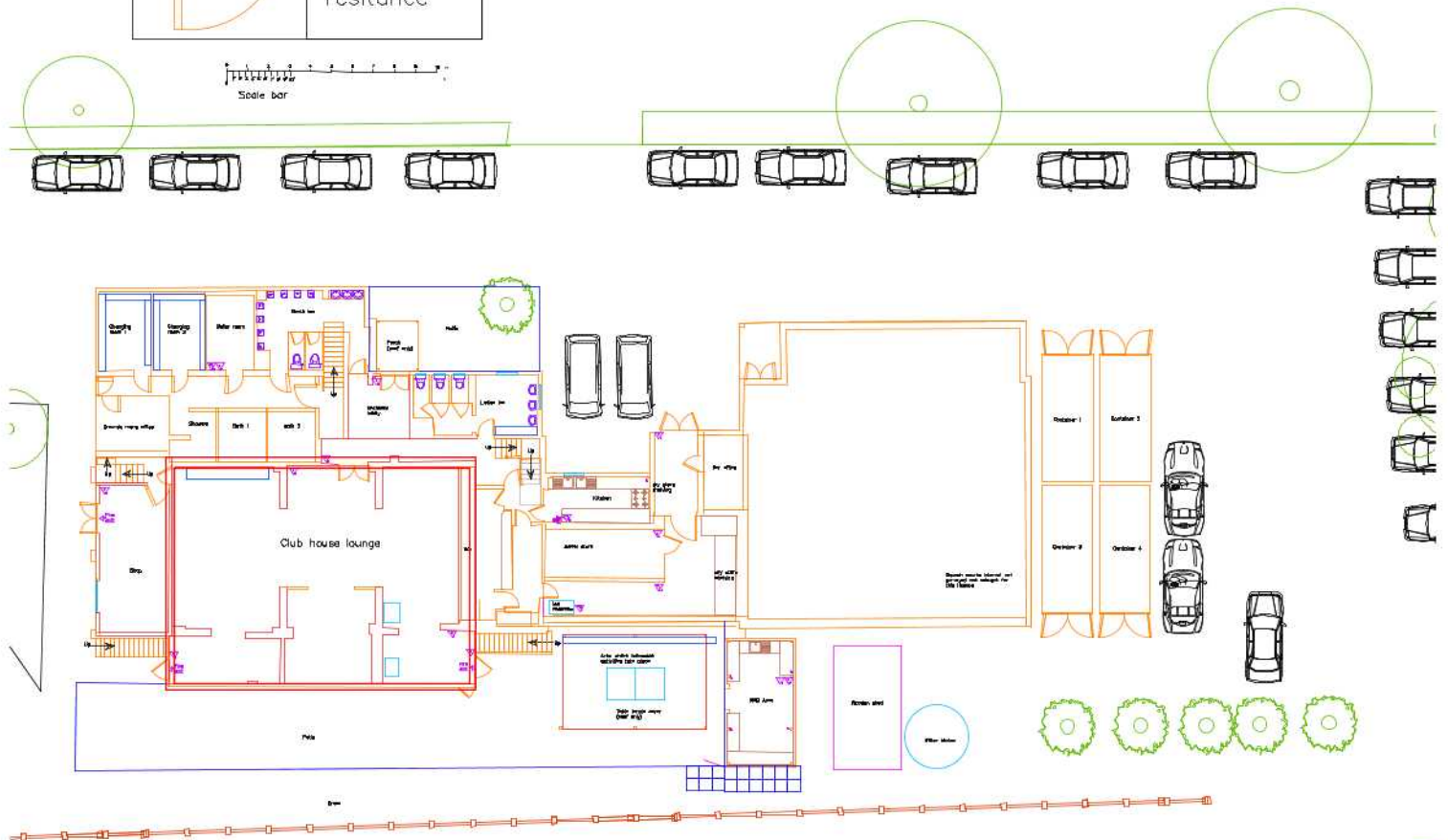
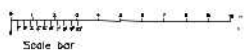
To demonstrate their right to work via the Home Office online right to work check service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.







An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and /or documentation applicants will need in order should submit copy documents as set out above.

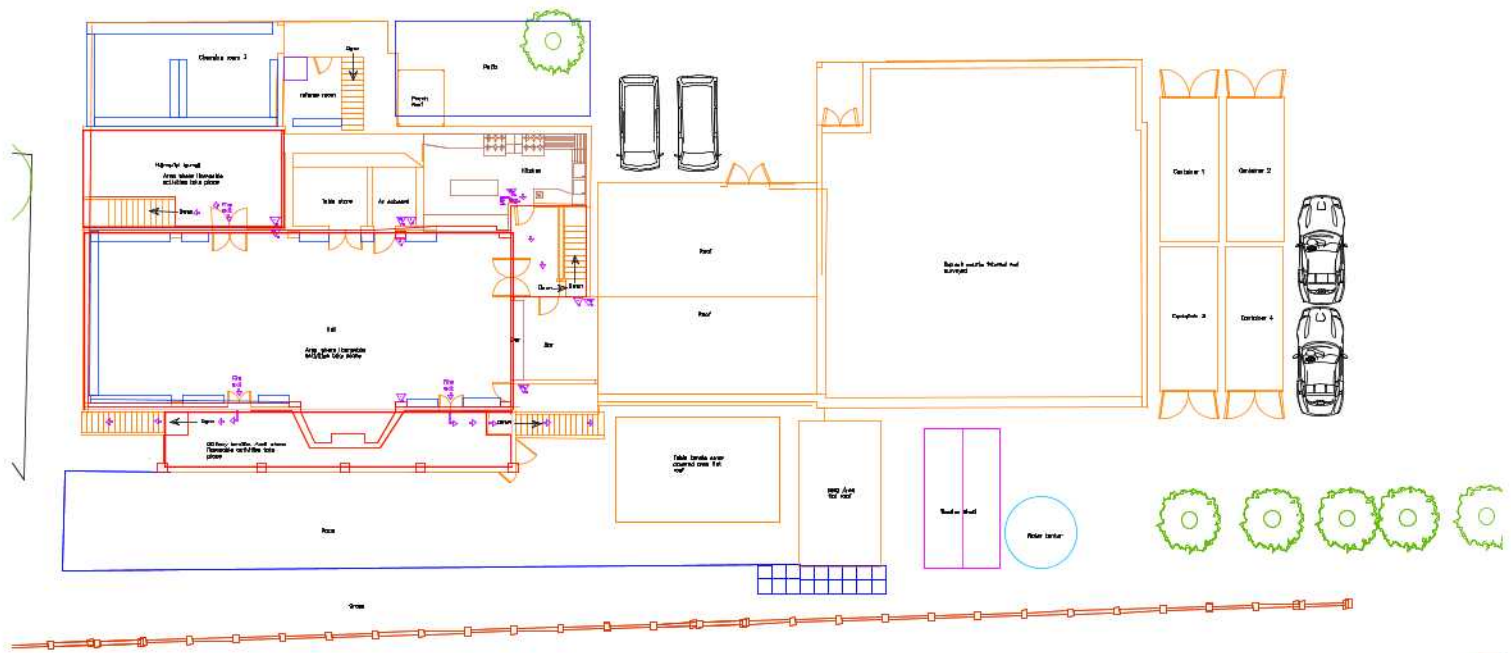
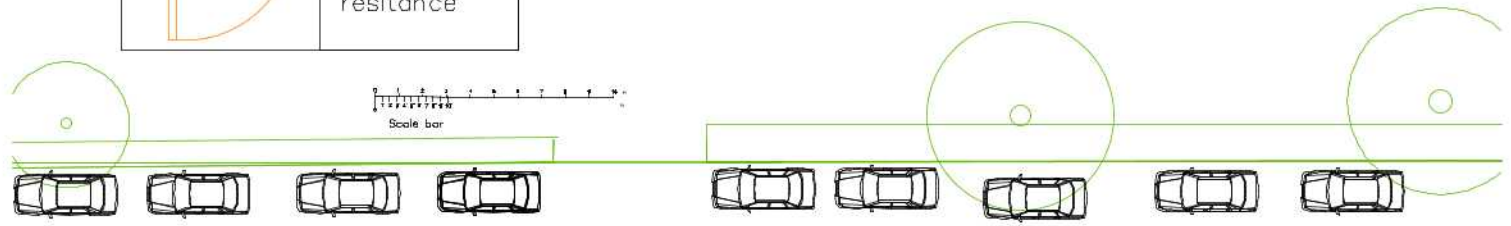
# Legend

