



CHEL TENHAM

BOROUGH COUNCIL

Notice of a meeting of Licensing Sub-Committee

**Monday, 21 March 2011
10.00 am
Council Chamber - Municipal Offices**

MEMBERS ATTENDING	OFFICERS ATTENDING
Councillor Garth Barnes Councillor Diggory Seacome Councillor Pat Thornton Councillor Jon Walklett	Sarah Farooqi, Regulatory Solicitor Manager Louis Krog, Senior Licensing Officer

Agenda

- 1. ELECTION OF CHAIRMAN**
- 2. APOLOGIES**
- 3. DECLARATIONS OF INTEREST** (Pages 1 - 2)
- 4. HILLVIEW COMMUNITY CENTRE** (Pages 3 - 12)
Determination of an Application for Review of a Premises
Licence & a Club Premises Certificate

Contact Officer: Rachael Sanderson, Democracy Assistant, 01242 774130
Email: democratic.services@cheltenham.gov.uk

Public Information

Emergency Evacuation Procedure at the Municipal Offices

- (i) In the event of a fire you will hear a continuous alarm.
In the event of a bomb alert the alarm will sound in repeated short bursts.
- (ii) Members, officers and the public should leave the building promptly and in a quiet and orderly fashion using the nearest available escape routes and assemble on the Promenade footway by the War Memorial.

Attendance at Meetings - Local Government (Access to Information) Act 1985

Meetings are open to the public and a limited amount of public seating is available. Copies of the agenda will also be available. You may be asked to leave the meeting if any "exempt" (confidential) business is considered. This will normally be shown on the agenda

Inspection of Papers - Local Government (Access to Information) Act 1985

We can also arrange for copies of individual decision records, reports or minutes to be supplied. If you wish to inspect minutes or reports (other than those which are exempt) relating to any item on this agenda, please contact Democratic Services. The background papers listed in a report may also be inspected. Please notify Democratic Services who will arrange with the report author for papers to be made available to you at a mutually convenient time.

All meeting information is published on the Council's Internet website at:
www.cheltenham.gov.uk.

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and we will do everything we can to meet your requirements.**

Licensing Sub Committee Procedure

Note: REPORTS FOR SUB COMMITTEE'S WILL NOT INCLUDE AN OFFICER RECOMMENDATION BUT SHALL INCLUDE LICENSING COMMENTS.

The Hearing

- 1) The sub committee will conduct the hearing in accordance with the statutory regulations on hearings and, where appropriate, the council's constitution.
- 2) Applicants / licensees will be invited to attend the sub committee and be represented if they so choose, they will be sent a full copy of the report about their application / case including all appendices and details of objections / representations. If they do not attend the committee can decide whether or not to deal with their item in their absence on the basis of the written report and the procedure as set out below.
- 3) The hearings will be held in public unless the licensing authority decides to exclude the public for all or part of the hearing because the public interest in doing so outweighs any other public interest consideration. A chair is elected who then introduces the members and officers and explains the procedure to be followed. The chair will introduce, in turn, each item on the agenda, briefly stating what it is about and inviting the parties to be seated. The chair will stress that the meeting will take the form of a discussion and that cross examination will not be permitted unless he considers it necessary for proper consideration of the matter before them.
- 4) Members who intend to vote must be present in the meeting room throughout the sub committee's consideration of an item so that they hear all of the evidence and hear / participate in the debate.
- 5) The report author or other appropriate officer presents the report, outlining the key issues and any licensing comments. This must be done in a maximum of 5-10 minutes unless the chair expressly approves otherwise. Members and the applicant / licensee/ responsible authorities / interested parties will have the opportunity of asking the officer questions.
- 6) The applicant / licensee (or their representative) will present their application and, if they choose to, call witnesses. This must be done in a maximum of 5-10 minutes unless the chair expressly approves otherwise. The applicant / licensee (or their representative) has the right to present their case without undue interruptions and when they have done so questions may be asked by members and by officers / responsible authorities / interested parties.
- 7) Responsible authorities / interested parties will be given the opportunity to make representations through their appointed spokesperson, this must be done in a maximum of 5 - 10 minutes unless the chair expressly approves otherwise. The applicant / licensee, members and officers will have the opportunity of asking the spokesperson questions.
- 8) The applicant / licensee (or their representative) will be given the final right of reply.
- 9) The sub committee will debate the application before making a decision.

10) The decision will be confirmed in writing giving reason(s) for the decision and details of any appeal rights. The decision notice / letter will be sent as soon as practicable after the meeting and any statutory time-scales will be followed.

Approved & Adopted Licensing Committee 02/02/07 (Min 9 refers)

CHELTENHAM BOROUGH COUNCIL

Licensing Sub Committee

DATE:

DECLARATION OF INTEREST

Councillor _____

You are asked to complete this form if you intend to declare an interest in connection with any item on this agenda.

Please hand any completed form to the committee administrator at the meeting.

You are reminded that you are still required to declare your interest orally at the commencement of the committee's consideration of the matter.

Agenda item	*Personal interest	*Prejudicial Personal interest	Nature of interest

The Council's Code of Members Conduct explains what is a 'Personal Interest' and a 'Prejudicial Interest'. The Code is set out in Part 5A of the Council's Constitution.

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Cheltenham Borough Council

Licensing Sub Committee – 21 March 2011

Licensing Act 2003: Determination of an Application for Review of a Premises Licence & a Club Premises Certificate

Hillview Social Club Hillview Community Centre Hulbert Crescent Up Hatherley Cheltenham (Ref. 11/00134/PRMR & 11/00139/CLUBR)

Report of the Senior Licensing Officer

1. Introduction

- 1.1 Under Section 51 of the Licensing Act 2003 (“the Act”) an interested party or responsible authority may apply to the Licensing Authority for the review of a premises licence or of a club premises certificate. Any application for a review of a premises licence or club premises certificate must relate specifically to the particular premises in question and also to one or all of the Act’s licensing objectives.
- 1.2 In this case an application to review the Premises Licence & Club Premises Certificate in respect of the Hillview Social Club was made by Gloucestershire Constabulary on the 25th of January 2011 following the death of a club member Mr Nigel Russell on the 17th of April 2010 as a result of excessive drinking at the premises.
- 1.3 A copy of the application form is attached **Appendix A**. The supporting documents submitted by Gloucestershire Constabulary are attached at **Appendix B**.
- 1.4 Gloucestershire Constabulary have indicated that their application for review relates to the prevention of crime and disorder, public safety, and the prevention of public nuisance.
- 1.5 On Saturday 17th April 2010 a public dance event was held at the premises which resulted in the Bar remaining open for an extra hour under a Temporary Events Notice. On this evening, 51 year-old regular member Mr Nigel Russell attended the Club and consumed an assortment of alcohol, including high-alcohol spirits. Some of the alcohol was served directly and some by participation in a drinking-game with four other members.

