

# Annex 4

## IP1 Representation

Dear Sir/Madam,

I am writing with regards to the upcoming Licensing hearing ("Club Premises Certificate Review Application") for Ponders End and District Smallholders Association ("PEDSA"), and following on from my previous correspondence with Charlotte Palmer (cc'd).

On 20th August 2019 Ms Palmer contacted me to ask for an update re. events at PEDSA - I had previously attended the Licensing Hearing in 2017; and was asked by Ms Lin Marsh (PEDSA Secretary) to speak on PEDSA's behalf at that hearing. Upon receipt of Ms Palmer's email on 20th August 2019 I felt that I should bring to her attention numerous incidents that had since occurred at PEDSA - I feel that these might also be relevant for the upcoming hearing as to whether the Association should retain its license. I have listed these below; but in summary, the events and incidents that have been brought to my attention by current and former PEDSA members now also lead me to the opinion that it is no longer operating in accordance with its licensing commitments; or infact even in accordance with its own rulebook.

Firstly I should make clear that a family member of mine previously worked at PEDSA. He was told (by Ms Marsh, and her son Mr Ricky Kemp) that he was being made redundant - along with another employee - and that friends of Mr Kemp would be taking on their roles. Employment tribunal proceedings are currently in place for one of these employees. The other was mysteriously given her job back when she asked Ms Marsh for the redundancy settlement that she was entitled to under the terms of her contract. These employment issues are however not my only reason for writing (despite the fact that the salaries/'perks' being paid to Mr Kemp's friends have never been disclosed to the PEDSA members (more on this later)).

Since Mr Kemp's friends have taken over working at the Clubhouse, there have been numerous complaints from the members. As mentioned above, Mr Kemp's friends are apparently working on a voluntary basis; however, the members feel that these people are actually 'paying' themselves (and their friends/families/visitors) in free drinks (it also cannot be checked whether they are also infact receiving a financial salary, as PEDSA is still not producing financial accounts (more on this later too)).

One incident brought to my attention was when a birthday party was being held in the clubhouse. One of Mr Kemp's friends was working behind the bar, and put through a round of drinks for her family. In front of a bar full of customers, she then laughed as she called Mr Kemp over to the bar to ask him how to void the transaction; as she did not intend to pay for the drinks, seeing as though she was working as a "favour". This I believe sums up the way that PEDSA is now operating - it is as a private club for the sole benefit of the friends and family of Ms Marsh and

Mr Kemp - the PEDSA members feel that their custom is actually now subsidising this 'free drinks' culture.

Another reported incident occurred when two individuals (who had never been seen before [or since] by the members) walked into the Clubhouse from the street, walked straight behind the bar, and started to take money from the till. They were challenged immediately by the members on this. At this point apparently, Mr Kemp ran into the club to escort them out of the premises; with the money in their hands. He then deflected all questions from the members as to who the people were, and why they were apparently entitled to PEDSA's takings.

Since making the staffing changes earlier this year, Mr Kemp has also now "appointed" a new committee (with himself as Chairman). Again, this committee is made up almost exclusively of Ms Marsh, Mr Kemp, and their friends and families. This new committee was never put to PEDSA's members for a vote. Indeed PEDSA has not held an AGM for at least 2 [possibly 3] years. This is in clear violation of its obligations to its members. It is also in clear violation of its own rulebook (which I was asked to update; back in 2017).

When members have asked Mr Kemp when they are going to be given a say in how PEDSA is now being run; the excuse they are usually given (by Mr Kemp and Ms Marsh) is that an AGM cannot be held "yet", as the financial accounts are not yet ready. I'd like to draw your attention to the fact that I spoke to PEDSA's accountant (Mr Mandra) personally (as I too, was tired of hearing this excuse), and he advised me that he has not, and will not, be preparing any further accounts for PEDSA as he has not even been paid for work that he carried out previously. So this information is being wilfully withheld from PEDSA's members, and they are being misled - it is my belief that this indicates that Ms Marsh etc never intend to call another AGM, or to give PEDSA members a say and/or vote on matters. This failure to prepare and disclose financial accounts also violates PEDSA's obligations under its membership of the FCA.

Finally, and perhaps of most concern, is the fact that PEDSA have now also sublet part of the Church Road premises to a so-called charity ("Sonny's Sensory Trail"). Again, this "charity" is being run by another close personal friend of Mr Kemp (self-appointed PEDSA chairman). Financial details of this arrangement [i.e. the rent being paid] have been withheld from PEDSA's members. Donations for the charity are being sought from both PEDSA's members, and from the wider public (through a Facebook group) - however, it is not clear where the funds raised are actually ending up. Given my concern here, I have tried to locate the charity on the gov.uk charity register. I have been unable to locate this; which I feel raises further, urgent questions now.

Please contact me if you need further details/clarifications on any of the above points. I hope that you can understand why I felt the need to share my concerns when approached by Ms Palmer. PEDSA is no longer operating for the benefit of its members, and is still not complying with its regulatory/reporting/transparency obligations. I do not believe that this situation is likely to change in the near future (or at all), given the way that Ms Marsh and Mr Kemp now seem to have monopolised all control over the Association.

I believe that these licensing objectives are undermined by the current operation of the club premises certificate:

prevention of crime and disorder (unregistered charity, possible financial misappropriation?)

prevention of public nuisance, public safety (ongoing disputes between current/former/non members - as per the 2017 hearing. + members having to challenge strangers as to why they are walking into the clubhouse and taking money - I do not know if the police were called for protection during the incident I gave as an example. It is not only members who use the clubhouse - visitors/the public can be signed-in too)