	Area where licensable activities take place
	Emergency gas shut off switch
	Water Fire extinguisher 9lt
	Carbon Dioxide Fire extinguisher 1.5l
	Fire blanket 2m. x 1m
	All doors 30 min fire resistance









# Legend

	Area where licensable activities take place
	Emergency gas shut off switch
	Water Fire extinguisher 9lt
	Carbon Dioxide Fire extinguisher 1.5l
	Fire blanket 2m. x 1m
	All doors 30 min fire resistance





# Legend

	Area where fire-resistant structure take place
	Emergency gas shut off station
	Water Fire extinguisher 9lt
	Carbon Dioxide Fire extinguisher 1.5l
	Fire blanket 2m, x 1m
	All doors 30 min fire resistance



## LICENSING ACT 2003

### Part A Club certificate

Club premises certificate number

LN/000001079

#### Club details

Name of club in whose name this certificate is granted and relevant postal address of club

**Old Rutlishians Association**

Address

**Old Rutlishians Association  
Poplar Road  
Merton Park  
London  
SW19 3JS**

Telephone number

**020 8542 3678**

If different from the above postal address of club premises to which this certificate relates, if any, or none, ordnance survey map reference or description

Telephone number

Where the club premises certificate is time limited the dates

**NOT APPLICABLE**

Club Opening Hours

**IN ACCORDANCE WITH THE CLUB RULES**

Sale & supplies of alcohol, whether these are on and/or off supplies

**Both indoors and outdoors**

### Licensable activities and permitted times authorised by the licence

#### Club Alcohol Supply - Both indoors and outdoors

<b>Monday</b>	<b>10:00 - 23:00</b>
<b>Tuesday</b>	<b>10:00 - 23:00</b>
<b>Wednesday</b>	<b>10:00 - 23:00</b>
<b>Thursday</b>	<b>10:00 - 23:00</b>
<b>Friday</b>	<b>10:00 - 23:00</b>
<b>Saturday</b>	<b>10:00 - 23:00</b>
<b>Sunday</b>	<b>11:00 - 22:30</b>

**SUPPLY OF ALCOHOL BY OR ON BEHALF OF A CLUB TO, OR TO THE ORDER OF, A MEMBER OF THE CLUB:**

On Good Friday, between 12.00 and 22.30 hours. On Christmas Day, as provided by the rules of the club and notified in writing by the club chairman or secretary to the chief executive of the justices for the petty sessions area in which the premises are, the hours for selling or supplying alcohol shall:(i) not exceed six and a half hours.(ii) not begin earlier than noon(iii) not end later than 22.30 (iv) provide a break of at least 2 hours between 15.00 to 17.00(v) not extend for more than three and a half hours after 17.00. When New Year's Eve is on a weekday, from 10.00 on New Year's Eve until 23.00 hours New Year's Day, except when New Year's Day is on a Sunday, then the sale or supply of alcohol shall cease at 22.30. When New Year's Eve is on a Sunday, from 12.00 on New Year's Eve until 23.00 hours on New Year's Day.

#### Indoor Sporting Events - Indoors

<b>Monday</b>	<b>12:00 - 22:00</b>
<b>Tuesday</b>	<b>12:00 - 22:00</b>
<b>Wednesday</b>	<b>12:00 - 22:00</b>
<b>Thursday</b>	<b>12:00 - 22:00</b>
<b>Friday</b>	<b>12:00 - 23:00</b>
<b>Saturday</b>	<b>12:00 - 23:00</b>
<b>Sunday</b>	<b>12:00 - 22:00</b>

### **Live Music - Both indoors and outdoors**

<b>Monday</b>	<b>12:00 - 22:00</b>
<b>Tuesday</b>	<b>12:00 - 22:00</b>
<b>Wednesday</b>	<b>12:00 - 22:00</b>
<b>Thursday</b>	<b>12:00 - 22:00</b>
<b>Friday</b>	<b>12:00 - 23:00</b>
<b>Saturday</b>	<b>12:00 - 23:00</b>
<b>Sunday</b>	<b>12:00 - 22:00</b>

Occasional live music performances. Sunday preceding 2nd bank holiday each May - outdoor music until 20:30 to cover annual Rutsfest event.

No recorded live or recorded music shall be played outside, other than at the annual Rutsfest when this shall be allowed until 20.30 hours. This will normally take place on the Sunday preceding the second Bank Holiday in May.

### **Recorded Music - Both indoors and outdoors**

<b>Monday</b>	<b>12:00 - 22:00</b>
<b>Tuesday</b>	<b>12:00 - 22:00</b>
<b>Wednesday</b>	<b>12:00 - 22:00</b>
<b>Thursday</b>	<b>12:00 - 22:00</b>
<b>Friday</b>	<b>12:00 - 23:00</b>
<b>Saturday</b>	<b>12:00 - 23:00</b>
<b>Sunday</b>	<b>12:00 - 22:00</b>

Sunday preceding 2nd bank holiday each May - outdoor music until 20:30 to cover annual Rutsfest event.