Mr Russell drank to the point of being so intoxicated that he collapsed in the Bar. He was carried outside and then carried home but, sadly, never regained consciousness and died in hospital the following day.

In the absence of positive action by the Committee/Club, the Constabulary suggests that such a tragedy could be repeated in the future.

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Given that the Club has struggled to operate in a cohesive and settled manner for a considerable period and given their involvement in the untimely death of a member, the Constabulary believes that it would be appropriate for a Licensing Committee to have the opportunity to revoke or suspend either one or both of the two Licences, or curtail the Licensable Hours, and/or impose robust conditions that will ensure it operates to a high standard in the future.

1.6 Implications

1.6.1 Financial

Contact officer: Sarah Didcote
E-mail: sarah.dicote@cheltenham.gov.uk
Tel no: 01242 26 4125

1.6.2 Legal

A Responsible Authority or Interested Party can call for the review of a Premises Licence and/or Club Premises Certificate at any time because of a matter arising at the premises in connection with the licensing objectives. Under the Act the Licensing Authority has a wide range of powers that it may exercise if it considers them necessary for the promotion of the licensing objectives.

The Committee when determining the application should seek to establish the cause/s of the concerns which the representations relate to and direct any action, if it is determined necessary to take action, towards those concerns. The Committee should only take that action that is necessary and proportionate.

Sarah Farooqi
E-mail: Sarah.Farooqi@tewkesbury.gov.uk
Tel no: 01684 272693

2. Information

2.1 The Hillview Social Club is currently permitted the following licensable activities under its **Premises Licence**:

Sale/Supply of Alcohol	Friday to Saturday	10:00 - 01:00 On
Sale/Supply of Alcohol	Sunday to Thursday	10:00 - 00:00 On
Performance of Dance	Monday to Saturday	09:00 - 00:00 Indoors
Performance of Dance	Sunday	09:30 - 00:00 Indoors
Indoor Sporting Events	Monday to Thursday	09:00 - 00:00
Indoor Sporting Events	Friday to Saturday	09:00 - 01:00
Indoor Sporting Events	Sunday	09:30 - 00:00
Performance of Live Music	Monday to Saturday	09:00 - 00:00 Indoors
Performance of Live Music	Sunday	09:30 - 00:00 Indoors
Other/Similar Entertainment	Monday to Saturday	09:00 - 00:00 Indoors
Other/Similar Entertainment	Sunday	09:30 - 00:00 Indoors
Prov'n of Facilities for Dancing	Monday to Saturday	09:00 - 00:00 Indoors
Prov'n of Facilities for Making Music	Sunday	09:30 - 00:00 Indoors
Prov'n of Facilities for Making Music	Monday to Saturday	09:00 - 00:00 Indoors
Performance of Recorded Music	Everyday	09:00 - 00:00 Indoors

2.2 The following conditions are attached to the current **Premises Licence**:

- (i) Windows and doors (except when in actual use) shall remain closed after 23:00 hrs if there is any musical entertainment taking place (except low-level background music).
- (ii) Contact telephone numbers for Taxi/Private Hire services shall be displayed and a telephone provided for ordering such services.

- (iii) A closed-door policy (with no admission to new customers) will be operated from 23.30hrs on New Year's Eve to closing time on New Years Day morning.
- (iv) A closed-door policy (with no admission to new customers) will be operated from 23.30 hrs on New Year's Eve to closing time on New Years Day morning.
- (v) The CCTV system shall be maintained in good working order, shall record at all times that the premises are open, and recordings shall be kept for 28 days (14 days for digital systems) and be provided to officers of the council and the police on request.
- (vi) There shall be no discounting of alcoholic drinks after 1800 hours on Friday and Saturday night until the start of trading the following day. (For the purposes of this condition a discounted drink is one sold at a price below the tariff in place for that drink for a minimum period of one week before the relevant Friday or Saturday night).
- (vii) Non-alcoholic/Low-alcohol drinks shall be available and promoted, especially to 'designated drivers' of groups.
- (viii) On any evening when the premises are open after midnight, that between the end of supply of Alcohol and closing time (or until all customers have dispersed from the immediate vicinity) The Designated Premises Supervisor (or a person acting on behalf of the DPS will be positioned outside the premises to monitor the dispersal of customers.
- (ix) The Challenge 21 (or equivalent scheme) shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 21 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving licence, PASS-approved Card) and that a sale shall not be made unless this evidence is produced.
- (x) No noise nuisance will be caused to neighbouring residents.
- (xi) Reasonable steps shall be taken to bring to the notice of customers a request that they respect the needs of the local residents and leave the premises and locality in a quiet and orderly fashion.

2.3 The Hillview Social Club is currently permitted the following licensable activities under **Club Premises Certificate**:

Sale/Supply of Alcohol	Friday to Saturday	10:00 - 01:00 On
Sale/Supply of Alcohol	Sunday to Thursday	10:00 - 00:00 On
Performance of Dance	Monday to Saturday	09:00 - 00:00 Indoors
Performance of Dance	Sunday	09:30 - 00:00 Indoors
Indoor Sporting Events	Monday to Saturday	09:00 - 00:00
Indoor Sporting Events	Sunday	09:30 - 00:00
Performance of Live Music	Monday to Saturday	09:00 - 00:00 Indoors
Performance of Live Music	Sunday	09:30 - 00:00 Indoors
Performance of Recorded Music	Everyday	09:00 - 00:00 Indoors
Other/Similar Entertainment	Monday to Saturday	09:00 - 00:00 Indoors
Other/Similar Entertainment	Sunday	09:30 - 00:00 Indoors
Prov'n of Facilities for Dancing	Monday to Saturday	09:00 - 00:00 Indoors
Prov'n of Facilities for Dancing	Sunday	09:30 - 00:00 Indoors
Performance of a Play	Monday to Saturday	09:00 - 00:00 Indoors
Performance of a Play	Sunday	09:30 - 00:00 Indoors

2.4 The following conditions are attached to the current **Club Premises Certificate**:

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- (i) All windows in areas where any live or recorded entertainment (other than incidental background music) occurs shall be kept shut during these activities.
- (ii) All external doors in areas where any live or recorded entertainment occurs shall be kept shut during these activities except momentarily for access and egress or in an emergency.
- (iii) The club's Management Committee shall ensure effective overall management of live or recorded entertainment, such as by monitoring noise levels outside the premises, to ensure that noise from such activities is effectively inaudible inside neighbouring premises after 23:00hrs.
- (iv) The CCTV system shall be maintained in good working order, shall record at all times that the premises are open, and recordings shall be kept for 28 days (14 days for digital systems) and be provided to officers of the council and the police on request.
- (v) A closed door policy shall be operated with no re-admission on Friday and Saturdays from 23:00 hours until closing time except that persons who are already in the premises maybe permitted to leave to smoke and then re-enter.
- (vi) No more than 5 persons shall be allowed outside at anyone time and this will be monitored at all times by the secretary or some person nominated by her.

