  ***KILBURN COMMUNITY ASSOCIATION***

**Agenda**

**Extraordinary meeting 16.10.23**

1. **Read through of representations received.**
2. **Discuss answers and alterations to be made.**
3. **Produce a statement for the hearing.**

**Minutes of the extraordinary meeting held on Monday 16th October 2023.**

**Present**: Terry (President), Kirsty (Secretary), Tracey, Peter and Simon Fox.

**This meeting was called by Kirsty after receiving correspondence from AVBC that we have received four representations concerning the variation to our current premises licence. This means that we have been called to a hearing in front of a panel to determine whether or not we will be granted the variation. This is on Monday 30th October, 1pm, at the Town Hall in Ripley.**

1. Kirsty read through the representations received. The main concerns appear to be potential high noise levels and anti-social behaviour when people are vacating the hall, the fact that the hirer is being made responsible, underage drinking, drinks promotions, drug use, and the disposal of rubbish. One of the representations is from the neighbour on the left as you look at the hall, the other three have not given their permission to have their names shared.
2. Each point was discussed in detail.

* **High noise levels and anti-social behaviour when leaving the hall –** Those present spoke about how we could prevent any issues related to this, it was decided that if there is ever a booking in the evening then all committee members on the WhatsApp chat group would be made aware. As the majority of the committee members live in Kilburn, this means that if a concern is reported by someone contacting Kirsty, it can be shared and those available to attend will do so. It is important that our safety is paramount and the police will be contacted if we believe it is needed. We also agreed that if it’s an evening party, that will be supplying alcohol for their party guests, we will adopt the ‘Think 25’ initiative and only hire to those over that age. We felt that this would help prevent the risk of underage drinking too as both 18th and 21st birthday parties would be avoided. Our purpose for applying for the variation is to allow the legal consumption of alcohol on the premises, definitely not to allow the chance for anti-social behaviour or disruption to our neighbours.
* **Underage drinking –** As mentioned in the point above, we agreed that for evening parties only a hirer over the age of 25 would be able to book the hall. This would also stand for someone over that age wishing to book the hall for an 18th or 21st birthday party. All hirers are provided with a copy of the Health and Safety policy and Terms and Conditions of hire when they’re sent a booking form. It is on all three pieces of paperwork that the hirer must not allow someone under the age of 18 to drink alcohol and when the hirer signs the booking form they are agreeing to abide by this.
* **Drinks promotions –** The hall is not going to be run as a bar or pub and the committee members all agreed that alcohol isn’t to be sold. It is to be provided by the hirer for their party guests, or to be brought to a function on a ‘bring your own’ basis such as at a lunch club meeting. We also won’t allow third party bar companies to sell alcohol at events.
* **Drug use –** The majority of party bookings we get for the hall, are for children’s parties, private dance practice and charity fundraisers. The majority of hirers are also members of our own community and respect the village hall and the community space it provides. We will display crime prevention posters, including those aimed at drug use and with other measures mentioned under previous points, this will prevent drug use in or in the surrounding area of the hall.
* **Disposal of rubbish –** One representation questions the hirer being responsible for the disposal of rubbish. All hirers are responsible for taking away their own rubbish and this has been the case for many years. Most regular hirers are committee members and all help to keep an eye on the cleanliness of the hall and always report anything amiss.
* **The hirer being responsible –** The KCA as the licence holder are collectively responsible for ensuring licencing laws are followed, although there would not necessarily be any individual member always present at the premises. This is the same as a designated premises supervisor as they don’t need to be present as long as they’re contactable. When the premises are hired out, the hirer may be clearly identified as having responsibility for matters falling within their control, (much in the same way that the event organiser may be responsible for an event held under a Temporary Event Notice). Hirers are provided with a written summary of their responsibilities in relation to the sale of alcohol on documentation mentioned previously before the booking is accepted. On the .gov website it states that the management committee is likely to be treated as having taken adequate steps to avoid liability to prosecution if a licensing offence is committed. This does mean that the hirer is deemed responsible for monitoring any issues that may arise but a member of the committee will always be contactable should they need support, advice or have any questions. All households in the local area receive a free copy of the Kilburn News, in this they can find a contact number, email address and Facebook page name that they can use to contact the committee should they wish to get in touch with us regarding any concerns or have any queries. This contact information is also displayed on the noticeboards outside.

Following the discussion of these main points, those present discussed how at present hirers can book the hall and either apply for a TEN or simply not let us know that they will be consuming alcohol on the site. By having a premises licence, we would be saving the hirer the cost of the TEN, therefore making them more likely to be upfront about their wishes. This will in turn allow us to know when alcohol is being consumed on the premises and enable us to make spot checks should we wish.

We also spoke about the time periods we’ve stated on the premises licence and all agreed that if it is a party that we know will be consuming alcohol, then we will only allow hire until 10.30pm. Hirers have 30 minutes to tidy up and vacate the hall so therefore the hall will be quite and locked up by 11pm with the key being returned to Kirsty. Regular hirers, such as the Wine Circle who have been using the hall for over 30 years will be monitored and any complaints recorded and dealt with. The Wine Circle have been using the hall for over 30 years and we’ve never received a complaint about them yet.