No recorded live or recorded music shall be played outside, other than at the annual Rutsfest when this shall be allowed until 20.30 hours. This will normally take place on the Sunday preceding the second Bank Holiday in May.

### Performance of Dance - Both indoors and outdoors

<b>Monday</b>	<b>12:00 - 22:00</b>
<b>Tuesday</b>	<b>12:00 - 22:00</b>
<b>Wednesday</b>	<b>12:00 - 22:00</b>
<b>Thursday</b>	<b>12:00 - 22:00</b>
<b>Friday</b>	<b>12:00 - 23:00</b>
<b>Saturday</b>	<b>12:00 - 23:00</b>
<b>Sunday</b>	<b>12:00 - 22:00</b>

To include dancing at occasional music events.

No recorded live or recorded music shall be played outside, other than at the annual Rutsfest when this shall be allowed until 20.30 hours. This will normally take place on the Sunday preceding the second Bank Holiday in May.

### Anything Similar to Music and Dancing - Both indoors and outdoors

<b>Monday</b>	<b>12:00 - 22:00</b>
<b>Tuesday</b>	<b>12:00 - 22:00</b>
<b>Wednesday</b>	<b>12:00 - 22:00</b>
<b>Thursday</b>	<b>12:00 - 22:00</b>
<b>Friday</b>	<b>12:00 - 23:00</b>
<b>Saturday</b>	<b>12:00 - 23:00</b>
<b>Sunday</b>	<b>12:00 - 22:00</b>

No recorded live or recorded music shall be played outside, other than at the annual Rutsfest when this shall be allowed until 20.30 hours. This will normally take place on the Sunday preceding the second Bank Holiday in May.

### Facilities for Music - Both indoors and outdoors

<b>Monday</b>	<b>12:00 - 22:00</b>
<b>Tuesday</b>	<b>12:00 - 22:00</b>
<b>Wednesday</b>	<b>12:00 - 22:00</b>
<b>Thursday</b>	<b>12:00 - 22:00</b>
<b>Friday</b>	<b>12:00 - 23:00</b>
<b>Saturday</b>	<b>12:00 - 23:00</b>
<b>Sunday</b>	<b>12:00 - 22:00</b>

**Appropriate room within clubhouse. To include making music in live events.**

**No recorded live or recorded music shall be played outside, other than at the annual Rutsfest when this shall be allowed until 20.30 hours. This will normally take place on the Sunday preceding the second Bank Holiday in May.**

**Facilities for Dancing - Both indoors and outdoors**

<b>Monday</b>	<b>12:00 - 22:00</b>
<b>Tuesday</b>	<b>12:00 - 22:00</b>
<b>Wednesday</b>	<b>12:00 - 22:00</b>
<b>Thursday</b>	<b>12:00 - 22:00</b>
<b>Friday</b>	<b>12:00 - 23:00</b>
<b>Saturday</b>	<b>12:00 - 23:00</b>
<b>Sunday</b>	<b>12:00 - 22:00</b>

**To include ballroom dancing.**

**No recorded live or recorded music shall be played outside, other than at the annual Rutsfest when this shall be allowed until 20.30 hours. This will normally take place on the Sunday preceding the second Bank Holiday in May.**

**Anything Similar to Facilities for Music and Dancing - Indoors**

<b>Monday</b>	<b>12:00 - 22:00</b>
<b>Tuesday</b>	<b>12:00 - 22:00</b>
<b>Wednesday</b>	<b>12:00 - 22:00</b>
<b>Thursday</b>	<b>12:00 - 22:00</b>
<b>Friday</b>	<b>12:00 - 23:00</b>
<b>Saturday</b>	<b>12:00 - 23:00</b>
<b>Sunday</b>	<b>12:00 - 22:00</b>

**No recorded live or recorded music shall be played outside, other than at the annual Rutsfest when this shall be allowed until 20.30 hours. This will normally take place on the Sunday preceding the second Bank Holiday in May.**

## Annex 1 Mandatory conditions

### Mandatory condition: exhibition of films

- (1) Where a club premises certificate authorises the exhibition of films, the certificate must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
- (2) Where the film classification body is specified in the certificate, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (3) Where-
  - (a) the film classification body is not specified in the certificate, or
  - (b) the relevant licensing authority has notified the club which holds the certificate that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

- (4) In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

### Prohibited conditions: associate members and their guests

- (1) Where the rules of a club provide for the sale by retail of alcohol on any premises by or on behalf of the club to, or to a guest of, an associate member of the club, no condition may be attached to a club premises certificate in respect of the sale by retail of alcohol on those premises by or on behalf of the club so as to prevent the sale by retail of alcohol to any such associate member or guest.
- (2) Where the rules of a club provide for the provision of any regulated entertainment on any premises by or on behalf of the club to, or to a guest of, an associate member of the club, no condition may be attached to a club premises certificate in respect of the provision of any such regulated entertainment on those premises by or on behalf of the club so as to prevent its provision to any such associate member or guest.

### Prohibited conditions: plays

- (1) In relation to a club premises certificate which authorises the performance of plays, no condition may be attached to the certificate as to the nature of the plays which may be performed, or the manner of performing plays, under the certificate.
- (2) But subsection (1) does not prevent a licensing authority imposing, in accordance with section 72(2) or (3)(b), 85(3)(b) or 88(3), any condition which it considers necessary on the grounds of public safety.

## Mandatory Licensing Conditions 2010

1.
  - (i) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (ii) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:-
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
    - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:-
      - (i) the outcome of a race, competition or other event or process, or
      - (ii) the likelihood of anything occurring or not occurring;
    - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.



## Annex 2 Conditions consistent with the Operating Schedule

NONE FOR THE PURPOSES OF THIS CONVERSION UNDER THE TRANSITIONAL PROVISIONS OF THE LICENSING ACT 2003

## Annex 3 Conditions attached after a hearing by the licensing authority

1. After 8.30pm, when regulated entertainment is being provided, patrols shall take place on an hourly basis at the perimeter of the property to ensure that no sound is audible at the nearest residential property.
2. Any sound audible at the nearest residential property shall be addressed immediately and reduced to a level that is not audible at the nearest residential property. This condition will not apply to the annual Rutsfest, which normally takes place on the Sunday preceding the second Bank Holiday in May.
3. After 11pm the patrols shall also address noisy patrons outside the premises.
4. A logbook shall be kept to record such patrols and any incidents that occur and the logbook shall be made available for inspection by Council Officers and Police.
5. Clear signs that are a minimum A4 size shall be placed at all exit points stating "This is a residential area, please leave quietly."
6. No recorded live or recorded music shall be played outside, other than at the annual Rutsfest when this shall be allowed until 20.30 hours. This will normally take place on the Sunday preceding the second Bank Holiday in May.

