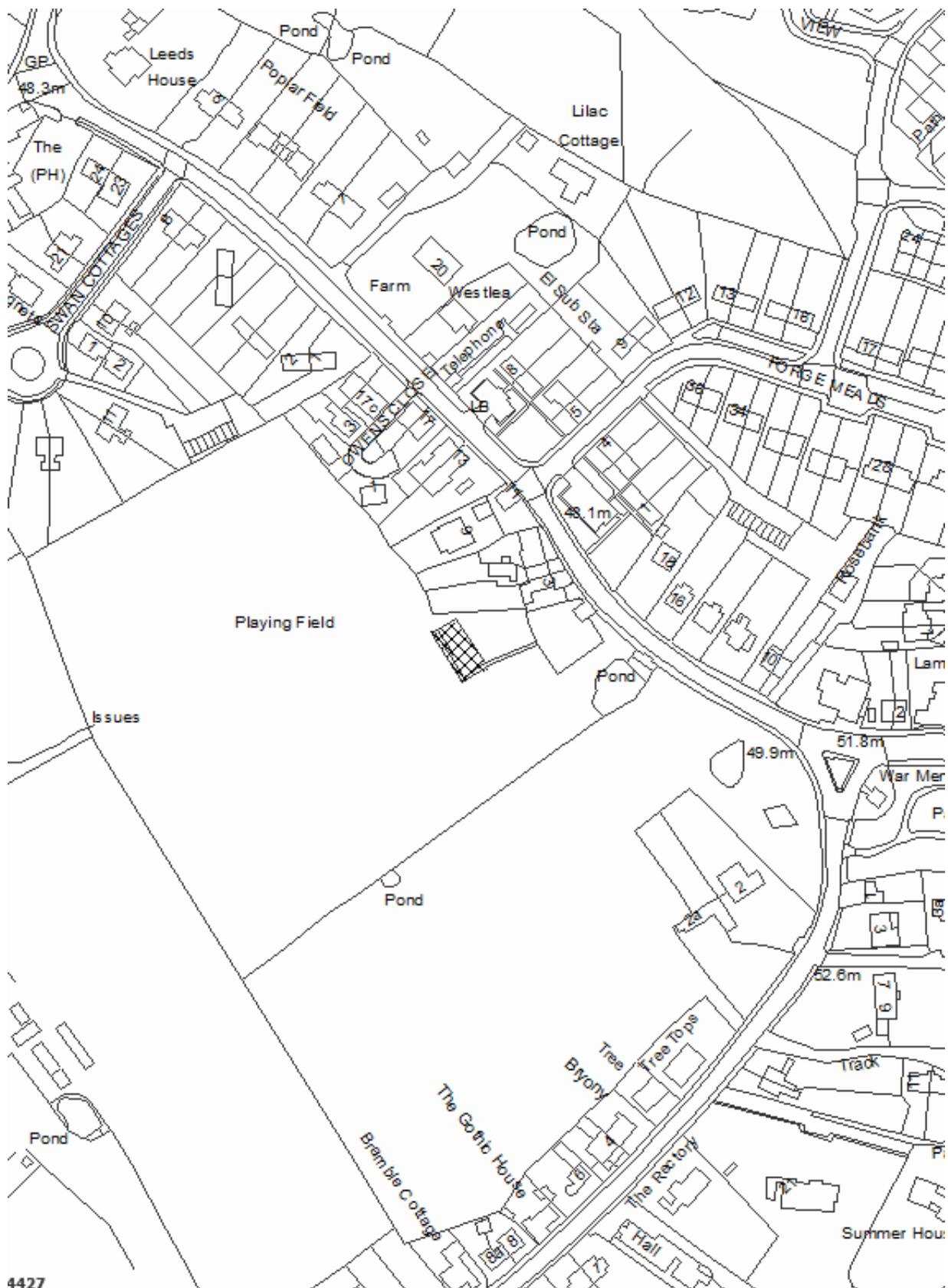


APPENDIX B – LOCATION MAP



4427

APPENDIX C – SITE PHOTOS

Photo 1 – Rear of pavilion to car park, showing closest neighbour 'The Old Forge'



Photo 2 – Front of pavilion showing part of the consumption area



Photo 3 - From corner of Pavilion showing proximity to residents on The Street, Wittersham



Photo 4 – Corner of pavilion showing proximity to neighbouring gardens



Photo 5 – Showing Poplar Road in the SE direction of The Street



Photo 6 – Showing Poplar Road in the NW direction of Swan Street



Photo 7 – Photo showing car park and boundary with 'The Old Forge'



Photo 8 – Photo of corner of pavilion with round pathway light and sports flood light



APPENDIX D – OPERATING SCH. CONDITIONS (AGREED WITH APPLICANT)

General

1. The certificate holder shall ensure that a membership card scheme is introduced to ensure that the supply of alcohol and benefits of membership are only provided to genuine members in accordance with the club rules.
2. The certificate holder shall ensure that a guest book is maintained at the bar, and that all guests are required to utilise the signing in book. Information to be recorded should include; time and date of guest entry, name of guest, and, name of member associated with the guest.

The Prevention of Crime and Disorder

3. A CCTV system shall be designed, installed and maintained in proper working order. Such system shall be:
 - Operated by properly trained staff.
 - Be in operation at all times that the premises are being used for a licensable activity
 - Ensure coverage of the bar area, all entrances and exits to the licensed premises (internally and externally) and general coverage of the club room.
 - Provide continuous recording facilities for each camera to a good standard of clarity. Such recordings shall be retained (On disc, hard drive or other immediate retrievable facility) for a period of 30 days, and shall be supplied to the licensing authority or a police officer on request.
4. The certificate holder shall ensure 'Drink Aware' and 'Zero-Tolerance to Drug Use' signage is installed in suitable locations within the premises

Promotion of Public Safety

5. The certificate holder shall ensure that there are a suitable number of nominated and trained first aiders

The Prevention of Public Nuisance

6. The certificate holder shall ensure signage is installed advising customers to leave the premises quietly and in an orderly manner.
7. The certificate holder shall act to ensure that members/guests to use the designated smoking area (see associated premises plan) for smoking. In this area a cigarette butt bin shall be installed, and periodically emptied, to prevent litter.
8. The certificate holder shall ensure that periodic reminders are provided to members regarding the need to park responsibly within the associated car park and locality.
9. The certificate holder shall ensure that litter bins are installed in the associated car park and emptied at suitable frequencies in order to minimise litter.

10. The certificate holder shall ensure that external lighting used as part of the Club Premises Certificate operation is limited to that required for health and safety purposes i.e. lighting of the car park, entrances and pathways. Such lighting shall be installed in such a manner as to prevent a nuisance to nearby residential premises.
11. The area provided outdoors for the consumption of alcohol shall only be used for such until 21:30 hours on Sunday to Thursday and 22:00 on Friday to Saturdays. After this time the outdoor area shall only be used for the purposes of smoking, with no drinks being allowed outside.

The Protection of Children from Harm

12. The certificate holder shall ensure the club have a trained lead for children's safeguarding. Such person shall be responsible for reporting, and addressing, concerns with reference to potential harm to children arising from the use of Club Premises Certificate for the supply of alcohol to members/guests.
13. The certificate holder shall ensure that the supply/sale of alcohol will not take place at times when junior fixtures of the football section (for those aged 18 and under) are taking place
14. The certificate holder shall ensure that children in the clubroom, during operation of the club premises certificate, shall be accompanied/supervised by a responsible adult.

APPENDIX E – POLICE INCIDENT DETAILS 2014-2019

Community safety unit



Community Safety Unit

Ashford Police Station, Tufton Street, Ashford, Kent TN23 1BT

Date: 17th January 2020

Dear Sir/Madam,

Re: Wittersham Sports Club CPC application.

The following information is provided to assist the Ashford Borough Council's licensing sub-committee. Kent Police do not submit any representations in regards to it.

Listed below is a summary of recorded crimes that took place at the premises during a five year period.

November 2018 – Theft / criminal damage. A containers locking mechanism was damaged and a second container reported as stolen.

August 2018 - Allegation of an assault on the sports ground.

August 2018 - Allegation of an assault within the pavilion.

October 2018 - Vandalism on sports ground.

May 2017 - Vandalism on sports ground.

October 2017 - Vandalism on sports ground.

December 2016 - Burglary.

March 2015 - Burglary.

Kent Police do not consider these incidents of crime to be relevant to the operation of the premises from a licensing perspective.

Yours sincerely,

PC 10699 Pringle
Licensing Enforcement Officer
Community Safety Unit
Ashford Police Station.

APPENDIX F – ENV. HEALTH/LICENSING INCIDENT DETAILS

WK/201610056

Date 06/12/2016

Type – Pro-active drug swabbing visit with Kent Police

Outcome – Cocaine traces confirmed in toilets. Advisory letter sent. No further intervention.