2.5 Copies of both the current Premises Licence and the Club Premises Certificate are attached at **Appendix C**.

3. Consultation

3.1 When an application for review of a licence is made, it is the responsibility of the applicant to also distribute the application to all the 7 responsible authorities. There is also a requirement for a blue notice to be displayed at the premises to with the application relates for the duration of the statutory 28 days consultation period to give interested parties who live in the vicinity of the premises opportunity to make representation.

At the end of the 28 days consultation period, a committee must be held to determine the application.

3.2 Responsible Authorities

Gloucestershire Constabulary – Applicant

Environmental Health - No Representations Received

Gloucestershire Fire & Rescue Service - No Representations Received

Health and Safety Enforcement - No Representations Received

Child Protection - No Representations Received

Planning Authority - No Representations Received

Trading Standards - No Representations Received

3.3 Consultation - Interested Parties

Representations have been received from the following Interested Parties:

Mr Stuart Fowler (chairman of Up Hatherley Parish Council on behalf of the Parish Council) & Councillor Roger Whyborn (in the capacity of a ward councillor).

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- 3.4 Copies of the representations made by interested parties are attached at **Appendix D**.
- 3.5 Councillor Whyborn also enclosed a letter sent to Norman Adlam (Chairman of the Hillview Community Association) dated the 13th of May 2009 in which he highlights a number of concerns relevant to his representation. This letter is also attached at **Appendix D**.
- 3.6 A copy of the licence agreement referred to in Cllr Whyborn's representation is attached at **Appendix E**.

5. Local Policy Considerations

- 5.1 The 2003 Act introduces a unified system of regulation which through two new types of licenses: the premises licence and the personal licence (club premises certificates for qualifying clubs). The Borough Council, as the licensing authority, is responsible for licensing all outlets in the borough that sell or supply alcohol or carry out any other 'licensable activities'; public entertainment, theatre, cinema, or late night refreshment.
- 5.2 The new system is underpinned by four objectives: i) the prevention of crime and disorder; ii) public safety; iii) the prevention of public nuisance; and, iv) the protection of children from harm. The licensing authority must promote these objectives in carrying out its functions.
- 5.3 The Councils adopted licensing policy statement (Council 30/03/09) includes the following:
 - i) **Each objective is of equal importance** and the licensing authority has developed policies relating to each objective. The objectives are the only matters to be taken account in determining applications and applying conditions. **(Page 5)**
 - ii) This policy also does not override the right of any person to make representations on an application or seek a review of a licence or certificate, where provision has been made for them to do so in the Licensing Act 2003. **(Page 8)**
 - iii) The policy of the Licensing Authority will be to:
 - Promote the licensing objectives;
 - ensure that the premises are appropriate for their proposed use;
 - ensure the premises layout and condition is acceptable for the proposed use; and
 - ensure that the premises are being managed responsibly. **(Page 7)**
 - iv) In brief "relevant representations" is the expression used in the Act for comments including objections on applications. For a representation to be relevant it must:
 - relate to the effect of the grant of the licence on the promotion of the licensing objectives (prevention of crime and disorder, prevention of public nuisance, public safety or protection of children from harm);
 - be made by an interested party or responsible authority;
 - not be 'frivolous or vexatious' or, in the case of a review, 'repetitious' if made by an interested party; or
 - if it concerns the Designated Premises Supervisor be made by a chief officer of police and include a statement explaining the reasons for the objection. **(Page 9)**

6. National Guidance

Guidance has been issued under Section 182 of The Licensing Act 2003 and licensing authority must 'have regard to' the guidance issued by the Secretary of State.

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General

- 6.1 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken. **(Para. 1.2)**
- 6.2 Each objective is of equal importance. It is important to note that there are no other licensing objectives, so that these four objectives are paramount considerations at all times. **(Para. 1.3)**
- 6.3 But the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:
 - the necessary protection of local residents, whose lives can be blighted by disturbance and anti-social behaviour associated with the behaviour of some people visiting licensed premises of entertainment;
 - the encouragement of more family friendly premises where younger children can be free to go with the family;
 - the further development within communities of our rich culture of live music, dancing and theatre, both in rural areas and in our towns and cities; and
 - the regeneration of areas that need the increased investment and employment
 - opportunities that a thriving and safe night-time economy can bring. **(Para. 1.4)**
- 6.4 In the context of crime and disorder and public safety, the preservation of order on premises may give rise to genuine concerns about the competency of the management team charged with the maintenance of order. This may occur, for example, on premises where there are very large numbers of people and alcohol is supplied for consumption, or in premises where there are public order problems. **(Para. 2.12)**
- 6.5 The designated premises supervisor is the key person who will usually be charged with day to day management of the premises by the premises licence holder, including the prevention of disorder. However, conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. A condition of this kind could only be justified as necessary in rare circumstances where it could be demonstrated that in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety. **(Para. 2.13)**
- 6.6 It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained and licensing authorities must ensure that they do not stray outside their powers and duties under the 2003 Act. This is important to ensure the portability of the personal licence and the offences set out in the 2003 Act ensure, for example, that the prevention of disorder is in sharp focus for all such managers, licence holders and clubs. **(Para. 2.14)**
- 6.7 Communications between the managers of the premises and the police can also be crucial in preventing crime and disorder. **(Para. 2.15)**
- 6.8 However, while this may be necessary and effective in certain parts of licensing authority areas, it may be less effective or even unnecessary in others. Police views on such matters should be given considerable weight and licensing authorities must remember that only necessary conditions, which are within the control of the licence holder or club, may be imposed. **(Para. 2.16)**

Reviews

- 6.9 At any stage, following the grant of a premises licence, a responsible authority, or an interested party, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. **(Para. 11.2)**
- 6.10 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives. After a licence or certificate has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house. **(Para. 11.7)**
- 6.11 The 2003 Act provides a range of powers for the licensing authority on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives. **(Para. 11.16)**
- 6.12 The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach. **(Para. 11.17)**
- 6.13 Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps:
- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
 - to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
 - to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
 - to suspend the licence for a period not exceeding three months;
 - to revoke the licence. **(Para. 11.18)**
- 6.15 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response. **(Para. 11.19)**
- 6.16 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives. **(Para. 11.21)**

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6.17 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives. **(Para. 11.22)**

7. Licensing Comments

7.1 Hillview Social Club currently holds a premises licence and a club premises certificate. The club premises certificate authorises the supply of alcohol to members of the club and any bone fide guests of such members. Since the club premises certificate only authorises the supply of alcohol to members and guests of the club, the club requires a premises licence to enable it to host events that are open to the public at large and where licensable activities are to take place i.e. the sale by retail of alcohol, the provision of regulated entertainment, or the provision of late night refreshment.

The sale of alcohol under a premises licence must be authorised by a Designated Premises Supervisor ("DPS" hereafter) who holds a personal licence. The Act does not require a DPS to be present on the premises at all times when alcohol is sold. However, the designated premises supervisor and the premises licence holder remain responsible for the premises at all times including compliance with the terms of the Licensing Act and conditions attached to the premises licence.