3<sup>rd</sup> July 2020

Dear Members of the Licensing Committee,

**RE- Notice of Application for the Grant of a Premises Licence under Section 17 of the Licensing Act 2003 by the Old Rutlishians Trading Ltd.**

We write as residents of Poplar Road living almost opposite the Old Rutlishians' Association (ORA) Clubhouse. In regard to the current application, we are concerned that the 2010 conditions attached to the previous application should continue to apply, and to be followed at all times.

We have lived in the road for almost 20 years and the combination of positive attitudes from residents and a willingness to make changes on the part of the ORA has led to a good relationship for the most part although there have still been occasional instances of noise late at night or excessive volume of live or recorded music. In particular, we are sometimes kept awake by patrons who have left the building but not gone home, and then have loud and sometimes drunken arguments or conversations in the road outside our window. Such late night noise would be expected in a town centre but not in a residential district with many families and older residents.

We do recognise that much good work goes on at the ORA and we would wish to support that. We also recognise that the occasional noise nuisance is often linked to external bookings rather than club members. However, all these issues could be resolved by full and consistent application of the conditions regarding security supervision, communication of rules, phone access for residents to report concerns and adherence to specified times and volume levels.

We therefore ask that these conditions should be applied to any future Premises Licence, and, crucially, that adherence to these conditions is then required.

Yours sincerely,

C. D. Abbott (Mr.)

H. G. G. Abbott (Mrs.)

**From:** Jane Conlin  
**Sent:** 03 July 2020 13:29  
**To:** Licensing <[Licensing@merton.gov.uk](mailto:Licensing@merton.gov.uk)>  
**Cc:** Elizabeth Macdonald <[Elizabeth.Macdonald@merton.gov.uk](mailto:Elizabeth.Macdonald@merton.gov.uk)>  
**Subject:** Application Reference WK/202002719

Elizabeth

Thank you for your helpful response. As suggested I am re-submitting my representation.

### **Representation to the Merton Licensing Committee**

I would like to make a representation regarding the New Premises Licence applied for by Old Rutlishians Trading Limited on the basis of the licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance

Merton Park is a quiet residential community and the activities at the club should complement the character of the neighbourhood. The club is doing a good job at promoting inclusive sport in the community and I would like to see that influence extended to responsible drinking and setting a good example to youth members. I am sure this is a significant public health concern in Merton under both the prevention of crime and disorder and the prevention of public nuisance licensing objectives. Old Rutlish Association (ORA) needs to remain a sports facility that has a bar rather than a bar/events premises with a sports ground. In the last 9 years since the license was granted, the bar and hire of the premises for private parties has become a more prominent element of the club and I am concerned about the impact on the local community in terms of crime and disorder and public nuisance if this trend continues and dominates as the income generation source for the club. As a local resident I have been impressed with how responsive the Old Rutlishians club has been to the community but there have still been occasions when the conditions of the original license have not been adhered to. The details of complaints have been submitted as part of the representation by a neighbour and I can supply a copy if required.

I would like to ensure the new limited company that is applying for the licence is aware of the conditions and terms of the license and that there is a clear and transparent approach to compliance. Therefore, I would like the following issues to be included, or re-emphasised, in the license conditions:

- The new licensee should positively maintain the good relationships between the Poplar Road residents and the ORA and ensure that the joint meetings do actually take place to discuss issues and events, particularly in relation to licensing impacts and compliance against the license conditions.
- Disturbance from the bar, social and sports events needs to be proactively managed, including noise, litter and traffic. Exit noise late at night after events should be kept under review and ORA should be more stringent about stewarding all social events. The stewards should be trained regarding the license requirements for noise and in how to manage noise, disturbance, unacceptable behaviour and the impacts of alcohol abuse during and after events.

- All hirers should be made aware of the noise/music/quiet exit requirements both before and at the end of an event and be aware of the perimeter patrols to monitor noise.
- Windows and doors on the Poplar Road side and ends of the ORA building to be closed during indoor events.
- The signage to help reduce exit noise from guests and to assist ORA and the stewards in ensuring a quiet and orderly exit needs to be improved.
- The mobile hotline offered by ORA should continue to be available to local residents in case of unacceptable noise or behaviour during events, and this hotline should be extended to be available during all bar opening hours.
- Drinking outside the clubhouse building during normal bar hours should be restricted in order to minimise noise and disruption and ORA (or new licensee) should ensure no music or entertainment is played outside (other than at Rutfest).
- I would like to see evidence that ORA are using the sports facility to promote a healthy and responsible attitude to alcohol to prevent crime and disorder and public nuisance. ORA are already expected to comply with Challenge 25 but this should be expanded to include other public health messaging, for example making it a requirement that they display and promote the Drinkaware campaign posters and resources.

I appreciate that many of the issues I raise are already referred to in the conditions of the license so I would like to seek assurance as to how compliance against those conditions will be managed and the process for escalation if the conditions are breached.

Thank you.

Mrs Jane Conlin

2 July 2020

Your Ref: WK/202002719

Dear Members of the Licensing Committee,

**RE- Notice of Application for the Grant of a Premises Licence under  
Section 17 of the Licensing Act 2003 by the Old Rutlishians Trading Ltd.**

I have been a resident of Poplar Road for over 30 years and live opposite the Old Rutlishians' Association (ORA) Clubhouse. The road is tree lined and pleasant with a friendly mix of families, couples and single people and most of us will have attended functions at the ORA clubhouse at different times. The clubhouse building is close to the road and therefore also close to our homes. I am making this representation on the basis of "The Prevention of Public Nuisance".

The ORA community work particularly with kids sport is excellent and relationships between Poplar Road residents and the ORA volunteers and paid staff are generally friendly and positive. We have had joint meetings to discuss complaints and issues when necessary and I feel that a mutual understanding exists. Although we haven't had a joint ORA/residents meeting since May 2019, our previous meetings and their outcomes have helped to lead to some changes, for example, improvements in noise abatement measures being taken by the ORA. However, their increased membership and the occasional hosting of social events without adequate supervision and noise control does threaten the effectiveness of those measures at times.

Noise levels from social and sports events are generally being better managed than previously but exit noise late at night after social events continues to be an issue. The attached summary shows that there were 35 occasions between 2013 and 2019 when one or more Poplar Road residents have complained to the ORA about noise issues, the majority of these being about loud music or noisy exiting

of patrons after social events in breach of the intentions of the Licensing Committee's 2010 determination.

Given that event and exit noise is my main issue I have no objection to the basic licence application but would suggest that a closing time of 11.00pm for the ORA premises would be more appropriate in this residential area also for Friday and Saturday evenings. This would reduce the likelihood of noisy children playing on the field and around the clubhouse until late as well as the general exit noise often with loud conversations and goodbyes plus cars, pedestrians and taxis going past our Poplar Road homes until after midnight. I would ask the Licensing Committee to use whatever authority they have to assist with this matter.