WK/201507505

Date 16/08/2015

Complaint type – Loud music

Outcome - One-off incident. No formal intervention required.

APPENDIX G – REPRESENTATIONS

Objector	Karin Singleton
Objector Address	The Smitings, 28 Poplar Road, Wittersham, TN30 7NT
Date Received	17/01/2020
Distance to premises	390m (approx.)

Objection Details

Dear Sirs

I would like to register my objection to the above application for the following reasons:

1. This sports club has a well-attended, vibrant youth football section. As demonstrated previously, when the social club was in operation, all of the activities of the pub overrode those of any sporting activity and the amenities enjoyed by the youth teams were lost to them. Additionally, where the youth football club was always previously a safe place for the children to enjoy their sport, it became secondary to the drinking establishment and the children were exposed to people whose agenda was simply to use the premises for drinking. I understand that whilst the social club was open in the pavilion previously, there were problems with unruly and aggressive behaviour and cocaine use. This scenario, in my opinion, is one of oil and water and I do not believe (and as was demonstrated previously) that the two factors (youth sports section and drinking establishment) can co-exist without putting the children at unacceptable risk.
2. The application, I believe, if granted, would result in great nuisance and would impede on the reasonable assumption of uninterrupted enjoyment of property to the immediate neighbours.
3. Due to its rural nature, I fear that persons “driving under the influence” will become problematic and that instances of disorder will increase.

Whilst the following may not be grounds for objection I would like to mention also the potential loss of amenity for the village in terms of the community project to reopen The Swan. Surely it must be viewed that a public house has, by its very nature, a broader opportunity to serve all members of the community and beyond. Should this licence application be approved, it would surely jeopardise the project, which would be a great shame for the village.

Yours faithfully

Karin Singleton

Objector	Ann Simpson
Objector Address	5 Poplar Road, Wittersham, Kent, TN30 7PD
Date Received	16/01/2020
Distance to premises	14m (approx.)

Objection Details

I refer to the application for a club premises certificate for the sale of alcohol by Wittersham sports club trading ltd and would like to submit my objections as follows-

There was a temporary licence held at these premises previously and during this time there were a number of occasions when the noise levels were unacceptable both from the people using the premises and from vehicles leaving late at night. We rarely have a police presence in this village and I expect instances of drink driving were quite frequent.

On more than one occasion men were seen relieving themselves against the hedge at the bottom of Forge Meads, I personally witnessed this. I believe they have perfectly adequate toilet facilities in the clubhouse.

There were frequently children playing unsupervised while their parents were inside. There is a deep ditch running along part of the field boundary near the clubhouse which is very dangerous.

I feel it is not in the interests of the village to grant a licence which will effectively turn this club into a pub.

Ann Simpson

Objector	Mr & Mrs Avery
Objector Address	1 Forge Meads, Wittersham, Kent, TN30 7PE
Date Received	16/01/2020
Distance to premises	77m (approx.)

Objection Details

I am writing to object to the application for a licence for the sale of alcohol at the Sports Ground Pavillion, Poplar Road, Wittersham, Kent TN30 7PD. We had already objected to this in July of 2019, and understood permission was refused. The application has now been applied for under the name of Wittersham General Sports Club Trading Limited. As a couple who opposed the application last year, I was surprised we had not been written to directly. We were only made aware by neighbours in the last few days, as we had not seen the A4 notice on the village sports ground board.

I object under the following objectives:

THE PREVENTION OF CRIME AND DISORDER AND THE PREVENTION OF PUBLIC NUISANCE.

As a couple we are relaxed and easy going people and are not ones to complain as a rule. We do understand the need for a village pub in Wittersham, and have missed this since it changed from the Swan before finally closing. However when choosing to live somewhere there are certain things people take into consideration before purchasing your property. If I purchased a house near Brands Hatch for example, I would be a fool to then complain about the noise from the race track! The following scenario also applies to pubs and clubs etc. We did not choose to move next to either, and our property is directly opposite the Sports Club.

The sale of alcohol was permitted at the sports club a year or two ago. At first we thought it might be quite nice to sit in the Sports field and have a leisurely beer on a sunny afternoon. During this period however, ourselves and fellow neighbours, some of which have very young children, experienced many nights of disturbed sleep due to the drunken disorder of some of the users of the Sports Club. Often the noise caused by the club exceeded midnight, mostly by drunken people, or teenage children of these people shouting at each other in the car park! During summer months, many of us need to sleep with windows open to keep cool, however on warmer evenings the club obviously had more customers and the noise was exacerbated.

On several occasions we found people urinating in the hedges and gardens in the immediate vicinity of the Sports Club. The 'now removed' phone box also had it's glass smashed during this period, although I can't prove it to be due to the drunken behaviour of club members. It was also clear that some people who had driven to the club, probably shouldn't have driven back!

I am sure that many of the Sports Club members would use the club how it is intended, as a local place to socialise and drink and leave the club quietly at night. However it seemed like quite a few users could not handle their drink and were effectively ruining it for other users. Signage asking patrons to leave quietly will not work with drunken people! It wouldn't work for me!

In summary, I feel that it is unfair to ruin the quality of sleep and life for people living in the immediate vicinity of the club just so people can have a drink. More effort should be placed into getting the village pub up and running again, as I do agree that Wittersham does need a local place to drink and socialise.

Mr and Mrs Avery

Objector	Mr A Barkel
Objector Address	7 Poplar Road, Wittersham, TN30 7PD
Date Received	16/01/2020
Distance to premises	31m (approx.)

Objection Details

Dear Sirs,

I am writing in response to the licencing application for the Wittersham General Sports Club Trading Limited for a Club Premises Licence for the sale of alcohol every day.

My representations for objection are the following;

Re: Prevention of Crime & Disorder & The Prevention of Public Nuisance

Under the previous licence held by the Wittersham Sports Club, the running of the club allowed members and their guests to leave the premises late in the evening in a loud and disorderly manner, using foul language, urinating in front of homes just outside of the sports club.

Also the use of foul language and lots of screaming/shouting in the afternoons while local residents are enjoying their gardens on summer afternoons. These acts happened regularly whilst the previous licence was in operation.

Re: Public Safety

Also under the previous licence held by the Wittersham Sports Club, members and their guests were allowed to leave the premises driving their vehicles whilst quite obviously over the alcohol limit. We have no police support in the village for monitoring such behaviour which is a large concern.

Whilst the previous licence was in operation, myself and some other local residents had a meeting with PC 10679 Alistair Pringle to express our concerns with the ongoing behaviour and drink-driving.

I do support the Sports Club for use for sporting events as these are great for our village (my support includes donations of sausage rolls free of charge for the cricket club home matches) - however;

I strongly **object** to the use of the Wittersham Sports Club being used as a club for drinking as I am extremely concerned for how it will be used - for public safety, crime, disorder & nuisance behaviour.

Yours sincerely
Mr A Barkel

Objector	Wittersham Football Club
Objector Address	C/O Miriam Lewis, Mill House, Stocks Road, TN30 7EJ
Date Received	16/01/2020
Distance to premises	N/A

Objection Details

Wittersham Football Club

Secretary and Welfare Officer

Miriam Lewis
 Mill House
 Wittersham
 Tenterden
 Kent
 TN30 7EJ



Wednesday 15 January 2020

Dear Sir

APPLICATION FOR CLUB PREMISES CERTIFICATE WITTERSHAM GENERAL SPORTS CLUB TRADING LTD

The Committee of Wittersham Football Club wish to make representation in relation to the above application for a Club Premises Certificate at The Sir Victor and Lady Mallet Sports Field, Poplar Road, Wittersham, where they have played football since the inception of Lady Mallet's Charitable Trust in 1965.

The Committee has concerns about the structure of this trading company which purports to be a "Club" but it is appreciated these should be dealt with through other channels. I am therefore instructed to write in my capacity as Welfare Officer in relation to the fourth licensing objective only which is the protection of children from harm.

The Licensing Act 2003 requires the applicant to set out the steps that they propose to take to promote the four licensing objectives.

It is noted that all four licensing objectives are of equal importance but in the context of these particular premises, I believe this particular objective, the protection of children from harm, requires special attention.

Children of all ages are currently the main users of the grounds and pavilion by a considerable margin, both in terms of numbers and frequency of use. We have three junior teams who play league matches regularly on Saturdays from September to May and weekly training for all teams takes place throughout the year. We are a family orientated Club and so in addition to our youth players, we welcome many other children, including brothers and sisters, friends and relatives, as well as children from the village who like to come and watch games. In short the premises are very much child orientated and this is the context in which this application for an additional club premises certificate must be assessed.

Background

By way of background it should be explained that Wittersham Football Club has held a licence for the supply/sale of alcohol at the Wittersham Sports Ground since 1995 (converted to a Club Premises Certificate in 2005).

