

Representation in Respect of Heavitree & Wonford United Service Club – 104 Wonford Street, Exeter, EX25DE

Licensing Objectives: To prevent crime and disorder.

To prevent public nuisance.

On 28/01/2020 23:54:52 the police received log no: DCP – 200128-0903 regarding an incident that occurred on 25/01/2020 at the above premises

A local resident stated there was;

‘anti-social behaviour from persons attending the club who were out in the street. Many youths were drinking, and some were smoking cannabis. They were so loud that we could not hear our TV. The swearing was not acceptable in a public place. I went out to have words with them but was met with a lot of verbal garbage, later my wife told them to be quiet and had the same reception. The club have no control over what goes on when they have these gatherings. I could not get through on 101 so gave up. Surely, they have to take some control as a club in a residential area’

PCSO [REDACTED] contacted the reporting person who informed him that although the club is generally run ok there are frequent parties of teenagers who cause disorder.

The previous Licensing Officer (LO) from Devon and Cornwall Police [REDACTED] arranged and held a meeting with PCSO [REDACTED] and the then Club secretary [REDACTED] on 26/02/2020 at 10:00hrs held at Heavitree Rd Police Station. At the meeting it transpired they had been holding functions for anybody looking for a place to use inc 18<sup>th</sup> and 21<sup>st</sup> birthday parties as well as wakes including non-members. It also became clear they had no knowledge of the Licensing Objectives and the club was not being operated in good faith or according to the legislation regarding Club certificates.

The LO advised Mr [REDACTED] this can no longer happen. They could explore applying for a premises licence or if they have events to apply for a Temporary Event Notice.

He asked for an action plan within 14 days with things for them to consider.

Challenge 25

New set of bar rules, incident book etc’

13/03/2020 - Mr [REDACTED] was going to send the requested plan as soon as was able to take steps and actions required.

03/06/2020 - Due to the COVID 19 restrictions this item was closed due to the likely hood of the premises being closed for the foreseeable future.

14/04/2022 - Email received from Environmental Health regarding noise issues at premises with events being held frequently which often went on past midnight

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19/07/2022

Email received from Simon Ruddy at Environmental Health

Since mid-April we've been receiving complaints from local residents about noise and anti-social behaviour at Heavitree and Wonford United Services Club, 104 Wonford Street. There are now five complainants, all of whom are close neighbours (see attached map). The general consensus is that the club is being run more like a pub, with regular live music, disco & karaoke, particularly on Friday and Saturday evening and Sunday afternoons. The complainants mention noise being an issue because of windows and doors left open; they also complain about noise from members outside the club, smoking, shouting, arguing etc. One of the complainants alleges a member of staff has been verbally abusive to her partner and talks of another incident where a neighbour was 'assaulted' (no more information on this). A couple of complainants claim to have spoken to the club about the issues without any resolution, one allegedly being told that they 'shouldn't have moved next to a club'. All anecdotal, this, of course.

I've received log sheets from one complainant who noted loud music on five occasions in June (all of which were within the clubs' licensing hours but often went on all evening until 23:30). There was a live band on the afternoon of Friday 26<sup>th</sup> June which two complainants said was very loud. A second complainant is particularly upset about the situation; I've shown her how to use the Noise App to record future events and given advice about licensing reviews. This complainant claims to have called 101 on Sunday 17<sup>th</sup> July to report anti-social behaviour (but claims to have been left on hold and not left a report).

A check on the club's Facebook page showed:

- 'Live music from Claire Bell' on Friday 8<sup>th</sup> July, 8pm. It was advertised as *free entry*; it's not clear whether this was for club members and guests only.
- The same singer appears (with karaoke) advertised on the afternoon of Sunday 13<sup>th</sup> July. Again, Facebook says ***free entry to all, please share.***
- Sunday bingo 7pm – *come and support your local club. Use it or lose it.*
- Friday night kids disco during summer holidays; £1 per child.
- 'Jai Rocks the 70s' – live music, Friday 2<sup>nd</sup> September 20:00 (same band on 26<sup>th</sup> June)
- 'Abba tribute coming soon'
- 16<sup>th</sup> July – 'weekend offer – all Cactus Jack shots £1 each or 2 for £1.50. Help us get rid of them'

04/08/2022 Spoke with **Mike Finn** who is the last known club secretary, he no longer holds this post and has given me the name **of Mike Collins** who has taken over the position. Mr

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Collins is under the impression they are able to charge £3 to members of the public which gives them temporary membership to live music when held, this does not meet the criteria of having a 48hr gap between a candidate for membership applying and then gaining the privileges of membership. (Section 62 Licensing Act 2003)

As of 19/08/2022 The premises are continuing to advertise live music and tribute acts at £3 for **non members**.

A date of 09/08/2022 was originally arranged to meet with Mr Collins to discuss the way the premises are being run. This meeting was postponed until 16/08/2022 which was then cancelled due to review.

It is clear that there have been issues at these premises from as far back as January 2020, had it not been for the Pandemic and the closure of the club during lockdown it is probable that the Police would have taken action before.

With regards to the more recent problems the police had commenced our normal practice of a stepped approach to addressing the problems, this can be seen by the fact we had a meeting arranged with the club secretary prior to this review being submitted by local residents.

It would appear to the police that these premises are being run as if they were a pub with a premises licence as opposed to a premises with the benefit of a Club Premises Certificate.

Non members appear to be allowed admittance and allowed the privileges of membership in a way not in accordance with the Licensing Act, which puts into question the club's "Qualifying Club" status.

It would appear that the majority of complaints are of noise coming from the premises, with the additional issue of persons congregating outside.

There should not be anyone outside with open containers of alcohol as this is not allowed due to the mandatory condition on a club premises certificate.

I will leave the issue of the noise from entertainment to the Local Authority Environmental Health department to address.

Should the committee feel that applying additional conditions to the licence I would suggest the following conditions:-

"After 9 pm there shall be no more than 6 persons at a time allowed outside of the premises to smoke"

"There will be no entry/re-entry to the premises after 9pm except for those patrons who have left the premises for the purposes of smoking."