I also note that the Licensing Committee have the power to attach Licence Conditions to any application especially when there is likely disturbance to local residents and indeed, following residents representation, the Committee did attach conditions to the current ORA Licence in 2010. I would suggest that those 2010 conditions should still apply for any new licence.

Furthermore, as residents at our meetings with the ORA, we have frequently discussed ways for the Club to better manage noise levels. The following suggestions for further improvement in the noise management toolkit of the ORA, whilst having previously been agreed with residents by the ORA, have not been fully and consistently implemented. Therefore, I would request that the Committee consider adding these or similar to the Licence Conditions to assist the ORA and reduce the likelihood of noise or behaviour complaints from their neighbours.

They are:

- To use stewards throughout and after all social events to ensure good order and to minimise noise especially exit noise.
- To ensure that the stewards and those doing perimeter patrols are trained regarding the licence conditions and in how to manage noise during and after events.
- To put up and use sandwich board and other signage for each social event that is clearly visible to exiting patrons and to assist the stewards in ensuring a quiet and orderly exit.
- For the windows and doors on the Poplar Road side of the ORA building to be closed during indoor events. (the exit doors are frequently propped open and, if they or the kitchen or other windows are open, all

other sound reduction measures are by-passed and the sound carries straight across to our bedrooms)

- For the ORA mobile phone “hotline” to be on and audible to a steward during events. (as the attached summary shows sometimes it is not on or not answered and going over there in person to complain is neither easy nor pleasant)
- Make all hirers aware of the noise/music/quiet exit requirements both before and at the end of every social event.
- The ORA to maintain regular contact with residents about issues, events and the maintenance of the Licensing Conditions.

I thank the Committee and staff of Merton Council for their consideration, help and support.

Yours sincerely,

David Forward

Attachment: Complaints/Issues Summary 2013 – 19.

Poplar Road Neighbours/Old Rutlishians' Association (ORA)		
Complaints/Issues 2013 Onwards - A Summary		
		Mike Stallard = MS ( secretary for lettings / bar secretary) DD = Club Secretary David Doerr now Club Secretary.
Date of Event	Summary of Complaint/Issue	Evidence/Actions (Source)
19 Jan 2013	Noisy club party Names of members heard and given to ORA at meeting 24/1/13.	"members concerned will be spoken to" (Minutes of 24/1/13 Neighbours/ORA meeting) "in future we will use security to keep the noise down as people leave the club" ( .. ) Agreed with ORA that "security person's duties do not end when the event ends and that the biggest potential for noise is from people leaving..... the security person should see everyone off the premises and be the last to leave (apart from staff)" (Email feedback from a neighbour to Mike Stallard, ORA Secretary on incomplete minutes from 24/1/13 meeting 25/1/13)
24 Jan 2013	Regular timetabled meeting between Poplar Road neighbours and ORA.	Complaints re-noise discussed and ORA action agreed. (Email minutes 24/1/13)
9 Feb 2013	Loud music to 11.30pm Subsequent noise outside ORA esp. between 12.30 and 12.45am by those standing around with loud talk, taxis coming and going and car horns tooting. Some seen urinating and one very drunk and loudly aggressive person. Noise ended around 1.30am.	Three separate complaints from neighbours to ORA.(Emails 10/2/13) Response from ORA secretary (Email 11/2/13) "review meeting with our new security company on Weds and with our own staff and I will come back with details" No further details were received.
16 March 2013	Loud music to beyond 12.00 mid-night Noise to 1.05am by leavers	Neighbours complaints x 3 by Emails Response from ORA secretary "a small party for a club member developed into something larger and later than agreed" (Email 18/3/13) Response from ORS Chairman "there is no requirement in our club certificate to provide security." (Email 20/3/13)
25 April 2013	Specially convened meeting between Poplar Road neighbours and ORA to discuss reasons for 3 issues in 3 months.	Various apologies and reasons for oversight from ORA secretary who minuted. No minutes produced. Reminders given to ORA but still no minutes. Residents decide to keep and circulate own minutes in future. Note: Councillor John Sargeant informed of our concerns. (Emails 18/03/13)
1 June 2013	OR event with noise disturbance by music to after 11.15pm and noisy seemingly unsupervised children playing outside. Also noisy late leaving.	Reported to ORA at 6/6/13 meeting with neighbours. ORA secretary unaware of this event. (Minutes 6/6/13)
6 June 2013	Regular timetabled meeting between Poplar Road neighbours and ORA.	Response to complaint re- 1/6/13 event "bar staff will be at the door at all events where there is no security to get people to leave quickly and quietly" " Security company ..... .. quick and quiet dispersal" Requirement for a "£100 deposit" Set " max decibel level".
7 Sept 2013	Music loud and after 11.00pm. Music ended at approx.11.20pm. Groups outside and very noisy with no dispersal and no stewarding observed. Peak noise 11.45 to 12.00am.	Complaints from 3 neighbours including one Email sent at 23.35pm. No reply from club phone number. Merton Environmental Health contacted 10.40pm with a reply 12.30am. ORA response "genuinely sorry".(Email from Mike Stallard 13/9/13). ORA conducted a review of event of 7/9 and confirm "perimeter walks at 8.30 and 9.30" OR steward was "certain that the music was off within a few minutes of the official end time of 11.00pm" "clearly there was a problem with dispersing people ....The Security guards were in the Car Park" "I am aware of just 3 events, including this one, that have caused disturbance." (Email from OR secretary 13/9/13)