The bar operated at senior games without creating any significant issues of concern relating to the well-being of the children. In recent years at least the bar was very low key. We have always sought to create a family-friendly and safe environment for children. We are greatly assisted in this as the Football Club is a relatively tight-knit community. In addition our affiliation to the FA requires us to have child protection policies in place. All our coaches and volunteers involved with children have DBS checks and our three youth team managers and all our Club officials have completed the appropriate safeguarding training.

Whilst the bar was viewed as an asset, it was certainly not in any way the focus of the Club. The use of the premises was actively and visibly as a sports pavilion. The bar was entirely ancillary.

This all changed when the Social Club opened in August 2016. Major works were carried out to the pavilion and the whole look and feel of the clubroom was changed to resemble a pub. The kitchen area disappeared, a beer cellar was created, light switches were relocated behind the bar and the needs of sport were side-lined to cater for a social club operating for extensive hours every day of the week.

The impact on the children was obvious and immediate and soon after the Social Club opened it was agreed to close the bar when youth matches were played. This certainly helped but other issues remained which adversely affected the welfare of the children. They were still denied access to the clubroom during evening training sessions and were exposed to drunken behaviour and inappropriate language by those using the outside area. In addition, when in November 2016 the premises were inspected by the police and Licensing Authority, both the gents and ladies toilets tested positively for cocaine. This was a major concern.

In the event, the social club was short lived and following the intervention of the Charity Commission it was closed in January 2017.

The Current Application

In the light of this previous experience, we trust that the Licensing Authority can understand our concerns about the current application which is essentially from a trading company which seeks to make profits from the sale of alcohol. The long hours of usage from 8am to midnight every day of the week is not commensurate with the lawful use of the land as a playing field and totally inappropriate in this quiet rural setting. It would appear that the commercial interests of the company are the overriding driver. The interests of children playing sport will not be the priority and with control of the licensed activity passing out of the control of the Football Club there is real concern that children could be exposed to unacceptable harm.

In assessing that potential for harm the following factors should be considered:

Nature of the Premises

The premises which are the subject of this application consist of a 5.6 acre playing field providing 3 junior pitches, a senior pitch, a training pitch, cricket practice area and a cricket square with outfield. There is also a car park and pond. The sports pavilion is a modest building providing a clubroom, changing rooms, toilets, showers and storage space. It is acknowledged that the applicant has stated that alcohol consumption will be limited to the clubroom and a defined outside area. However, drinkers and especially those who could be intoxicated will have full access to the whole building and grounds and this is an incredibly large area to police when attempting to protect children from harm. Whilst the Football Club would have control over its own members, it would have none whatsoever over other users.

Shared Use of the Clubroom

The use of the Clubroom, as already suggested above, is one of the main area of concern. This is essentially the hub of the sports pavilion and careful thought must be given as to how the interests and welfare of the children can be met if the space has to be shared with drinkers. As welfare officer I would argue that the two uses are not compatible.

The clubroom is essential to the effective running of the junior football club. It is used for:

- Refreshment: This is where players and their families come to have soft drinks and snacks. There is only now one small sink in the clubroom where access to water can be had and this is behind the bar.
- Shelter: In cold and wet weather this is a warm and dry place for the children to shelter.
- Education: This is where group and individual discussion takes place often relating to code of conduct and safe-guarding issues.
- Socialising and Play Area: Players enjoy meeting in the clubroom before and after matches. Siblings of the junior players enjoy being able to play games, read, draw pictures etc while the games are being played. The area is particularly well used in the winter.
- First Aid: The area is useful for treating injuries which cannot be dealt with pitch-side.

If a bar controlled by a separate organisation catering for the needs of a wholly different group of people were operating alongside these activities there would be clear conflict and potential for harm to the children. As noted above, past experience reinforces this point. I do not think anyone would consider it appropriate to operate a bar in a room being used as a classroom. The situation here is not very different

In light of the above, could we please ask that if a licence were to be granted, a condition is added preventing use when junior training and matches are taking place.

In my considerable experience, it is impossible to reconcile the two uses and priority must be given to the intended and lawful charitable use of the premises over an entirely non-charitable use which poses considerable and known risk of harm to children.

Yours sincerely

Miriam Lewis

Objector	Oliver Lewis
Objector Address	Mill House, Stocks Road, Wittersham, TN30 7EJ
Date Received	15/01/2020
Distance to premises	306m (approx.)

Objection Details

Application by Wittersham General Sports Club Trading Ltd for a Club Premises Certificate to operate at Wittersham Sports Club, Poplar Road, Wittersham, TN30 7PD

Introduction

This application seems to have changed little from the previous application submitted in June 2019 which was withdrawn by the applicant just before the hearing was due to take place. I was concerned at the time about the costs of this aborted application to the public purse. I remain concerned about the validity of this new application but will limit my comments as instructed to those relating to the four licensing objectives.

Promotion of the Four Licensing Objectives

To assist with clarity I have included the applicant's statement in relation to the five different headings. These appear in bold and italics and are then followed by my comments and observations.

a) General

The main objective of the Wittersham General Sports Club Trading Ltd is to promote the Sports Club to people who live in the Parish so as to increase the sport and recreational activities at the Sports Club and its ground as identified in the Wittersham Sports Club governing document.

This section is supposed to cover all four licensing objectives but the above statement makes no reference to any of them. I wonder if the applicant has read the guidance notes at all. The notion that the provision of a bar, which is the sole purpose of this trading company, will increase sporting activity must be to view things in the wrong order within the context of this charitable trust. The knock on effect must essentially flow from the other direction. The sport must come first and the supply of alcohol must be ancillary. Given the very serious health and social problems associated with alcohol consumption it seems somewhat disingenuous that a Charity which is set up to promote healthy recreation in the form of outdoor sport should see a bar as the main draw for players. Given the vast majority of the current users are children this is of particular concern.

b) The Prevention of Crime and Disorder

We believe that greater involvement by local people in the Sports Club will help reduce petty crime and anti-social behaviour in the surrounding area. The pavilion has signs displayed about zero tolerance of drug usage. In addition signs have been put up reminding members to respect our neighbours in their behaviour and attitude, especially when they leave the premises.

Again the applicant seems to have little understanding as to what they are required to demonstrate. There is little doubt that participation in sport is a force for good but the applicant is applying for a licence to supply alcohol not promote sport. The evidence supplied by local people during consultation on the previous application ought to have knocked on the head any perception that running a drinking establishment reduces anti-social behaviour or petty crime in the vicinity. A number of people, including myself, made reference to various incidents that took place when the former social club was in operation between August 2016 and January 2017. These included:

- Break in to pavilion involving damage to the pavilion and the theft of alcohol and a substantial sum of cash left on the premises.
- Positive drug testing- evidence of cocaine use found in both the gents and ladies toilets being the only area tested.
- Fights in the grounds
- Urinating in neighbours' hedges and on walls
- Drink driving
- Use of foul language and other unruly drunken behaviour

Experience has shown that operating a bar until 11pm at night will only serve to increase crime and anti-social behaviour, not reduce it. The applicant needs to be realistic. Reference to signs discouraging use of illegal drugs and rowdy behaviour are really rather empty gestures. The licensing hours should be greatly reduced to reflect the fact that this is a sports pavilion not a general drinking establishment. There should also be clear policies for tackling illegal drug use and excessive drinking.

c) Public Safety

We are up to date with all our fire regulations and have a nominated first-aider. This matter will be routinely updated. CCTV cameras and recording equipment which are installed within the premises will be reactivated with procedure and policy updated to take account of the new GDPR regulations.

It's the Clubs intention to introduce a card membership scheme and to also maintain a guest book behind the bar which will ensure the premises are safely used.

As a former trustee and a regular user of the premises I believe that the Wittersham Sports Club is actually not up to date with all the fire regulations. Building works were carried out to the premises in July and August 2016. Fire doors were not correctly fitted to building regulations and the new entrance created (without the necessary planning consent) does not have the correct signage or emergency lighting. I can also confirm that at a meeting held in the pavilion in October when the power failed the clubroom and lobby were plunged into darkness as the existing Emergency Exit sign in the clubroom was not working. To my knowledge, at the time of writing this has not been fixed.

It is not clear whether a fire risk assessment has been submitted with the application but the requirement for this is made clear in the Council's Licensing Policy on Page 15:

"When preparing their operating schedules, applicants are reminded that it is a requirement of legislation that any licensed premises carry out a fire risk assessment and to record the significant findings in writing (Regulatory Reform (Fire Safety) Order 2006 Article 9 paragraph 6). "

A fire risk assessment was commissioned by the Football Club in February 2017 which was passed to Trustees and this highlighted a number of issues.

There is also no mention in the Operating Schedule of limits on the capacity of the licensed area. The clubroom is not a large room and numbers should be limited.