The arrangement under the Act is different where alcohol is supplied to members of a club or bone fide guests of such members under a club premises certificate. In such a case, the supply of alcohol is authorised by the club's management committee and there is no requirement for a DPS. The management committee will carry the same responsibility as a DPS in that they are responsible for the premises at all times including compliance with the terms of the Licensing Act and conditions attached to the club premises certificate.

Members will note from the attached plan at **Appendix F** that the bar at the Hillview Social Club serve both the hall, where the premises licence has effect, and the club area, where the club premises certificate has effect, and therefore different management and supervision arrangements will apply depending on who the alcohol is supplied to and under which authority the supply is made.

7.4 The Committee must take such action as is necessary to promote the licensing objectives which are the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. For the **Premises Licence**, this includes:

- (i) Taking no action;
- (ii) Modifying the conditions attached to the licence on a permanent or temporary (up to 3 months) basis;
- (iii) Excluding a licensable activity from the scope of the licence;
- (iv) Removing the Designated Premises Supervisor
- (v) Suspending the licence for a period not exceeding three months; or,
- (vi) Revoking the licence;

and for the **Club Premises Certificate**:

- (i) to modify the conditions of the certificate;
- (ii) to exclude a qualifying club activity from the scope of the certificate;
- (iii) to suspend the certificate for a period not exceeding three months;

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(iv) to withdraw the certificate.

- 7.6 The current DPS is Sally Curry who has been the nominated DPS since the 14th of May 2010. Ms Curry replaced Louise Hingley who was the DPS at the time the incident involving Mr Russell took place.
- 7.7 With regards to the comments made by Mr Fowler on behalf of Up Hatherley Parish Council, Members are to note that the comments relating to the late filing of audited accounts and annual reports with the Charity Commission is not a relevant consideration under the Licensing Act by virtue of the fact that it does not relate to any of the licensing objectives.
- 7.8 Members are further to note that since this application must be determined on its individual merits, Mr Fowlers comments relating to other premises in the vicinity of the premises is not a relevant consideration.
- 7.9 The representation made by Councillor Whyborn provides Members with information on the management arrangements between the association and the club. It highlights the intrinsic difficulties created by this relationship especially in relation to the role the supply of alcohol plays in funding the association. Members must decided what weight to add to the comments made by Councillor Whyborn and seek to address the issues raised accordingly with the view of promoting the licensing objectives.
- 7.10 A plan of the location of the premises is attached **Appendix F**.
- 7.11 The plan of the premises is submitted with the application is attached at **Appendix G**.

Background Papers

Service Records

Report Author

Contact officer: Mr Louis Krog
E-mail: licensing@cheltenham.gov.uk
Tel no: 01242775004

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Appendix A

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Page 15
**Application for the review of a premises licence or club premises
certificate under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I PC 417 COOK

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description HILLVIEW SOCIAL CLUB HULBERT CRESCENT UP HATHERLEY	
Post town CHELTENHAM	Post code (if known) GL51 3FZ

Name of premises licence holder or club holding club premises certificate (if known) HILLVIEW SOCIAL CLUB

Number of premises licence or club premises certificate (if known) 10/00837/PRMVPS & 07/01023/CLUBV

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address PC Andrew Cook Licensing Officer Gloucestershire Constabulary on behalf of the Chief Constable
Telephone number (if any) 01242 276334
E-mail address (optional) andrew.cook@gloucestershire.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

BACKGROUND

The Hillview Social Club is a Members Club situated in a community building in a residential area. It holds a Club Certificate, which caters for regular members, however the premises also holds a Premises Licence, which allows it to host events to the wider community/public. Additionally, Temporary Event Notices (TENs) are used on occasions, in order to extend the hours for entertainment.

For several years the Hillview Club has been operating in an unsettled manner, with various changes to the staff and Committee. It has been accompanied by a few incidents of concern and allegations that things were not running as they should. The Police and Local Authority Licensing departments have both been involved, to some extent, in trying to settle the Club, encouraging it to operate in a well-controlled and responsible manner.

On 16th February 2010 the DPS changed and the new DPS, Louise Hingley, was called to a meeting at the Police Station on 23rd February. At this meeting the Licensing Officer PC COOK expressed concern regarding the way the premises were allegedly being operated. Among Police concerns were allegations that members were being served alcohol until they were drunk. Ms Hingley was told to get a grip of things promptly. She was also asked to arrange for the Chair of the Committee, Norman ADLAM, to telephone PC COOK and discuss the same concerns. That telephone call took place a couple of days later. This call was designed to ensure that the Committee as a whole would be fully aware of Police concerns.

EVENT TRIGGERING REVIEW

On Saturday 17th April 2010 a public dance event was held at the premises which

resulted in the Bar remaining open for an extra hour under a TEN. On this evening, 51 year-old regular member Nigel RUSSELL attended the Club and consumed an assortment of alcohol, including high-alcohol spirits. Some of the alcohol was served directly and some by participation in a drinking-game with four other members.

Mr RUSSELL drank to the point of being so intoxicated that he collapsed in the Bar. He was carried outside and then carried home but, sadly, never regained consciousness and died in hospital the following day.

A Police investigation revealed that Mr RUSSELL (who was a relatively fit and healthy man) had been allowed to consume 12 or 13 drinks during the evening, of which 3 or 4 were consumed immediately prior to him attending the Hillview. This level of consumption inevitably results in a high risk of fatality, especially where medical attention is not sought early.

Forensic Analysis revealed that Mr RUSSELL had a very high level of Alcohol in his blood, being 461 milligrams per 100mL. (Fatal levels of Alcohol poisoning typically occur above 350mg per 100mL.) This blood/alcohol level is consistent with the high number of drinks consumed.

CONCLUSION

Recommendations and advice made over a long period by the Licensing Authority and the Police have, to some extent, gone unheeded and day-to-day running of the Club has remained slightly lax. The Police investigation also revealed that there were unclear lines of responsibility for operation of the Bar and very poor training of Barstaff.

Various Staff and Committee members and Club Members were interviewed during the Police investigation, several being interviewed 'under caution' for consideration of prosecution. A file was submitted to the Crown Prosecution Service, however CPS decided that no particular individual should face prosecution and felt that any failings should be dealt with by means of Review by a Licensing Committee and not prosecution.

One further deficiency in the Club is lack of CCTV. The CCTV system in this multi-purpose building is provided essentially for the Public areas such as the Library foyer, and is not adequate for a licensed premises. Following this tragedy, a strong recommendation was made by the Police to install CCTV to incorporate a dedicated system within the Licensed parts of the building, but as of this date this has still not been done.

RECOMMENDATION

Given that the Club has struggled to operate in a cohesive and settled manner for a considerable period and given their involvement in the untimely death of a member, the Constabulary believes that it would be appropriate for a Licensing Committee to have the opportunity to revoke or suspend either one or both of the two Licences, or curtail the Licensable Hours, and/or impose robust conditions that will ensure it operates to a high standard in the future.