23 Sept 2013	Specially convened meeting between Poplar Road neighbours and ORA to deal with 7/9/13 complaint and possible action arising from 5 complaints about noise so far this year.	Some neighbours very unhappy that there have been 5 noise complaints so far this year. Proposals by OR re-controls both inside building (volume, staff training, new speakers, sound-proofing) and outside (staff checking agreed noise level compliance and quiet leaving from events) + contact mobile phone number.
2 Dec 2013	Sound test convened by Old Ruts.	No member of ORA turned up.
1 March 2014	Noisy event with loud music. Council contacted by a neighbour Issue brought up at March residents meeting with OR.	Apologies from OR - was an internal event run by a club official should have been fine but rules not followed. OR agreed that musicians could not also be volume checkers.
12 March 2014	Scheduled meeting -OR and neighbours	Discussed 1/3 noise issue. No minutes produced by OR.
15 March 2014	Noisy live music event - complaint from a neighbour to OR secretary.	No reply to neighbour and OR could not recollect which event it was at 20 Aug meeting. Subsequent to 3 May complaints, live bands banned except for 18/10 and 1/11.
3 May 2014	Noisy live music event - complaint from two neighbours - Donna unable to control	Apologies email from OR (MS) - no more live bands unless acoustic.
27 June 2014	Noisy children to 10.30pm +. Warned by a neighbour + Email complaint to OR Secretary 28/6.	Email reply from MS - "no need for any group to be playing in street at that time of night".
2 July 2014	Email from Mike Stallard OR.	Kids disco's stopped for Fri/Sat eves in summer. Re-3 May noise "We seem to struggle to contain live music."
20 Aug 2014	Scheduled meeting - OR and neighbours	MS confirms live band ban.
6 Sept 2014	Loud music & MC 10.35 to 11.03pm. OR mobile not answered. Email to MS 19/9	Email from MS - Disco - A pattern of DJ's not following the rules.
13 Sept 2014	Loud Music from 10ish on. Went over at 11.15pm to complain but steward unable to control event. Rang Council at 11.25pm Noisy exit to 1.55am.	Email from MS - "staff simply overwhelmed" - We were "not as rogorous in our risk assessment. Accoustic plugs to be made for windows and noise breaker set at 95Db.
Sept Weds	Keep fit classes music too loud - Email complaint to MS by resident.	Email reply from MS - will check out volumes.
15 Nov 2014	Complaint made - Loud music	No reply - brought up at meeting with OR 27/1 - MS "could hardly hear the music on our side of the pavement" Resident disagreed.
16 Jan 2015	Noisy music event to 11.05pm with exit noise to 11.45pm. No obvious stewarding Complaint to OR from 2 residents who specified loud drums and thumping music	OR apologised - Ben Waters band - stage in wrong place- mobile phone battery dead so complaints not received at time. OR promised "Please leave quietly" signs would go up.
7 March 2015	Complaint to MS at 11-3-15 meeting re-excess noise at event	MS replied that the 95 db cut off was operational but baffles were not. To be corrected.
8 July 2015	Loud PA in field with bursts of music in late afternoon early evening. Email complaint.	OR reply to email - new way of making cricket more exciting! MS - will stop.

10 July 2015	Noise complaint by email - event with bass noise and shrieking children in field. Noisy exit to 11.55pm.	
11 July 2015	Noisy music event followed by noisy exit to almost mid-night. Email complaint to MS with suggestions for action.	MS reply covered both events - Events "exceeded ability to steward them".
8 April 2016	Noisy exit. Complaint email to MS	MS reply - an 18th birthday. Will check and redouble our efforts.
6 May 2016	Loud music and noisy exit to after midnight. ORA phone not answered. 2 Emails to MS.	
7 May 2016	Loud music and noisy exit to waiting bus. Email from another neighbour to MS and DD.	
9 July 2016	Loud music with windows open and no baffles up as promised. Visit by neighbour to ORA to complain had no effect on noise. Phone call by another neighbour to bar manager and it was turned down but still audible.	Complaint to MS who replied that a 70 year old was playing the music so they expected no problems!
17 July 2016	Noisy loudspeaker from 3.30 - 5.30pm. Query from neighbour to MS.	At next meeting: MS to check.
12 Aug 2016	Loud music on sports field late afternoon. Neighbour spoke to person on sound deck and was told MS had authorised it. No phone response from ORA so email sent by neighbour to MS, DD and Chair complaining.	At next meeting MS confirmed it was an attempt to liven up the cricket game. It would not be repeated.
14 Aug 2016	Noisy exit with shouting and chanting to 11.30pm. Complaint email to MS, DD & Chair.	
19 Aug 2016	Wedding - 18 piece jazz band - some noise. Email received 9 Aug from MS warned that it is "inevitable there will be some band noise on the night". Reply email from a neighbour "once again we will be deprived of our right of quiet enjoyment of our home."	
23 Aug 2016	Noisy exit -shrieking/shouting/loud talk-from 11-12 midnight. Email complaint to MS 24/8	
4 Nov 2016	Noisy exit. Groups of young people in road and by cars. Damage to car by 55 Poplar. Complaint 5/11 email.	Apologies - we were "duped" - there will be no more 18 or 21 parties.
14 Jan 2017	Loud noise and music esp. PA + hip hip hoorays.	
2 April 2017	7.20am - staff throwing glass into large bins. Email complaint to MS 3/4.	Agreed to follow up and stop.
3 April 2017	Tractor delivery from lorry at 6.45am. Engine not switched off + tractor noise. Email to MS 3/4.	To be investigated - groundsman did not think of delivery time.

23 June 2017	Noisy event with loud music. No reply to phone call at 8.06pm but text answered at 8.37pm after phone to MS who said he would get music turned down. It was reduced but still clearly audible to 11.00pm.	
24 June 2017	Noisy music event. Call to ORA at 9.45pm not answered or action taken from text at 9.52pm. Noise continued and followed by noisy exit - MS informed by text. Letter of complaint written to Chair, DD, MS re- 23 & 24/6 noise.	No reply - reminder sent. Reply received from MS 22/7.we are "working with our staff". Reply GA - "I reiterate our determination to keep disturbances to within an acceptable level."
7 July 2017	Music noise followed by exit noise to 00.22. Email to Chair and copied to MS,DD.	No reply.
8 July 2017	Music noise fro second night in a row. To 11.00pm. Letter of complaint to Chair, copy to MS,DD.	No reply. Complaint re-iterated to DDat 19/10 residents meeting. No knowledge/apology.
26 Aug 2017	Loud music all evening.- live band +PA. Phoned OR contact number 10.30pm and noise was reduced but still audible. Complaint confirmation email sent 3/9.	No apology/ reply or follow up by ORA. At 19/10 residents meeting this matter was raised again. DD - no comment or action.
6 Jan 2018	Music noise.all evening-music+PA. Phoned at 10.00pm but no reply. Text to MS who replied. Bar Manager phoned "Sorry - I can't get band to take any notice - I turn it down and they turn it up".	Email from MS 9/1 explaining they had lost control. Meeting with ORA and residents 25/1 MS promised no more live bands + better soundproofing.
1 Feb 2018	ORA/Residents meeting	Discussed recent noise problems/stewardsrole/hotline phone
5 July 2018	ORA/Residents meeting	Discussed the noisy exits/role of stewards/ hotline mobile to be used
2 May 2019	ORA/Residents meeting	Hotline phone needs to be on/Zumba class music too noisy/unsupervised noisy children during events &evenings/need for stewards need to patrol for noise etc
21 Sept 2019	Complaint from 3 households -noisy event	11-11.45 pm continuous noise outside ORA and in street/car horns/stewards unable to control exit/no reply on hotline phone.
2 Oct 2019	Reply from MS ORA	30th Birthday party with "rowdy behaviour" and "event was a very difficult one" and at 11.00pm "party-goers would not stop".They were all sent out of the building but stewards could not cope.
11 Dec 2019	Complaint re- 6.10am noisy beer delivery	ORA replied - requested this stops.
		Last updated Dec 2019

4 July 2020

RE- Notice of Application for the Grant of a Premises Licence  
under

Section 17 of the Licensing Act 2003 by the Old Rutlishians  
Trading Ltd.