I was aware that CCTV cameras are installed on the premises but not other recording equipment. This is of concern. It is encouraging that the Sports Club's policies and procedures are to be updated in respect of the use of CCTV as previously the lack of proper regulation resulted in the intervention of the Information Commissioner.

I cannot see how membership cards and a guest book will ensure the premises are safely used. The applicant should be looking at its own responsibilities under health and safety regulation. A proper risk assessment of the premises might be a good start. The carpet is a trip hazard and the gents toilets are certainly a health hazard. The consumer box, where the electrics can be isolated, is in a locked cupboard. The only clubroom light switches are behind the bar. The only sink in the clubroom I feel certain would not meet health and safety regulations. The drainage system cannot possibly meet modern standards, for example water from some sinks drains into a watercourse. These are just some of the issues of which I am aware.

There is also the issue of parking at the premises. This is a particular problem on match days and there has certainly been complaints about the highway being blocked. The increased use that the applicant predicts would only exacerbate problems of highway safety.

The plan which shows the outside area for alcohol consumption is very poorly drawn. It has clearly been reduced in size from the previous application but still appears to encroach on the children's training pitch and the senior pitch. It is ludicrous to have these areas designated for alcohol consumption. This clearly creates an issue of public safety and should be corrected.

d) The prevention of Public Nuisance

We are providing a centre for the community to enjoy through sports and recreational activities and to become involved which will in itself help to reduce public nuisance. Car parking is an insurmountable problem solely on a Saturday when home football matches are played which has created difficulties for some time now despite attempts by the Sports Club to find a solution with the relevant authorities. As the applicants membership is drawn from the existing sporting sections of the Sports Club it is not envisaged that the car parking requirements will be any greater other than at this time. Nevertheless periodic reminders about parking responsibly within the car park and environs will be sent to members. Increased usage of the premises may cause extra litter. We will ensure extra bins are provided in the car park and at the exit gate which will be emptied at suitable frequencies to reduce litter.

We will display signage relating to:

Drink aware signs in appropriate places

Noise reduction by patrons when leaving premises

To designate an area for smoking (see plan) which shall be away from the nearest residential boundaries and install cigarette butt bins.

Given the members of this "club" are all drawn from the existing sporting sections it does not reflect well on that membership to suggest that if they were not involved in their respective sporting activities they could otherwise be creating a public nuisance!

It is clear from the previous objections in respect of this application that public nuisance is a major concern and this was based on experience from the previous social club. The applicant has recognised some of these issues but ignores others.

Noise Nuisance

It should be noted that the sports field is in a very sensitive location at the centre of a quiet rural village. Sound travels some distance. We for example live around 300m from the ground and the noise is quite clearly audible when events are happening. I would think then that the times when alcohol can be consumed outside should be limited. It is noted that the area for outside consumption has been reduced but it is still unnecessarily large.

Smoking

The provision of a designated area for smoking is welcome but this should not be directly outside the home changing room. It needs to be well away from changing areas. It is encouraging to see cigarette butt bins will be provided

Light pollution

This is an issue which was repeatedly raised during the time the previous social club was operating. Apart from the adverse impact on neighbouring properties, Wittersham is in a designated dark sky area and there should be some control of the use of outside lighting.

Litter

The applicant purports to address this but since the previous application there has been no attempt to deal with this. The outside bins are often left unemptied and no new bins have been provided.

Dog Fouling

Consideration should also be given to dealing with dog mess. In my role as groundsman I am fully aware of the extent of this problem and past experience shows that increased use of the premises for social drinking greatly increased the problem.

The Protection of Children from Harm

Both the sporting and other activities will provide a safe outlet for children in which to participate. There will be qualified child protection people available by the applicant and within the Sports Club on a general basis although during times such as school holidays there is a chance that he/she could be available for most of the day.

The Sports Club rules state that all children are proficiently supervised at all times in both the pavilion and grounds to ensure that there is the appropriate safeguarding and capability of any concerns being addressed.

Again it is recognised that the participation in sport provides many benefits to children and those involved in organising this have a duty to keep the children safe. I myself can bear witness to playing football at Wittersham for very many years as a child. It is great to see so many children still benefitting from Lady Mallet's trust with games and training taking place throughout the year, almost every week and in all weathers.

The applicant is really missing the point here and no attempt has been made to address how the licensable activities might impact on this important usage and how the two can be reconciled.

Particular attention needs to be given to the shared use of the clubroom. The interests of the young sporting players must come first and there should be no attempt to limit the children's use of this important space as happened when the social club was open. The clubroom provides the children with a place for learning, refreshment, socialising and shelter. This space cannot reasonably be used at the same time by adults who are drinking at a bar and whose language and behaviour might be totally inappropriate. The bar should then be closed when needed for the young sports players.

I would also like to see measures in place to prevent the sale of alcohol to minors.

Given the previous problems with the use of illegal drugs attention ought to be given to how this will be monitored given these same toilets are also used by the children.

Conclusion

Whilst recognising that the applicant has made some effort to address previous concerns, I am still not satisfied that the application gives sufficient regard to the promotion of the licensing objectives and therefore it should be rejected in its current form. The requested licensing hours are totally inappropriate for a sports pavilion in this location. I understand that I must address concerns about the validity of this Club against the provisions of the Licensing Act 2003 and the Charities Act 2011 through different channels.

Oliver Lewis
Mill House
Wittersham

14 January 2020

Objector	Gillian Kirk
Objector Address	The Gothic House, The Street, Wittersham, TN30 7ED
Date Received	15/02/2020
Distance to premises	193m (approx.)

Objection Details

Wittersham General Sports Club Trading Limited application dated 13 December 2019 for a Liquor License for the premises of Wittersham Sports Ground and Pavilion, Poplar Road, Wittersham

As a resident on the Street in Wittersham with the rear of our house facing the sports field and within sight of the Sports Pavilion, I object wholeheartedly to the terms of the application set out by Wittersham General Sports Club Trading Limited.

1. The hours of trading with the sale of alcohol which the company is applying for are totally unreasonable, especially in a quiet residential area and are likely to cause public nuisance. Ashford Borough Council should seriously consider the times applied for as being totally excessive for a small village sports club, which has residential housing beside and opposite it.

2. The sale of liquor well into the night is likely to disturb residents further afield, i.e. Poplar Road and The Street, especially if members are able to spill out of the Club house within a 30 metre radius of the pavilion with alcoholic drinks. This could also impact on the road running through Wittersham which is often congested when matches are taking place and traffic has to proceed single file. This could also affect children running onto the street.

3. The Club's assertion that they will provide extra bins in the car park and at the exit gate to accommodate the extra rubbish, is frankly inadequate judging by what we have experienced when there have been football tournaments and therefore greater numbers of the public than simply members' nights at the club.

4. Inevitably the sale of liquor in a family orientated sports club rather than a public house will expose children participating in sports to rowdy adults which will potentially be to their detriment. The application will also directly conflict with the village led application to buy and run the old Swan pub, which has the support of many local residents.

My greatest concern is the excessive hours requested in this application and the noise pollution in a residential area. I would be grateful to Ashford Borough Council if they would carefully consider these points before granting any license to the above mentioned club.

Yours sincerely

Objector	Mrs Ann Beeching
Objector Address	New House Farm, Brenzett, Romney Marsh, TN29 0BE
Date Received	13/01/2020
Distance to premises	11km (approx.)

Objection Details

Dear Sirs

Wittersham General Sports Club Trading Company
Application for a Club Premises Certificate

I objected to this application when it was put forward in July 2019. My objections remain largely the same and I see absolutely no reason to think that there has been any change to the situation concerning the legality of the organisation applying for it now.

I believe that this is not a qualifying club nor does it, or has it ever, habitually occupied the premises in question. Therefore the statement at the foot of the application is again incorrect and should be challenged.

Prevention of Crime and disorder:

I fail to see that setting up a drinking establishment in the middle of the village, surrounded by homes will improve anti social behaviour or reduce crime. Quite the reverse if history repeats itself. The pavilion was broken in to and money and alcohol stolen when the previous "Social Club" was briefly operational several years ago.

Promotion of public safety:

The club room in the pavilion is quite small. If large numbers of people were to use this room it could become heavily overcrowded especially in bad weather. This is after all, a sports club pavilion and in no way ever intended as a pub or social club. A Fire Safety Inspection carried out on behalf of the Football Club in 2017 highlighted several issues, some of which are still unresolved.

The perfectly acceptable sink used for washing up in the club room after matches etc was ripped out when the old Social Club was set up. A ridiculous, literally knee-high sink was installed to replace it. There is a serious risk of users damaging their backs. The club room is entirely unsuitable for use as a full time bar.

There have been concerns about parking on the road outside while football games are in progress. This could become much worse if permission were granted for a drinking establishment.