In the absence of positive action by the Committee/Club, the Constabulary suggests that such a tragedy could be repeated in the future.

Please provide as much information as possible to support the application
(please read guidance note 2)

In the event that the Committee decides not to revoke the licences for these premises, the Constabulary would respectfully suggest that the terminal hour on both licences be reduced from 1am back to Midnight on Fridays and Saturdays. (The premises would still be able to operate later on up to 12 occasions per year using Temporary Event Notices, however the Constabulary would have the opportunity to consider each of these applications and object).

Some appropriately firm conditions should also be applied (in addition to the existing conditions) that will ensure that the premises operates to a suitably high standard in the future.

Suggested additional conditions:

1. A dedicated 4-camera CCTV system shall be installed within 3 months, in accordance with a specification supplied by the Gloucestershire Constabulary.
2. All Barstaff shall undertake the National Certificate for Personal Licence Holders within 3 months of commencing that activity.
3. The Bar shall not operate unless at least one person serving has passed the NCPLH course.
4. Whenever the Bar is operated by more than one person, a 'lead person/supervisor' shall be identified.
5. Staff shall take proactive steps to discourage drinking games, and notices shall be displayed in the Bar Area to the effect that such games are not permitted. Action shall be taken against Members who ignore these notices e.g. Warnings, Suspension of Membership, Revocation of Membership.
6. A member of the Committee shall be present throughout any event where a Temporary Event Notice is used and throughout any event where the Public are admitted.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date 25th January 2011

.....

Capacity Licensing Officer on behalf of Chief Constable

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

.....
.....
.....

Post town	Post Code
------------------	------------------

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

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Appendix B

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CORONERS SERVICE

WITNESS STATEMENT

(C.J.Act 1967, S.9 M.C. act 1980. SS. 5(A)(3)(a), 5B, M.C. Rules 1981,R.70)

Statement of: DANNA RUSSELL

Age if under 18:over If over 18 insert "over 18").....

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything, which I know to be false or do not believe to be true.

Dated the 22nd day of April 2009

Signature D. Russell

I am the wife of Nigel Brian Russell, who was born on the 31st AUGUST 1958 in Little Russell. Nigel was a taxi driver by profession, although he had had a number of vehicle-related jobs in the past. We were married on the 19th June 2009 at Cheltenham Registry office. My maiden name was Aves, and my occupation is an office administrator.

Nigel was a fit and healthy man, with no long-standing medical problems. He hardly ever attended the doctor's surgery.

Nigel had an active social life, and went out three nights a week with friends. He would often attend the Hillview Community Centre at HULBERT CRESCENT, CHELTENHAM GL52 5PZ. He would also drink in the 'Geezards' by Morrisons in Cheltenham. He was not a heavy drinker, and was not dependent on alcohol in any way. I would describe him as a social drinker, and on most occasions he would only drink a couple of pints during the evening.

Signature D. Russell

Signature witnessed by [Signature]

Continuation Form

Name Donna Ineson

Page 2

On Saturday 17th April 2010, Nigel left home to go out for a drink at the Greatfield Inn. He was on his own, but would meet up with his friends at the pub.

At about 1.25am on Sunday 18th April 2010 I had a telephone call from someone using Nigel's phone, as Nigel's number showed up on the dial. A man introduced himself as "Craig". This was Craig East, one of Nigel's friends. Craig told me that he was with Nigel at 'The Hillview' and he had had a lot to drink. Craig asked me to pick him up.

I therefore drove with a friend to The Hillview Community Centre. Nigel was motionless on the floor inside the Community Centre, on seeing us, four men tried to lift up the floor, and then tried to get him into the car. Nigel appeared unconscious. He was all floppy. It was explained to me that he'd had a lot to drink, and was therefore drunk. The men eventually got Nigel into an car. Craig East offered to follow us, to get Nigel out at the other end. We therefore drove to my home in convoy.

As soon as we got home, I went inside to get a blanket. Nigel was helped into our lounge by the men in the other car. Nigel was put in the "recovery position" on the lounge floor. I took his shoes off, and undid some of his clothing. I asked how much Nigel had drunk to be told that he'd been in a drinking game at the Hillview, which had got out of hand. I went upstairs, and heard him snoring. When I returned downstairs, the snoring had stopped, and his face was purple. I therefore called for two paramedics who arrived soon afterwards.

Nigel was taken by paramedics to Cheltenham General Hospital, and I went there with ambulance personnel.

Signature Donna Ineson

Witnessed by Jeloge

Page 27

Continuation Form

Name..... DONNA WISELL.....

Page... 3.....

Nigel went into A and E at Cheltenham General Hospital and from there to ITU. I was told that he was in a critical condition. I saw that Nigel wore a 12 lead hospital identification bracelet on his wrist and I am satisfied that as far as he had been correctly identified to hospital staff.

Nigel continued to deteriorate, and sadly passed away in hospital at about 7.30pm on Sunday 18th April 2010. I was with him when he passed away. At no time did he recover consciousness, so he never told me what happened that evening.

I would like to add that, when Nigel has had a drink before, he has always been able to take care of himself, and has never ~~been~~ rendered himself incapable. The whole incident has come as a real shock to us.

Signature..... .....Witnessed by..... .....

Statement of Witness

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN 53

Title Mrs Statement of Donna Russell
Age if under 18 Over 18 (if over 18 insert "over 18") Occupation Office Administrator

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 14th day of May 2010
Signature D Russell

*Evidence Visually Recorded YES NO (Supply witness details on rear.) V.P.S.S. Actioned YES NO

Further to my statement dated 22nd April 2010 (which was made to the Coroner's office) I wish to add the following:-

I want to comment further regarding Nigel's drinking habits and his capacity to cope with alcohol.

Nigel was not a heavy drinker when he was with me. Nigel would often consume one or two pints of lager (occasionally Cider or rarely, spirits) but I have known him to drink 5 or 6 pints during an evening if we had been to a 'big do' such as a Wedding Reception.

That was the most I have seen Nigel drink on any single occasion, except

at our own wedding reception Nigel possibly consumed a bit more, as folk were buying him drinks, but he remained competent and did not get drunk and incapable.

Page 1 of 3 pages

Signature D Russell Signature witnessed by ABC 47

Continuation of Statement of Mrs Donna Russell

Page 2 of 3 pages

I do not know how much Nigel had to drink on a regular basis during his visits to the Greatfield and the Hillview Club, but he was always capable of walking home at the end of the evening.

I can say that Nigel enjoyed the social aspect of drinking at the Greatfield and the Hillview, and that he tended to drink more alcohol on a Saturday night than the rest of the week. (Sometimes Friday as well).

On the 17th April when I attended with a friend to pick Nigel up from the Hillview (actually it was the early hours of Sunday 18th) I said to the 24 men with him, "What's been going on?"