Kirsty brought the bookings diary to the meeting and there aren’t any bookings later than 9.30pm. There are two private bookings that end this late, one is a fashion show charity fundraiser and the other is a Christmas wreath workshop. We have no plans at all to publicise if we do get the variation added and definitely won’t market the hall as a ‘drinking establishment’,

1. This is the statement put together to be presented at the hearing:

***Premises Licence Vary Hearing***

***Monday 30th October 1pm***

1. ***Attending – Kirsty Fox, Tracey Bailey, Peter Arnott & David Earnshaw***
2. ***Our Statement –***

***We would firstly like to thank those that have sent in representations concerning our application to vary our current premises licence, doing so has meant that we have had the chance to discuss our application and reiterate our commitment to providing a safe venue for the local community to hire.***

***We have carefully considered each representation and the main concerns appear to be potential high noise levels and anti-social behaviour when people are vacating the hall, the fact that the hirer is being made responsible, underage drinking, drinks promotions, drug use, and waste disposal.***

***We would like to reassure those concerned that we have held a premises licence for a number of years which does include the playing of live and recorded music and we have never received any complaints about the noise level. Only the windows on the right-hand side of the building open at present which is on the opposite side to the resident that sent in one of the representations and we’re in the process of reinstalling a fan that was removed several years ago to also improve air circulation. This will hopefully prevent the need to open windows and doors and therefore reduce the noise made by any music indoors travelling outdoors.***

***Regarding anti-social behaviour when vacating the hall, all hirers are sent a copy of our Terms & Conditions of hire and a copy of our Health & Safety Policy when they book the hall, in these we clearly state that the hirer agrees to make sure that there is no excessive noise during their hire period, especially early in the morning or late at night. It has also been agreed that if we know alcohol is being consumed on the premises we will not allow the hire period past 22:30, this means the hall will be quiet and locked up no later than 23:00. Hirers agree to enforce this when they sign the booking form and reminders in the form of posters will be at all exits in the hall. As with all party bookings, rubbish is to be taken away by the hirer. This is stated on the booking form and we have never had any issues with excessive rubbish being left behind. Many of our regular hirers are also committee members and all keep a keen eye out for anything left behind so that it can be reported back to the hirer as soon as possible if need be.***

***We plan to vet all bookings that state they wish to have alcohol at their party as a committee, no matter what time of day. We will do this by asking what the purpose of the party is for (birthday, baby shower, anniversary etc) and reserve the right to refuse a booking if we deem it doesn’t fit with our ethos of the KCA and hall. We have done this in the past and will continue to do this. One of our stipulations is that we won’t allow parties in the hall for young adults under the age of 25 as we feel this may sometimes increase the risk of underage drinking, over consumption and possible anti-social behaviour and avoiding the 18th and 21st birthday parties will help prevent these issues.***

***Following guidance on the .gov website, we as a committee decided not to have a designated premises supervisor and instead have the management committee as a whole to be responsible for the supply of alcohol. As the premises licence holder, the management committee will collectively be responsible for ensuring compliance with licence conditions and the law (and may remain liable to prosecution) although there would not necessarily be any individual member always present at the premises, this is the same as a designated premises supervisor as they don’t need to be present as long as they’re contactable. Overall responsibility will lie with the management committee, where the premises are hired out the hirer may be clearly identified as having responsibility for matters falling within their control much in the same way that the event organiser may be responsible for an event held under a Temporary Event Notice. As stated earlier, hirers are provided with a written summary of their responsibilities in relation to the sale of alcohol. On the .gov website it states that the management committee is likely to be treated as having taken adequate steps to avoid liability to prosecution if a licensing offence is committed. This does mean that the hirer is deemed responsible for monitoring any issues that may arise but a member of the committee is always contactable should they need support, advice or have any questions. All households in the local area also receive a free copy of the Kilburn News, in this they can find a contact number, email address and Facebook page name that they can use to contact the committee should they wish to get in touch with us regarding any concerns or have any queries. This contact information is also displayed on the noticeboards outside.***

***We would also like to reassure all those that sent in representations, that we have applied for the variation to our current premises licence to give us more control over what is happening in the hall. At present a hirer could book the hall and apply for a temporary events notice without telling us. By us applying for the variation we are saving the hirer the cost of the TEN but in doing so are getting more information about the booking and potentially preventing anti-social behaviour, underage drinking and drug use because we can refuse to take the booking based on the information we receive. It also makes us aware when alcohol is being used in the hall and allows us to visit and do a spot check, should we wish, to ensure the hirer is following all the terms & conditions of hire.***

***We would also like to reiterate that the majority of our bookings are from people who live in the village and local surrounding area and who tend to respect our hall and its neighbours as they are part of their own community. We have no plans to set up a bar, hold regular late-night events or hold ‘promotions or discounted alcohol’. The two evening events we have booked at present both finish at 9.30pm, one is a charity fashion show fundraiser and the other is a Christmas wreath making workshop.***

***The purpose of the variation to our licence is to allow legal consumption of alcohol for parties and regular hirers such as the Wine Circle and Over 60’s group. We will not allow third party bars or alcohol suppliers to sell alcohol as we want to keep our village hall as a place that is safe for the community to use, a metaphorical extension of their own home and accessible for all nor do we have any plans to change who we hire the hall to, change our ethos or publicise anything related to alcohol to encourage bookings that we wouldn’t deem suitable.***