Protection of children from harm:

I was appointed trustee representative for Junior Football on the Sports Club Committee in September 2016 and have continuous service as a trustee since then. I would be most unhappy for the premises and grounds to be used as a drinking establishment. I would go so far as to say that it would be morally and practically wrong to grant a licence that would expose these children to the dangers they would face from a drinking establishment being set up in the way that the applicants are intending. **If granting a licence then allowed people whose only interest would be in going to the pavilion and grounds to drink, I would have serious concerns around the safety of our young players.** There would be the potential danger of exposure to people who might be drunk, or under the influence of drugs.

This is not hypothetical as the police found traces of Cocaine usage after a random inspection when the previous “social club” was running.

The pavilion and grounds are used regularly, mainly by young children aged from seven upwards. They train every week after school and play games on the pitches during the course of Saturdays. They also have tournaments and presentation days over the weekends. The club room should be available for children and spectators to take refuge in bad weather. It should be available for children for coaching instruction, signing on and for social interaction both before and after games. This will become impossible if a bar is open running pub hours every day of the week. Wittersham Sports Club is a charitable trust, set up solely for the purpose of playing sport. How can it be acceptable for access to the club pavilion to be denied to some sportsmen (some of our players are under 18), but especially youngsters?

Past experience when a social club was being run showed quite emphatically that children suffered. They were ushered away from the pavilion and made to feel unwelcome anywhere on the sports grounds or buildings. Drinking should never be taking place when children are present and using the facilities (which is regularly).

When the “Social Club” was running problems with litter and the detritus of smoking was both unsightly and unhygienic. It was quite disgusting and most inappropriate for children to be running about in. People using the club brought along their dogs which were allowed to roam and foul everywhere. The pitches had to be cleared of this before the children could use them. The health hazards associated with animal faeces are well known.

Prevention of public nuisance:

The activities of the bar will generate noise and disturbance for those living nearby. The grounds are bordered by many houses and will inevitably suffer from late night disturbance and the associated noise of pub revelry. I understand that there is a noise restriction relating to the grounds and pavilion which was very purposefully added to the planning restrictions imposed when the pavilion was first built. This should not be ignored and I trust the Licensing Department will bear this in mind when considering this application.

If the hours applied for were to be granted there could inevitably be drinkers on the site seven days a week for most of the day. This is completely unacceptable and changes the nature of an establishment which Wittersham and surrounding villages have quite rightly been very proud.

The Christmas and New Year later opening hours are totally unreasonable in such a built up area.

There is a growing popular village movement to reopen the village pub “The Swan”. This application could damage the attempts to do this which would be very sad considering all the work that has gone in to it. This venue is far more suitable for drinking than the proposed pavilion.

The Sports Grounds were very clearly intended by the late Lady Mallet to be used for outdoor sport. I am very concerned that this application, if granted, will completely change the nature of the grounds to the detriment of sport. The children, who at the moment enjoy such wonderful facilities, will be sidelined by a drive to have the bar open seven days a week.

I implore Ashford Borough Council to reject this application.

Please acknowledge receipt of this email.

Yours faithfully
Mrs Ann Beeching

Objector	Spencer King
Objector Address	Cullens, Wittersham Road, Wittersham, TN30 7PU
Date Received	10 January 2020
Distance to premises	2.6km (approx.)

Objection Details

Re: Wittersham General Sports Club Trading Limited application dated 13th December 2019 for a Club Premises Certificate for the premises Wittersham Sports Ground and Pavilion, Poplar Road, Wittersham.

This application is essentially the same as the one submitted on 19th June last year and ultimately withdrawn. My reasons for objecting to the current application are therefore the same as those made last year and are repeated below.

The above building was constructed to provide changing facilities and space for refreshment related to the sporting activities that were permitted on the surrounding sports field. The use of the pavilion building has largely related to the times of match fixtures or training related to those sports.

It was not designated or authorised under the terms under which it is held to provide alternative social facilities operated on a commercial basis to the village pub or village hall which both existed at that time.

It appears that the licence being sought is for general trading for the hours of midday to 11 pm weekdays and weekends not specifically related to sporting activities. It is clear this relates to hours which are additional to those that related to the sports events and it seems unavoidable that increasing the occupation of this fairly basic building to operate on the basis of pub hours will cause increased noise nuisance to the residents that surround it. This would be both in terms of potential noise emanating from the building itself and from voices, car doors and traffic movements and light pollution late at night after normal post sport refreshments would have ended.

It seems unlikely that much genuine sporting activity will take place during normal working hours of the normal working week as proposed in the application. At those times the sports activities are most likely to relate to school children having matches or training after school. Using the same pavilion building for general trading with alcoholic consumption while the main occupiers are likely to be children would be incompatible. Those just drinking socially would be unlikely to want to be surrounded by noisy children who themselves might generate friction with others using the building. This could put the children at risk of verbal abuse to suppress their exuberance and provide a poor example.

The purpose of the grant to the charity of the use of the field was to encourage healthy activity such as sport, not to create a social centre. The sale of refreshments including beers and spirits in the pavilion previously was related to the times of the sports activities or special events, not for general trading throughout the day as proposed by this application. The inclusion of 'trading' in the applicants' name implies that the purpose of this entity is to create profit from trading alcohol.

Wittersham does not have a village pub currently as viability has been the problem. There is a proposal currently for the existing pub building to re-open. This was purpose built unlike the sports club pavilion and has car parking which is problem at this location. Extending the hours of occupation will increase the problem.

The parish council has encouraged introducing businesses which enhance the local economy. Rather than splitting the customer base, the village would therefore be better served by any new alcohol licence being reserved for the re-opening village pub. This can be used by everyone within walking distance but would also be available to tourists and anyone passing through rather than such customers being excluded from using the premises unless they have previously become the member of a club.

I therefore oppose this application as it will create disturbance, parking issues and will adversely affect and influence children due to conflicting uses during the hours proposed. The building is not large enough to cater for a pub use and children after training/matches and does not enhance the facilities available to the village residents or visitors as it requires joining a club.

I shall be grateful if you will confirm safe receipt of this email and that these comments will be taken into account when determining this application.

Yours sincerely,

S. W King.
Cullens,
Wittersham Road, Wittersham, Kent.

Objector	Mr Daniel Bennett
Objector Address	The Old Post Office, 12 Poplar Road, TN23 7PD
Date Received	9 January 2020
Distance to premises	78m (approx..)

Objection Details

Dear Sir/Madam

Club Premises Certificate (Sale of Alcohol) for Wittersham General Sports Club Trading Ltd

I have received the second Notice of Application for the above application. I live almost directly opposite the Pavilion on Poplar Road. I continue to register the strongest of objections on the following basis:

1. There are continuous problems with parking on the site as the football players already park on the road down to our house, presumably because there isn't sufficient parking on site for the numbers who want to play. This causes an obstruction on a blind bend, with car drivers having to negotiate with only space for one car to pass. With an alcohol licence from midday to 11pm every day, this is only likely to get worse;
2. The Pavilion wasn't intended to be a permanent public house, but a venue for sporting activity. I have two young children and I am concerned about noise, particularly late at night as my children's bedrooms are at the front of the house. Events which have taken place on the site previously have been extremely loud, with music and on hot evenings. On one occasion, the noise didn't stop until after 1am. Even with the windows closed, we couldn't sleep. This is likely to be a regular occurrence with a pub opposite my house;
3. With two young children, I am concerned about drunken and anti-social behaviour and the noise of people leaving the premises after closing time. I understand there has been a break in on the premises, drug use, fights and I have had to complain about unacceptable noise late at night! There is an established public house in Wittersham and there are plans supported by locals to re-open it. It would be much better to have a pub on a designated and established site than somewhere unfit. This is a quiet area which would be spoilt by something wholly unnecessary.

The Old Post Office ♦ 12 Poplar Road ♦ Wittersham ♦ Kent ♦ TN30 7PG

4. It appears from the plans that alcohol can be consumed within a large radius from the Pavilion building, which would seem to extend the area to the road and beyond. This is completely inappropriate.

The plan is completely out of keeping in a rural, quiet setting on a local village green. AS I have experienced directly me and my children not being able to sleep due to parties and other events which have taken place there previously, I see no justifiable reason for it. I have no doubt that the licence will be abused, as will the rural setting we live in if this is allowed to proceed. The potential benefits to an extremely small group of people (whom I doubt live close to the Pavilion anyway) are far outweighed by the considerable disadvantages to the immediate neighbours. If there was a politeness about the way the Club operates and an attempt at working with us and keeping us informed when we are likely to be convenience (and dare I say the occasional apology), I may feel slightly different, but such is the arrogance of the Club, there is NO communication at all. This seems to say it all.