One of them replied, "He's been taking part in some drinking games."

I said, "I've not seen him like this before. Shall we call an ambulance?"

The skinner of the three men (who I believe has recently lost his wife) said, "He's just drunk. He just needs to sleep it off."

I said, "What's he had to drink?"

He replied, "It's not my place to tell you. You'll have to ask him in the morning."

When we all arrived at my home I said to Craig ~~EST~~, "Where are the others who were drinking with Nigel?"

Craig replied, "They've all gone home except one of them. They all went home."

Signature Dr Russell

Signature witnessed by DC Car

Continuation of Statement of Mrs Donna Russell

Page 3 of 3 pages

at 12:30. Nigel and the other one (whose name he probably gave me) stayed behind and carried on drinking.

After Nigel had been laid on the lounge floor I nipped upstairs for approximately 4 or 5 minutes to get changed and get some covers (in order to sleep downstairs with Nigel).

D. Russell

Signature Signature witnessed by DSC 417

Statement of Witness

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN

53

Title Mrs Statement of Donna Russell
Age if under 18 over 18 (if over 18 insert "over 18") Occupation Chief Administrator

This statement (consisting of 2 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 11th day of May 2010
Signature D Russell

*Evidence Visually Recorded YES NO (Supply witness details on rear.) V.P.S.S. Actioned YES NO

I am making a Personal Statement regarding the death of my husband Nigel Russell following him spending an evening at the Greatfield and the Hillview Club during which he consumed a great deal of alcohol.

I am devastated by Nigel's death and it is a loss to my children as well as myself. I am also in shock, as it was unexpected. I am also angry that no-one did anything to help him when he was unconscious. I feel that if someone had only rung the ambulance when he collapsed Nigel would still be here today. I would like to think that changes will be made that would stop anyone else going through what I am going through. I feel that I want justice in the situation and answers, but I realise that

Page 1 of 2 pages

Signature D Russell

Signature witnessed by ASC 4.7

Continuation of Statement of Ms Donna Russell

Page 2 of 2 pages

nothing will bring Nigel back.

Nigel's death is a great loss to the family and it has created uncertainties about various things such as whether we can continue to afford to live where we are currently living, as we have lost our main wage-earner.

D. Russell

Signature

Signature witnessed by

A&C 417

Statement of Witness

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN 53

Statement of JANE JOHN Title Mrs
Age if under 18 'over 18' (if over 18 insert "over 18") Occupation Student

This statement (consisting of 8 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 26th day of APRIL 2010.

Signature [Handwritten Signature]

*Evidence Visually Recorded YES NO (Supply witness details on rear.) V.P.S.S. Actioned YES NO

I am the above named and reside at the address known to the Police. I am the friend of Danna and Nigel RUSSELL. I have known Danna for 37 years and Nigel for 19 years. I went to school with Danna and we are close friends. I met Nigel through Danna at a function and have remained friends since. Danna and Nigel were married in June 2009. I have been at with them both on numerous occasions and have seen them both drink alcohol since I separated from my husband two years ago I have been at with them both more frequently. In 2009, Nigel was banned from driving due to being caught by Police for driving under the influence and he was given a 9 months ~~only~~ being sentence. Since this I have seen Nigel consume more alcohol than usual. He has recently got his licence back and was working in a garage. On Saturday 17th APRIL 2010, I arrived at Danna and Nigel's house;

1/11

THE

Page 1 of 8 pages

Signature [Handwritten Signature] Signature witnessed by [Handwritten Signature]

Continuation of Statement of JANE JOHN

Page 2 of 8 pages

RODDWAS, CHALTONHAM. I had arranged with Dana to go out into Clelthorpe Farm centre for a night out. Upon attending at 8.30pm, Dana was alone within the house. Whilst she was finishing off a glass of wine her daughter, Amber came in and we had a general conversation. Dana informed me Nigel had already gone out to meet friends, but I do not know who these were.

At approximately 9.20pm we arrived in Clelthorpe Farm Centre. I was drinking throughout the night and offered to take Dana. We arrived in the MARKET WINE BAR, and stayed there for a couple of drinks before going on.

x/11

At approximately 10.30pm, we went into the 21 CLUB, REGENT STREET. The night was going well and we hadn't heard from anyone. At this point I had drunk a gin and tonic as my one alcoholic drink throughout the night and then stayed on wine and soda. Dana in my presence I had seen Dana drink a glass of wine and two gin and tonics. Neither of us were drunk.

At about 1.15am on Sunday 18th APRIL 2010, we both left the club and went for some chips from CHARLIE'S CHIPPY, near the bus station in Clelthorpe. Whilst we were sat in the car eating, Dana had a telephone call on her mobile. We presumed it was Nigel and when we looked at the phone, the screen showed a picture of Nigel and his telephone number. Whilst Dana was speaking on the phone she sounded distressed. She was asking questions

Signature J. John

Signature witnessed by [Signature] PC1031

Continuation of Statement of JANE JOHN

Page 3 of 8 pages

*M.
*M

and I heard her say; "WHAT? HE'S AT THE HILLVIEW?", "I'M WITH MY FRIEND JANE, OK WE'LL COME AND PICK HIM UP". AS Dana ended the conversation she informed me the call was from CRAIG who is Julie's son. I know Julie from school and believe Craig's surname is EAST. I have met Craig a few times in the HILLVIEW and will recognise him. Dana informed me Craig told her Nigel had had too much to drink and could we pick him up. We spoke about it briefly that I didn't want him lying sick in the car and Dana was annoyed as they were due to go at on the Sunday. A short time later I pulled my vehicle into the car park outside the HILLVIEW. The HILLVIEW is a social club within the HATFIELD area of Cheltenham. AS I drove in I saw a group of bodies stood near a wall and knew Nigel was within the group. They started moan as I got closer and I positioned the vehicle to allow easy access into the rear seats. I recall Dana saying; "OH MY GOD" and realised Nigel must have been extremely drunk. I parked the car length ways to the group and one of them opened up the nearside rear passenger door. Dana got out and spoke to Craig as I remained seated in the drivers seat. My vehicle is a right hand drive Ford Focus. AS there were four males with Nigel each helped to get him inside the car. I would describe these males as follows;

Craig; white male, slim build, approximately 5'8" in height, 25 years old, short dark hair wearing a white

*M

Signature J. John

Signature witnessed by [Signature] PC1831

Continuation of Statement of SADE JOHN

Page 4 of 8 pages

t-shirt.

A male whom I find at was called Tony; early 50's in age, slim build, approximately 5'8" - 5'9" in height, white male, grey wavy hair, wearing glasses. I have seen Tony before but I don't know him. He was wearing a light colored top.

JK

Another male, whom I have been told is also called Tony; and for the rest of the statement I will call him Tony (2); white male, approximately 5'4" in height, chubby build, early 50's in age, dark short hair, wearing a dark clothing. I recall seeing him before but do not know further details.

And an unknown male; white male, short dark hair. Again I recall seeing him before but do not know any further details.