I have lived in Poplar Road, immediately opposite to the Old Rutlishians' Association Clubhouse, for over 40 years. I have enjoyed living in the road and generally benefited from the near proximity of the club and its facilities. I am particularly impressed with the support the club has given to sport and young people.

In principle I have no objection to the basic licence application. My main concern is about the level of noise when people are leaving the premises. This has mostly been harmless, mainly raucous laughter and shouting, but it can continue for some time after an event has finished, just at the time when people are thinking of going to bed or are already trying to sleep. The noise in an otherwise quiet residential area is especially disturbing.

I would suggest that conditions are attached to the granting of the licence putting the onus on the Old Rutlishians to better manage noise levels at the end of an event. I understand that a number of suggestions have previously been made through a working group of neighbours and Old Rutlishian representatives but the implementation of them has often been lacking.

Yours sincerely,

Christine Mayne



**BY EMAIL AND BY HAND**

Merton Borough Council  
Licensing Committee  
Civic Centre  
Morden  
SM4 5DX  
c.c. Democracy Dept

3 July 2020

Dear Colleagues

**Old Rutlishians Trading Limited - Application for New Premises Licence  
WK/202002719  
Representation to Licensing Committee**

Please find attached copy of my representation regarding the above licence application.

Could I please also request attendance /Zoom presence at any hearing connected with this licence.

Please note that I have prepared my submission to the best of my ability, and I hope that my document conforms to the Council's protocols. Regrettably, I have been unable to obtain guidance from the Council as I had hoped today. (Four telephone numbers went to voicemail, and the fifth was routed to an officer who, while very helpful, did not have the knowledge to deal with my queries).

In view of the impending deadline for comments I have decided to submit without the benefit of advice. I would, of course, be prepared to answer any queries or to make any formatting changes that may be necessary.

With many thanks for your help in this matter.  
I look forward to hearing from you.

Kind regards

Sara Phillips

## 1. Introduction

- This representation to the Licensing Committee is made by me as an individual and one of the closest neighbours to the Rutlishians' premises. ('The Club').
- For ease of reference, a summary of my response to the application follows in **Section 2** below, while fuller background information to my response is contained in **Section 3**.
- The Licensing Committee may be aware that the Club is situated in the heart of a medium-density residential area. There are no shops or other public amenities within a radius of just under a mile.
- This representation is based on my knowledge of the Club's operations since the award of a licence in December 2010 to the Old Rutlishians' Association. Although I understand that since approximately 2018-19 there have been some limitations on bookings due to the difficulty in controlling music noise and guests' behaviour, the Club has nevertheless seen a very considerable expansion in its sporting and other activities over the past 9 ½ years.
- I understand that the applicants have undertaken to adopt the conditions that were attached to the earlier Club licence, and that they have added a number of further conditions. Assuming, however, that the expansion of the Club's activities will continue if not increase in the near future, I am concerned at the serious potential for disturbance and nuisance and loss of amenity for the Club's neighbours unless any licensing conditions are widely known and clearly enforced. It is with this in mind that I am requesting that further conditions be adopted by the applicants.
- I have copied an earlier draft of the representation to an officer of the ORA, and this final version will also be sent to him.

## 2. Objections to Licence Application

- Please note that this representation relates to Merton's criterion of 'The prevention of public nuisance.'
  
- The licence application as currently drafted does not distinguish between indoor and outdoor activities in the four categories of: live music, recorded music, performance of dance, and anything similar to music and dance. A note under each of these categories provides the approximate date and closing time for the outdoor activities of the annual RutsFest, but nowhere in the application is it made clear that the RutsFest is the *only* occasion when outdoor music, etc., is permitted.
  
- For the avoidance of doubt I wish to record my objection to the award of any licence that does not expressly prohibit any outdoor performance of the four categories (live music, recorded music, performance of dance, and anything similar to music and dance), with the sole and specific exception of the one-day RutsFest.
  
- In addition, and without prejudice to the above, I wish to request certain additional undertakings, to be included in or to follow from the award of any licence. These undertakings are not intended to supplant or negate the Directors' own vicarious and other liabilities in the respective areas, but I hope will instead be seen by the Directors as simple, workable first steps that will do a great deal to ensure compliance with the licence, in the interest of all parties; and also set foundations for continuing good relationships with the Club's neighbours.
  
- These conditions are: that within three months of any award of Licence, OR Trading Ltd will:
  - Have set up permanent and reliable sound control and soundproofing systems in the upper hall, and in any other indoor areas where recorded or live music is played.

- Have ensured that all Committee and Sub-Committee members and all Club employees and volunteers are aware of and understand any conditions attached to the licence.
- Have informed all members of the licence conditions and reminded them of the essentially residential nature of the site.
- Have ensured that all existing and potential hirers and users sign their consent to abide by conditions regarding noise and limitations on space.
- Have set up and publicised to near neighbours a reliable telephone system for reporting complaints. This telephone number to be available *during all hours of operation*, not only when a function is taking place.
- Have taken steps to ensure that all discussions about service delivery and development include a requirement to 'risk-assess' any likely impact on local residents.
- Have put in hand arrangements for regular meetings with local residents to ensure that licence conditions are observed, and to identify and subsequently action constructive, practical solutions to any problems that may arise.

### **3. Background**

- As a near neighbour I am aware of the great value of the Club to the local community, have myself enjoyed its facilities in the 27 years that I have lived nearby, and in common with many fellow-residents wish to see the Club thrive and continue its work, particularly in the provision of sports facilities and coaching for young people.
- The effects of any noise and other nuisances described in this representation are inevitably specific to the location of the respective houses. They are also exacerbated by the impression that attempts by the Club to control behaviour and noise have been limited both in their application and effect.