Yours sincerely



Daniel Bennett

The Old Post Office ♦ 12 Poplar Road ♦ Wittersham ♦ Kent ♦ TN30 7PG

Objector	Tony and Gina Marshall
Objector Address	3 Poplar Road, Wittersham, Kent, TN23 7PD
Date Received	8 January 2020
Distance to premises	3m (approx.)

Objection Details

My ref: AM 1.2/ABC

9th January 2019

Your ref: Wittersham Sports Pavilion

Dear Sirs

Application for a Grant of a Club Premises Certificate: - Wittersham General Sports Club Trading Limited

I write to raise our concerns and observations regarding the above second application (the first being withdrawn) especially as we are the nearest most effected neighbour to this venue which at its nearest is less than two metres from our own boundary fence to the pavilion. Please also note that we are making our case having knowledge of the problems that can arise for we have first-hand experience having witnessed the problems of the previous fore runner of this entity which also operated as a member's club opening long hours. I am additionally cognisant that I can compare the new venture with the old as this limited entity is sponsored by or has common Directorships as those of the previous failed venture. I have now had the opportunity to view the application and plans which once again are of poor quality and produced without true accurate detail and reference to our boundaries and the hazards such as the ditch.

Finally, with the formation of this specifically designed new limited trading entity and contrary to the last application at least we have transparency in this venture and supplication. Firstly, to ensure lawfulness I ask that this business register for Commercial Rates VAT and notify HMRC of it date of commencement for Corporation Tax purposes. It is clearly no longer able to negate the law surrounding the benefits and freedoms relevant to charities as the application is for a venue that is no more than a public house or drinking establishment by any other name. The suggestion that this entity is dedicated to the promotion of sports in the village in its application and company memorandum and articles is but a feeble "red herring" and would be disassembled and considered as invalid at any Tribunal. Secondly this application fails to negate our uneasiness which remains in respect of the request for such long hours of trading seven days a week when even the Swan our local public house did not even operate such expansive opening times. This really is not required appropriate or suitable for our small village and I also point out that the Community Benefit Society led by the Chairman of the Parish Council is re-opening the Swan public house in the village as a community hub and this application is therefore counter-productive to that endeavour. Surely opening Thursday through to Sunday commencing at say 4 pm and closing at 11pm is enough for the purposes of any village club? Lastly, I do question why the same establishment and this particularly small venue is to be allowed to hold two certificates to sell alcohol in such a tiny community as Wittersham. In short the disharmony in the village at yet another proposal by the same protagonists is palpable and is we all believe little more than a power struggle within the Club itself and the members of the current Committee that ABC is being drawn into.

Moving on however I shall specifically list the concerns and associated observations as per the four relevant areas to such applications.

Prevention of crime

Such extensive opening hours would I propose lead to a repeat and/or increase in anti-social behaviour and the drunkenness seen on occasion during the operation of the last Club. In the twenty years that we have lived at the Old Forge only after the last concern opened did, we suffer any problems with anti-social behaviour, and these stopped when it ended. The problems then ranged from litter and drunkenness to one individual urinating on a neighbour's garden wall when intoxicated. Please note that as a result of these events of drunken behaviour a meeting with the licensing officer was organized by the neighbours to complain about the hours of operation and the associated troubles caused by this last "club" which operated identical hours to those now requested in this application. We wish most earnestly to be reasonable and equitable and find that the methodology and hours operated by the current premises certificate holder Wittersham Football Club is suitable to all villagers. Do note that we have supported all sections of this Club with donations on a number of occasions but find this football section of the Club ensures lawfulness utilising the current CPC and has perhaps more altruistic intentions making it a point to negate anti-social behaviour and this I hope demonstrates we are not closed to argument or inflexible. Moreover, the current certificate holder has a proven record of law and order and of safeguarding children while promoting healthy activity. The opening hours requested by the new entity seem very unnecessary for a small village members club unless of course the plan is to widen the membership to beyond the village or attract passing traffic which would then clearly negate any local community benefits. I am extremely concerned at the anti-social behaviour beginning again and I may live a sheltered life, but I know of few people who wish to commence drinking alcohol at 0800 hours on Christmas Day. I am also naturally concerned by the prospect of drink and substance abuse driving with the Police hard pressed at this moment in time. I might add the village hall admirably serves the purpose of a community hub at the present time and has commenced opening "pop up" pubs. Additionally during the few months the preceding club was open before it had to close it suffered several burglaries a very worrying increase within a small village where police response times are substantial. My contention therefore is that if this application is granted and these hours of opening are allowed it would encourage rather than lessen crime in the area. It is a fact that we did not have any anti-social behaviour in this village prior to the last attempt at opening a member's club with such extensive hours. Furthermore, I cannot understand, nor can I find during my research the necessity or lawfulness for two club premises certificates to be held by and at the same small venue.

Public safety

I am minded to first ask if this request for the venue to be used as a member's club is of suitable merit in respect to fire safety under Home Office guidelines. I believe before any application could be considered the recommendations of the risk assessment undertaken by specialists dated the 3rd of February 2017 should be considered and an undertaking given by WGSCT Limited that the directives have been implemented. Surely while these matters are outstanding any of the necessary insurances to operate a member's club would be invalid and more concerning the put the aspect of health and safety of the members at risk. I advocate a full inspection of the building with specific remit to considering the proposed expansion of use and the materials utilised in the build of the pavilion. Such proposed extensive use surely requires a thorough analysis of its suitability as a venue in respect of health and public safety especially as the company has advertised that it will once the license is granted it will go on to hold events and festivals. Additionally, and as experienced during the previous operation/trading period the current parking facilities were unsuitable for large numbers of vehicles and the minor road became the natural overflow.

The single entrance to the car park also proved dangerous to both people and other vehicles because it leads directly out to the small A road that connects Tenterden to Rye. Furthermore, please note the last club did not have a designated smoking area and as such we found people wandering about wherever they wished smoking and drinking. I do though note in this application the area on the plan within which people would drink eat and smoke has reduced following my comments on the area requested in the last application. I proposed a reasonable compromise and amendment to that first plan as to boundaries of use especially as cigarette smoke is a hazard and I suggest also a health and safety risk. I have done so again to this plan and remain constant in my proposal (please see revised plan) and am also grateful in this application that an actual designated smoking area situated well away from our wooden boundary and the pavilion has been advocated to prevent any possible fire risk and stop the cigarette smoke wafting into our rear gardens. Likewise, the barbeque parties could these not be at the other end of the pavilion to negate not only the fire risk to our wooden fences but to also take the odours to the side of the pavilion which is an area without any neighbours at all. Finally, I am aware that the toilets within this building drain into a septic tank and I remember that last time this filled regularly with effluent that were emptied usually when the smells became too much or the toilets “backed up”. During the recent heavy rains this tank has sunk and a depression can be clearly seen in the location it is buried in just beneath the earth and I suggest that this is an environmental and health concern should it have burst or leaked and surely must be officially inspected before allowing the license to be issued as it is clearly not fit for the purposes of this application. The proximity of the dangerous unfenced ditch and pond the dangers of which are evident are covered more fully in the section Protection of Children from Harm though are also of import when analysing public safety especially as the designated area requested in the application includes/abuts the ditch.

Public Nuisance

Please note nothing has changed in my considerations or in the actions of the individuals parking at the Pavilion from my last objection with reference to the application in October (that one being withdrawn by the applicants). Accordingly, I have again listed my most prominent disquiet within this section though it may be more apposite to our public safety. My side and rear windows and rear access stable door and back gate all face out to the pavilion and car park and vehicles were and are still parking dangerously literally blocking light to our windows and almost touching our home. I have provided photographs taken at different times of the year demonstrating how members of the club often park and not only is such parking blocking light to our windows, and access to our rear gate but most important it encroaches upon our boundary which is the three-foot concrete pathway one can see in the photographs. This is neither lawful safe nor courteous and it is obvious that our comments in respect of the last application remain ignored and parked cars continue to intrude and impact upon our property and with more people it will simply continue if not worsen. The initial brief from ABC licensing was to attempt to discuss and alleviate problems such as this parking problem by speaking with the applicants before making any objection comments and I can confirm that I have followed this suggested dictate. Therefore meeting with Mrs Barrett acting on behalf of The Wittersham Sports Trading Club and Mr Everett representative of the freehold owner Mr J Mallet we have reached a compromise to the above issue. At our meeting it was agreed that if approved and before this application could go forward and to alleviate this problem a small four-foot fence will be erected ensuring that cars are not parked within our boundary or on our side path. I therefore propose this as a condition before any license be granted or approved and especially as it meets with the consensus reached at this meeting. We are also understanding and mindful of the comments of Mrs Barret at that meeting that the concern is currently almost insolvent and unable to undertake the work until funds are available. As

such we wish to be reasonable and practical so offer to commence this work at a shared cost with the applicant (to be reimbursed to us when the company is solvent by a given undertaking) by a fence of our choice and constructed by our preferred contractor.