I could hear Craig speaking to Donna and the others discussing how they were going to place him inside the vehicle. The unknown male came to the offside rear passenger door and opened it to pull Nigel across.

I raised the point with this male how could we take him out of the car once we get to the address. He said he didn't have a car and would have to travel with me and could I give him a lift back, which I agreed to do. At this point Craig said he would drive and follow us to the address.

JK

I presumed all of the males would get inside Craig's car. Nigel was placed on his left side with his head propped supported with my scarf and handbag. Nigel's head was behind the front seat passenger and I could see him from my position.

Signature

[Handwritten Signature]

Signature witnessed by

[Handwritten Signature] 1831

Continuation of Statement of JANE JOPIN

Page 5 of 8 pages

Danna was upset because of the state Nigel had drunk himself into and I was scared he was going to be sick within the car. But the events seemed to be comical as we struggled to get him inside the vehicle. Nigel wasn't moving at all, he was like a floppy doll. Nigel was continuously snoring throughout this.

It took me approximately 5-10 minutes to drive to the house. Nigel hadn't moved, said anything and continued to snore. When he had been placed inside the vehicle his eyes were half open. When I stopped on the driveway for the house, I told Danna to get something for the lounge floor as I knew the lads wouldn't be able to take him upstairs. Danna went in as Craig pulled his vehicle behind mine. As I looked at Nigel his eyes were fully open; I recall thinking he looked dead, his eyes were glazed, like there was no life behind them, but he was still snoring and I believed he was ~~not~~ breathing.

x
x
x
x

There were three lads that got out of ~~the~~ Craig's car; Craig, Tony and Tony (2). I don't know what happened to the unknown male. The three lads were able to get Nigel out of the car and Craig carried Nigel into the house on his own, as they followed. Danna had placed something on the floor and I think it was a sheet. ~~Craig lowered Nigel onto the sheet~~ I had briefly remained outside to close the vehicle doors and as I made it inside, Nigel was lying on the floor on top of the sheet. We each questioned how we should position him and

x
x
x
x

Signature J. Jopin

Signature witnessed by [Signature] PC1231

Continuation of Statement of JANE JONW

Page 6 of 8 pages

Placed his back against the sofa he was led onto his left side, his head was ~~stood~~ near the entrance doorway for the lounge and this is where I remained. Due to my positioning at the top of his head I couldn't see if his eyes were closed but he was still snoring. Danna had some old green cushions, these were placed behind him to prevent any draft and to push him slightly forward so he didn't fall roll backwards. So Danna started to remove Nigel's shoes and we discussed the removal of his trousers in case he jumped up to in need of the toilet. There was a couple of us who said we should put him in the heavy partition and before this was done, Danna had removed Nigel's trousers. Danna also tried to remove his watch, I believe it was on his left wrist, but she couldn't undo the clasp so it was left on. I remained in my position as he dress moved around the room and adjusted Nigel's body into the heavy partition. Tay moved to my partition and we spoke about Nigel, ^{he had} informed me he had known Nigel for 30 years previously as we pulled him out of the car. I asked him what Nigel had been drinking and he informed me he had been drinking rum. I saw Nigel's body jolt about the time and asked why his body would do that. Tay said asked me if I'd never seen a drunken body before, I replied I had in my ex-husband loads of times but it had never moved in that way before. I recall one of the males stating they Nigel had been playing a drinking game called 'spot'. I have seen the game

Signature Jane Jonw

Signature witnessed by [Signature] 1831

Continuation of Statement of JANE JONAS

Page 7 of 8 pages

played previously and I believe it is within a group of two or more persons who each hold a number of coins and by each guess how many coins are being held between them. A forfeit is either to buy the drinks or to consume more alcohol.

JM Danna questioned whether an ambulance should be called but the lads said he would ~~probably~~ be fine he would sleep it off and have a headache in the morning. It was mentioned where Danna would be sleeping and Tony stated she should sleep downstairs and couldn't leave him. Danna said she would get him another blanket once we had left.

JM Danna asked the males; "WHERE ARE THE OTHERS? WHERE'S CAM?". I presume ~~that~~ she was referring to Nigel's usual drinking friends. One of the males replied, "My went ages ago, legless but not as legless as Nigel. I don't know who CAM is and have ~~never~~ heard his name mentioned previously. I believe he is a friend of Nigel's. At this time I can not recall, which male spoke to Danna about Cam. Danna said she was going to sleep on the sofa next to Nigel and the lads left. I went all of the lads immediately behind them and Danna remained at the front door watching me leave.

At 2:37 am, the same day, I sent a text message to Danna stating I had arrived home and I hoped Nigel was o.k.

At approximately 2:50 am, I was still awake when my phone activated, the screen read Danna was calling.

Signature

JM

Signature witnessed by

[Signature] PC1881

Continuation of Statement of JANE JONES

Page 8 of 8 pages

x/1

x/1

When I answered the call, Donna was obviously upset I could tell she was crying she told me Nigel had stopped breathing. The ambulance and Police were at the address and working on him, she was sat in the hall as they'd asked her to leave the room. She told me she had her movements; she had got him another blanket and went back upstairs and got ready for bed. When she came back downstairs and went into the kitchen she realised she couldn't hear him snoring and when she looked at him, his face was purple; couldn't feel a pulse or any breath and she tried to do mouth-to-mouth realised it wasn't working. She told me she shouted at him to wake up and when he didn't move she contacted the ambulance. Donna told me they the person on the phone expressed great expressions and not ~~to~~ ~~mouth~~ and she was getting more upset whilst doing it.

I offered to come back over to be with her but she said no and ended the conversation with Donna knowing she could contact me if she needed me.

I have picked Nigel up before and seen him in a drunken state but never to this extreme. Throughout the time I spent with Nigel he was continuously snoring and never said anything. Jones

Signature [Signature]

Signature witnessed by [Signature]

Statement of Witness

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN

53

Title Mr. Statement of Patrick Michael James Ellis
Age if under 18 'over 18' (if over 18 insert "over 18") Occupation Unemployed

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 27th day of APRIL 2010

Signature P.M.S. Ellis

*Evidence Visually Recorded YES NO (Supply witness details on rear.) V.P.S.S. Actioned YES NO

I am the above named and reside at the address known to the Police. I am a member of the social club known as the MILLVIEW, UP HATHERLEY, CHELTENHAM, and have been for over 10 years. I know a male known to me as Nigel, has deceased recently. I could describe our relationship as acquaintances rather than friends. I have had a drink with him in the past inside THE GREATFIELD PUB and THE MILLVIEW but we have never arranged to meet.

x PMS

On Saturday 17th APRIL 2010, I went out to the Royal Union, TIVOLI with a friend Andy ELLIOTT. We were dropped off by Andy's girlfriend; Lisa STEVENS, I think it was about 5pm. 2pm when we arrived there. We remained in the Royal Union for a couple of hours and were steadily drinking alcohol. I stuck with the same drink, pints of CARLSBERG lager. At approximately 5pm-5:30pm, Lisa again gave Andy and myself a lift to the GREATFIELD PUB.