- Although my household has occasionally been affected by noise from around the Club entrance, we are most strongly disturbed by music from the upper hall - band practices, live and recorded music from children's and adults' parties and other functions; and by noise disturbance from the Club grounds and side car-parking area. In the summer months, this means that noise can run continually from before 8 a.m. to past 10 p.m. and will mean that we cannot open our windows for periods of that time. 'General noise' is quite apart from the understandable and predictable noise from organised sport, and comes instead from play and unsupervised activities by children of all ages while their parents patronise the Club, and also from stereos played at high volume from stationary cars. (The worst example of this lasted forty-five minutes before I intervened).
- I was one of eight objectors to the original application for a club licence by the Old Rutlishians Association and made personal representations at the Licensing Committee of 10 December 2010. Following the grant of licence, I was very involved in setting up and running joint informal meetings between near neighbours and representatives of OR.
- These meetings continued to run approximately twice yearly until 2018, with the last meeting in May 2019. Meetings were in general characterised by a great deal of good will, a commitment to find practical solutions to problems, and a general desire to see the Club develop whilst at the same time observing its licence conditions and fostering good relations with its neighbours.
- Over the years the meetings have identified several ideas and constructive responses to problems. Sadly, however, implementation has proved difficult, and many undertakings and initiatives have quickly fizzled out in practice.
- For example, in attempts to **soundproof** the upper hall, a new volume control system was installed, but this has been frequently over-ridden by hirers of the hall; acoustic window plugs sourced and established after considerable effort have now

been discarded; and the only other soft surface in this large, empty room consists of skimpy curtains that partially cover the smallest two of the room's six windows; although **professional security** is now employed during functions, it has still proved difficult to enforce **control over noise and guests' behaviour, particularly on exiting**; whether by committee officers or the club's users there appears to be **little or no awareness of the immediate environment**, let alone **knowledge of the licence conditions**: for example, at a youth (inter-school? Inter-club?) sporting event, a sound system was playing background music over the fields while none of the supervising adults was aware that this was not allowed; and the fact that an eighteen-piece jazz band was even contemplated, let alone permitted, to play at a wedding reception – some years ago, admittedly – was another example of a generally relaxed attitude to the licence requirements; other residents have shared experiences of noise nuisance caused by people lingering in the grounds and using outdoor table tennis and other facilities after closing time, or accessing the grounds at other times; **notices requesting consideration for the Club's neighbours** have still not been provided to the full extent as promised; and, after much discussion and trial and error of different approaches, a **dedicated phone line to report disturbances**, when finally adopted, has proved frustratingly unreliable, with the mobile phone often out of action or going to voicemail without any follow-up response.

- Whilst there has been occasional attendance by other Committee members (including the then Chair at emergency meetings some years back), **liaison with local residents** has appeared to be the sole responsibility and to depend on the commitment and drive of one individual from the Club. It is hardly surprising therefore that some **meetings** have had to be cancelled at short notice, and have proved impossible to reschedule, and since May 2019 have fallen into abeyance.
- All of this suggests that observance of the licence conditions and fostering neighbour relations has not been seen as either a collective responsibility nor a priority for the Club's committee.

Old Rutlishians Trading Limited  
Application for New Premises Licence  
WK/202002719  
Representation to Licensing Committee  
Sara Phillips

- To demonstrate that this is not the case, the Directors of OR Trading Ltd. will need to show greater commitment to observing their licensing conditions than has been the case over the past 9½ years. It is with this in mind that I have requested that the further conditions outlined in this representation be added to any licence granted to OR Trading Ltd.

Sara Phillips  
3 July 2020.

Licensing  
London Borough of Merton  
1st Floor Annexe  
Merton Civic Centre  
London Road  
Morden  
SM4 5DX

3<sup>rd</sup> July, 2020

Dear Sir/Madam,

Old Rutlishians Trading Ltd. Application for New Premises Licence WK/202002719

I wish to make written representation to the forthcoming Licensing Committee meeting considering the above application and would be grateful if you would put this letter before Committee members.

I have been living opposite the Old Rutlishians Club (ORC) since 1992 and since the award of a licence in December 2010 to the Old Rutlishians' Association I have been a near regular attender at meetings between Association representatives and local residents. You will appreciate that the Club and its playing fields are surrounded by houses and therefore particular attention is needed on the impact of the Club's activities on the surrounding area.

Over those last 10 years, the activities of the Association have increased significantly and, although several promises have been made to address concerns raised from time to time by local residents, there have been no sustained remedies:

- ) Although efforts were initially made to soundproof the upper hall following noise complaints, the acoustic window plugs have since been discarded. A speaker volume control system was installed, but has been frequently over-ridden by hirers.
- ) Although professional security has been employed during evening functions, there have still been incidents of unacceptable levels of noise late at night from people leaving the premises, in the car park or on the playing fields themselves.
- ) Notices requesting consideration for the Club's neighbours have not been provided to the full extent as promised.
- ) While a dedicated phone line was set up for local residents to express immediate concerns and have them addressed, it has proved unreliable, sometimes being out of action or going to voicemail with no follow-up response.
- ) Although there has been occasional attendance by other ORC committee members, the resident liaison meetings themselves have tended to rely on the good-natured commitment of one Association member, with the result that some meetings have been cancelled at short notice and none have been held since May last year despite attempts to do so.

All these matters point to a lack of sustained corporate commitment to the local neighbourhood by ORC members. While I welcome Old Rutlishians Trading Ltd.'s decision to adopt the conditions that were attached to the earlier Club licence and to add a number of further conditions, I feel that more measures are needed in order to minimise disturbance and loss of amenity for the Club's neighbours, prevent public nuisance and safeguard children (licensing objectives 3&4).

I therefore want to add my voice to the calls by David Forward and Sara Phillips for licence conditions that stipulate:

- i. a closing time of 11.00pm for the ORC premises on Fridays and Saturdays rather than midnight, as this is more appropriate for a residential area;
- ii. the one-day Rutsfest is the only permitted outdoor performance of live music, recorded music, dance and anything similar;
- iii. permanent, reliable and effective sound control and soundproofing systems are installed in the upper hall, and in any other indoor areas where recorded or live music is played;
- iv. the employment of trained stewards throughout and after all social events to carry out perimeter patrols and ensure public order and that noise is kept to a reasonable minimum;
- v. a reliable telephone hotline is installed and maintained to deal with immediate concerns from local residents;
- vi. Old Rutlishians Trading Ltd. take steps to ensure that all ORC Committee and Sub-Committee members and all Club employees and volunteers are aware of and understand any conditions attached to the licence, and that room hirers are also made aware and sign their consent to abide by these conditions;
- vii. all the company's discussions about service delivery and development are required to 'risk-assess' any likely impact on local residents;
- viii. regular meetings with local residents are restored to ensure that licence conditions are maintained and other concerns dealt with.

I would make one further request. In the past, the Club has said it would make efforts to restrict use of the playing fields in the evening after matches were finished to the area immediately in front of the clubhouse. However, the efforts to date have not been successful and children are frequently playing in the open area facing Poplar Road houses until late at night in the summer. This can mean that houses like mine are subjected to noise from the playing fields virtually all day, from early in the morning to late at night. It also means the children are unsupervised, out of sight of their parents.

I would therefore like the licence conditions to stipulate that the Club either puts up sandwich board signage on the fields or ropes off areas once official play has finished to confine further use of the playing fields to the area immediately in front of the clubhouse.

I believe that, with these matters addressed and the importance of corporate commitment to good relations with neighbours reinforced, both the Club and its neighbours can look forward to a successful future of co-existence.

Yours faithfully,

Tristan Wood

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