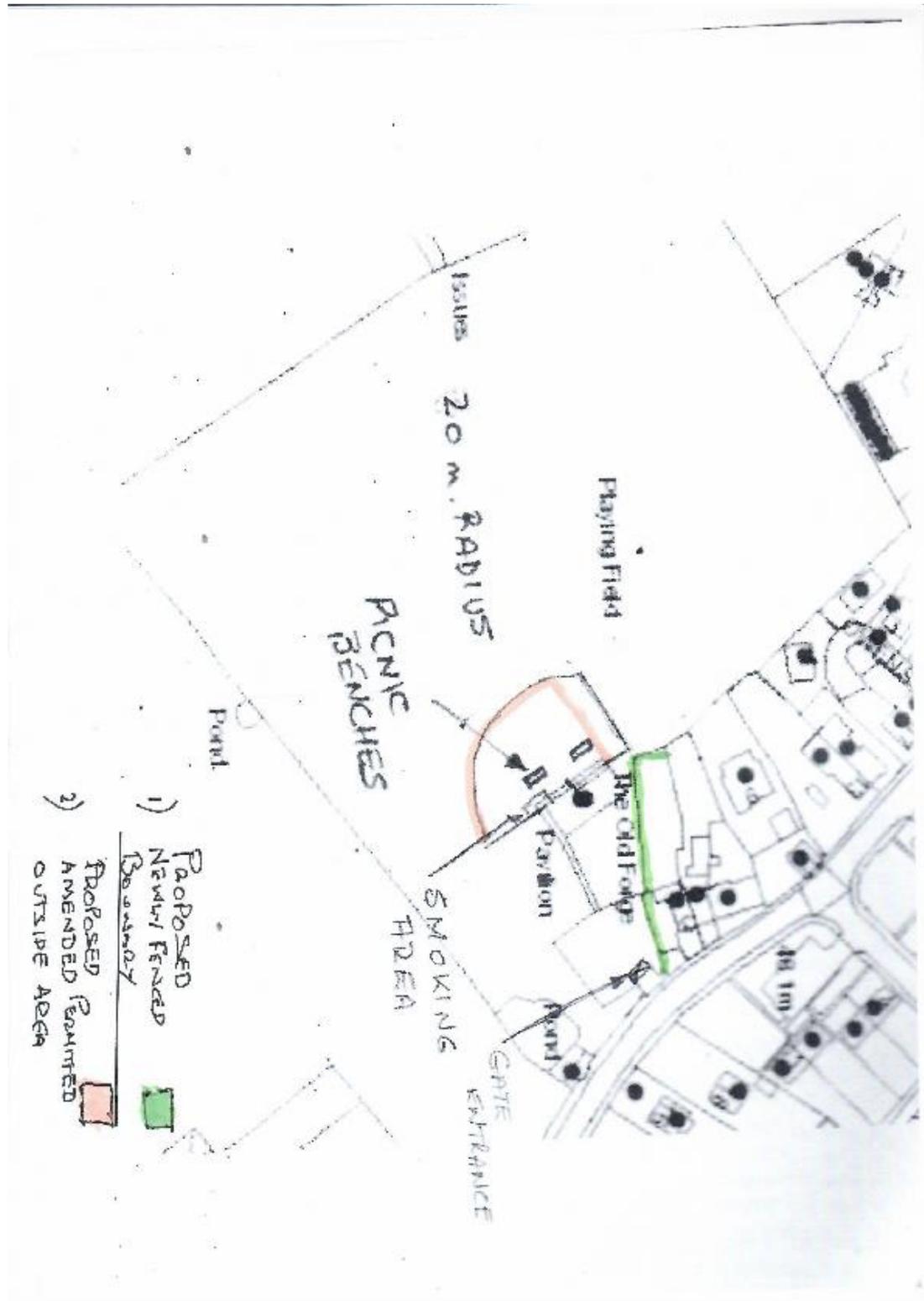
The noise pollution and disturbance as suffered from people outside the pavilion last time could be mitigated or reduced this time by a condition adopting a specific outside area a reasonable distance from the rear fences of our gardens and as I have designated on my attached plan. Again I do appreciate the attempt by the applicant to alleviate the hazards and difficulties by the amended radius on this new plan put forward (reduced from the previous withdrawn application and diminished by 10 metres) but the red line on my plan is our own suggested amendment to their rather vague and not to scale drawing especially as my proposal keeps people and children away from the dangerous unfenced deep ditch (see photo) and additionally our boundary with the Sports Ground. The photographs I have provided I hope display the close proximity of the club to our home and as a grade two listed building we are built of a rudimentary one brick design so any noise is actually amplified and heard more than one would in a newer building. I am in addition unhappy with both the prospect of light and sound pollution as two large halogen lights have been added to the rear of the pavilion and when on they shine directly into all our adjacent houses and gardens and these will operate if as before from early evening until well past closing hours. I would naturally ask for specific restricted times of operation if this is to be allowed and would equally respectfully expect tight stipulations in relation to the level of noise from people both inside and outside. I do note the application makes no request for permission for music in or outside of the pavilion (this caveat I would ask to be re-enforced by the ABC if any application is granted). The offer of signs being displayed to reduce disturbance is unconvincing as I still have a sign torn down from within the club and tossed over our garden fence during the operation of the last failed concern.

Protection of Children from Harm

Safeguarding children at a club should form the basis of any application physical and otherwise. I suggest a direct physical risk exists as there is an unfenced pond and also a deep and dangerous ditch with often flowing water directly adjacent to the pavilion and we can attest to its menace as we witnessed first-hand the last time these premises were open for such long hours children playing and falling into this dyke/drain. Additionally, and ethically as a sports venue originally formed and principally used all the time by children to play and train for sports, I suggest that long hours of opening are not appropriate. Members smoking and drinking outside the pavilion in the area as designated on the plan and exactly where children train and play football on a regular basis is a bad role model and fails miserably to provide a good example; it is not only a poor demonstration of how we wish our children to act but totally unhealthy and inappropriate in modern society. The last member's club tested positive for cocaine during a random inspection undertaken by the police and this warning speaks for itself. The designated smoking area is at least a good concept, but it just needs to be farther away from not only our fence lines but the children of all ages playing sports. The area as detailed on the plan suggests the smoking area is to be just behind the goal area of a marked out full football pitch? If this venue is to become little more than a member's drinking club operating the extensive hours of opening as requested, it is paramount that the children in the village are always protected from harm. I do though appreciate and give credit in that that the applicant understands the legal responsibilities surrounding the formal vetting and registration of staff in respect of children and vulnerable adults and I trust the licensing section would expect HSPC Regulatorily standards at the very least. Likewise, the CCTV cameras currently in place should be strictly regulated within the dictate of the Human Rights Act and moreover tightly follow the government provisory guidelines in respect of filming children.

I hope that suggestions are accepted as a reasoned helpful compromise to the application put forward if it to be considered legally valid as we have endeavoured to identify those risks and hazards in allowing such an extensive and wide-ranging further Club Premises Certificate to be granted for a club that already operates one. We sincerely offer and courteously request participation in any additional scrutiny of the process and application as the neighbours we feel are most affected by this application.

Yours Faithfully



Our Suggested Amendment to Plan Put Forward

Fire Safety Rccomendations

SUMMARY

This detached building of traditional construction has recently undergone some building works and is used as changing rooms for a village football club and small social area.

The purpose of this assessment is to assess the life risk within the building in the event of a fire.

It is considered that the following actions should be implemented in order to reduce the risk to life in the event of a fire.

- **Supply a means of raising the alarm from all areas** e.g. Wireless Manual Call Points, a Howler, an air horn, rotating bell an air horn, whistle or other similar device. These should be placed at strategic points throughout the premise.
- **Cease the practise of wedging or hooking open Fire Resisting Self Closing (FRSC) doors.** All staff must be made aware of the importance of this.
- **An audit must be carried out by a competent person of the whole site regarding Fire Safety Signage.** All cupboards that contain combustible materials should have a sign 'KEEP LOCKED SHUT' displayed on the door. All fire resisting self-closing doors are to be permanently marked on both sides, at about eye level, with a notice bearing the words 'FIRE DOOR - KEEP SHUT' in letters of appropriate size. The escape route signs should be the latest BS EN 7010:2013 (standard running man) including 'PUSH BAR TO OPEN' or graphics explaining the method of opening. A notice 'FIRE ESCAPE – KEEP CLEAR' must be fitted to all exterior faces of final exit doors or perimeter gates.
- **A competent person must carry out an audit of the existing Emergency Lighting system to ensure compliance with the standards and coverage laid down by BS 5266-1: 2011.** Any recommendations must be carried out.
- **A competent person must carry out an audit of all internal fire-resisting doors to ensure the following:** All internal fire-resisting doors that open onto protected escape routes (or their respective door frames) are to be fitted with intumescent strips and cold smoke seals (FD30S). The gap between door and frame should not exceed 4mm. All existing door ironmongery is to be checked to ensure that it is suitable to be used on a fire-resisting door and that it is well fitted. All fire doors are to be hung on 3 hinges of an appropriate size and type with closing devices conforming to BS EN 1154. Any door not meeting the required standard must be upgraded.

See the Recommended Actions at the rear of this report for a full and comprehensive list of action required to reduce or maintain the risk of life in fire.

Any Item in red is a high priority and requires immediate attention.



Our Boundary Footpath and Location to Clubhouse



Distance to Clubhouse



Proximity of Clubhouse to my Fence



Cars Parking on our Footpath









Sewage Tank



Objector	DA & C Craib
Objector Address	Vine Cottage, 6 The Street, Wittersham, Kent, TN30 7ED
Date Received	2 January 2020
Distance to premises	184m (approx.)

Objection Details

Dear Sir,

Re : Licensing Application dated 13.12.2019.for the premises c) Wittersham Sports Ground and Pavillion situated at d) Poplar Road, Wittersham, Kent. TN30 7PD.

With regard to the above, we would make the following comments: We have lived in Wittersham for 23 years and in that time our understanding has been that the Sports Club is for the use of the children and young people with the aim of encouraging sports and other activities. On most weekends, from our house we can see that football and cricket take place according to the season and weather permitting.

Our objections relate to the following grounds:

Public nuisance: In the past when a 'social club' was started up we were subjected to search lights and floodlights till late. As our bedroom faces the sheep field and then the sports club, we considered this to be a nuisance and entirely out of keeping with a village environment. It is also of course an unnecessary increase in light pollution in an area of dark skies.

The Protection of Children from Harm/ Prevention of Crime and Disorder:

As this was, and is we assume, intended primarily for the use of children, it is difficult to see how they would not be affected by the use by adults as a drinking club. In fact, how would the organisers/proprietors protect children from unruly behaviour or worse? It is commonly known that when used previously for the 'social' purpose, illegal drugs were found on the premises. Therefore this must be a serious consideration.

It is also worth noting that serious attempts are being made to re-open the Swan public house. In our opinion this would be a more appropriate and a more inclusive venue for residents to socialise. A club of the nature intended may have an adverse effect on the success of such a venture.

Yours faithfully,

D A and C Craib

Objector	Ms Alison Stevens
Objector Address	10 Poplar Road, Wittersham, Kent, TN23 7PG
Date Received	29 December 2019
Distance to premises	100m (approx.)

Objection Details

're application for a club premises licence.

With regard to these premises opposite my house ,I find it most unsettling for me due to the noise level generated by users of the bar.I know I can vouch for this from past experience.The vehicles also will course a problem late at night.It is unlikely that users would only be local residents

so this would be a magnet for undesirable people.

At the moment the bar is open for matches and events which is acceptable, however running it as a pub,and being open every day,is not acceptable.

Alison Stevens.

10, Poplar Road,TN30 7 PG

Objector	Mr George Parkin
Objector Address	8 The Street, Wittersham, Kent, TN30 7ED
Date Received	28 December 2019
Distance to premises	195m (approx.)

Objection Details

Wittersham Sports club trading application.

I object to this application firstly on the grounds of public nuisance: the club house is designed for changing rooms and limited social use and is of basic construction providing little sound insulation to protect immediate neighbours from noise. It doesn't meet the necessary building requirements for use a drinking establishment.

The access to the clubhouse is adjacent to a property in Poplar Rd. The path from the road runs the full length of the property, as does the limited car park. Both pedestrian and vehicular movement causing noise. The building also backs on to three other properties in Poplar Road all of which suffered from anti-social behavior, noise and litter nuisance on previous occasions a licence has been allowed.

The exit from the car park into Poplar Road is also an issue as cars leave the car park onto Poplar Road, on a narrow bend with restricted visibility and parked cars either side.

I secondly object on the grounds of protecting children from harm. There are no separate toilets for the bar users. The majority of sports users of the clubhouse are under 18 years old. The changing rooms and toilets (the only ones) are accessible from the social area.

Prospective social club members are not of course subject to checks for criminal records and character, this means children could be using the changing rooms whilst unknown adults are accessing the toilets and potentially the changing room. Therefore it is clear the building is not designed for use as an open bar and sports venue and this could leave children at risk.

The clubhouse was established as a changing facility offering post-match refreshments. It was never intended to be a full or part-time drinking establishment independent of sports activity

George Parkin
8 The Street
Wittersham
28.12.2019

Objector	Mrs Mary Walton
Objector Address	Bramble Cottage, The Street, Wittersham, TN30 7ED
Date Received	27 December 2019
Distance to premises	208m (approx.)

Objection Details

Dear Sirs,

I should be grateful if you would confirm receipt of my objection comment below and that it will be taken into account in the determination of the application.

Re : Wittersham General Sports Club Trading Limited application dated 13th December 2019 for a Club Premises Certificate (CPC) for the premises Wittersham Sports Ground and Pavilion, Poplar Road, Wittersham.

I object to the above application on grounds that it is not compatible with the licensing objective " The Prevention of Public Nuisance ". The impact of this licensable activity at these specific premises would, in my view , be unreasonable on those persons living in the vicinity.

The Wittersham Sports Field (5 + acres) is centrally located within this quiet rural village, facing out across privately owned open fields of pastureland and orchard. Noise carries readily across such terrain and for this reason planning consent for the present sports pavilion (25th Aug. 1993) was subject *inter alia* to the following condition : ----

" 02 *No music and / or any other amplified sound shall be audible at the site boundary of any noise sensitive premises indicated on the attached plan "*.

This planning condition shows a very reasonable consideration for the section of the public who live in the houses surrounding this open and rural centre to the village. The pavilion was not to be built without taking into account the effect of noise on surrounding properties. Whereas the sight and sound of cricket, football and other sporting activities is quite simply delightful, the noise and disturbance resulting from a licence to supply and sell alcohol by a trading company 12.00 - 23.00 , 7 days a week , would cause a marked reduction in the living amenity and peaceful environment of those people living within the already identified noise sensitive zone. My cottage is one such property . The noise and disturbance was very apparent for the short period during which a " social club " was incorrectly operating. It is not fair on the neighbours.

Suitable measures to prevent noise and disturbance are hard to envisage. The pavilion is a stand alone very basic structure situated at one side of the open sports field. It is not an appropriate building from which to run a separated bar business at all. Since the trust was set up in 1965, the Field has not been in use in the absence of genuine outdoor sporting events, except in as far as it constitutes a highly prized and peaceful green open space in the centre of the village, and also for once-off or very occasional fundraising activity. . This is in accordance with the trustees' covenants at Sch 1 Cls. 3., 4., 5., 8., & 9, . which naturally confines times of use to daylight hours (with the exception of sports club meetings etc) Occupation of the Field by a trading company selling alcohol , either

outside the hours of daylight, and / or in the absence of sport, 7 days a week would create a greatly exacerbated element of public nuisance to this application, way beyond any reasonably tolerable level.

Under the Licensing Act 2003 Public Nuisance retains its broad common law meaning. This includes loss of amenity and obstruction to a section of the public in the exercise of their rights. The Sports Field is held by Wittersham Sports Club as leasehold, (rent £1 p.a. !) subject to the terms of a charitable trust. The charitable objects of the trust " *are furthered through allowing local amateur sports groups to use the property* ". (C.C. advice 8 Nov 2017) , classified at the C.C. for Education / Training , Amateur Sport for Children / Young People, and other defined groups. Children are the main users of the sports field and the pavilion is there for their use and convenience when matches and training sessions are in progress. Use of the premises for the completely different purpose of trading alcohol would constitute an obstruction to this young section of the public in the exercise and enjoyment of their rights. The pavilion is their own personal space at such times --- and in particular when it pours with rain.

This is the second CPC application submitted by the same incorporated trading organisation within a period of only six months ,rather than (as required by the Act) a club established and conducted in good faith (Licensing Act 2003 ss. 62(4), 63. By s. 63(2)(e) the nature of the premises occupied by the club are to be taken into account. Even were the applicant trading company actually , genuinely occupying the premises, it is not a local amateur sports club entitled to use the Field in accordance with the trust purposes. Repeated applications for a Club Premises Certificate by this separated free-standing bar business which isn't a sports club at all , is becoming a nuisance in itself.

I urge Ashford Licensing to consider very seriously the Public Nuisance implications of this application and to accordingly refrain from granting it.

Yours truly,

Mary Walton.
(Bramble Cottage, Wittersham)

APPENDIX H - HUMAN RIGHTS

Article 8

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Article 1 of the First Protocol

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws, as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Article 10

3. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
4. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