Page 1 of 1 pages

Signature P.M.S. Ellis

Signature witnessed by [Signature]

Continuation of Statement of Patrick Michael James Ellis

Page 2 of 3 pages

During our time within the GREATFIELD I recognised certain people and spoke to them, however I remained with Andy and Lisa throughout the night. Within the GREATFIELD I spoke to, Darren HEALEY who shortly moved to the HILLVIEW with Chris TOWER. And Nigel with a male I know as Cam. Cam is an asian male who I know regularly drinks with Nigel. I can recall Nigel drinking pints of lager within the pub but I do not know how many. I remained drinking CARLSBERG in the pub but I couldn't tell you how many pints I had. Nigel and Cam left the pub making their way to the HILLVIEW shortly before us. I couldn't say either Nigel or Cam were drunk at this point.

As I left the GREATFIELD with Lisa and Andy I know I was tipsy but not drunk. I believe we arrived in the HILLVIEW before 11pm as they don't allow any entry after this time.

xPMS

I sat down with Andy and Lisa and could see a group of lads standing at the bar. The group consisted of; Darren HEALEY, Chris TOWER, Cam and Nigel. Tom O'RILEY was sat a short distance away from the group but I couldn't tell if they were together. I hastily didn't pay any attention to the group and cannot recall anybody else inside the premises. I can not recall what the group were drinking but they didn't cause me any concern to watch them.

I have been refused service from the staff on a previous

Signature P.M.J. Ellis

Signature witnessed by P. Davis

Continuation of Statement of Patrick Michael James ELLIS

Page 3 of 3 pages

occasion and have seen it happen to other people when they are too drunk.

I am aware the group usually play a game called 'speed'. This is a game to play between two or more people where by each hold coins and the object of the game is to guess how many coins are within the group. A forfeit can be for money or a round of drinks. I don't play this game as I can't afford to lose money.

x Pms

Whilst I was in the MILLVIEW I had a further two pints of CARLING Lager. By the end of the second pint I knew I was a bit drunk and had had enough.

At about 12 midnight, Andy, Lisa and myself left the premises. I didn't pay much notice but I believe the same persons were still at the bar.
PMS. 9/0

Signature Pms. Ell

Signature witnessed by PMS. 1831

Statement of Witness

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN 53

Title Mr Statement of Peter John Dunbar ELLIS
Age if under 18 0'21 (if over 18 insert "over 18") Occupation Heating Engineer

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 26th day of April 2010

Signature 

*Evidence Visually Recorded YES NO (Supply witness details on rear.) V.P.S.S. Actioned YES NO

I have known Nigel Russel for about 30 years, and as a friend over the past 10 years. We would meet up approximately monthly for a drink in a local pub, but not by arrangement.

I am a member at the Hillview Club, so was Nigel, so we would meet up there sometimes or at the Greatheld.


On the evening of Saturday 17th April 2010 I went to the Greatheld at about 5.30pm and met a mate named Dave Power.

We had a couple of drinks there and then on to the Hillview at about 7pm.

Dave had 1 drink there and then left. I stayed there with my girlfriend Maria CALENDER (or similar).

Nigel arrived about 10pm, or after that, he didn't come in early. He'd been at the Greatheld before that.

Signature 

Signature witnessed by 

Continuation of Statement of Peter J. D. Ellis

Page 2 of 3 pages

At the time of Nigel's arrival I had had 8 or 9 pints of lager (Carling) and considered myself still sober.

Nigel appeared fine. He was joking around then he got involved with a pool game with Tony Sticks (real name Dix), Kevin Parker, Chris Tower and Darren Henney.

I never got involved with the game. The person who is ^{first} out picks the drink and the last one out pays for the round.

I think the game is senseless and silly and puts people at risk if they have a mix of drinks late in the evening. It's OK early on, but not on top of other drinks.

I wasn't paying particular attention to the group or their game, but I noticed that the drinks included rum and port. I know there were at least 3 games. I am not sure who won or lost the games or who went up to buy the drinks.

The group seemed fine while playing pool, from what I saw and heard whilst they were playing the game.

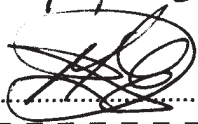
I did not notice any of them being drunk.

We left about midnight, as I believe the bar had an extension until 0030hrs.

When we left, the group of 5 were standing in the corner by the bar.

I did not see any drinks refused to the group, but they are usually pretty

Signature



Signature witnessed by



Continuation of Statement of Peter J. D. Ellis
in the Club.

Page 3 of 3 pages

good on that. My own brother has been refused drinks because he had had enough. This was 3 or 4 months ago. He tends to get a bit 'loud' after too many drinks.

I have never been refused drinks but I was barred about ~~18 months~~ ^{2 years} ago for a period of 18 months. That was for ripping a piece of paper off the notice board.

The staff on 17th were Sally Curran, Robert Curran & Craig Wilson (or similar surname). I cannot say which staff served the group during the evening. They were going backwards and forwards all the time because there was a function in the hall as well.

I was only a couple of yards away from the group throughout the evening (except when I went out for a cigarette).

I spoke to Chris and Barra when they came in, and both were sober at that point but not to anyone in the group after that.

During the evening my brother Patrick arrived (with Chris and Barra) but he stayed near the bar. He left after me, but I don't know what time.

At one point I went outside with a drink and was told by a Committee member, Norma Brown, to take it back in. He was on the door on the hallway checking tickets for those attending the event. I don't remember him coming into the bar at any point.

Signature

Signature witnessed by

Statement of Witness

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN 53

Statement of Darren KEALEY Title MR
Age if under 18 0 18 (if over 18 insert "over 18") Occupation Water Main Layer

This statement (consisting of three pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 26th day of APRIL 2010.

Signature [Signature]

*Evidence Visually Recorded YES NO (Supply witness details on rear.) V.P.S.S. Actioned YES NO

I am the above named person and I live at an address shown overleaf.
On Saturday 18th April 2010 I went to a friend's home, Chris TONER, to watch the Chelsea match which was a 5.30pm kick off. We watched the match but I didn't have any alcoholic drinks while watching it. After the match we left to go to the KILLCROFT Community Centre Club for a drink. We arrived around 7.30 to 7.45 pm, it was quite busy because there was a function on. When we got in we bought a pint each.
We then sat down and were talking to various other people.
At around 10 to 10.15 pm I think, I saw Nigel and Kam arrive, to this point I had around half-a-dozen

Signature [Signature] Signature witnessed by [Signature] P2427

Continuation of Statement of Darren KEALEY

Page 2 of 3 pages

pints, I only know Nigel from the club,
I don't know his last name.

I was already in a round with
Chris so I didn't buy Nigel a drink.

I think we had one more drink
and started to play "SPOOF" which
is a drinking game. I don't think
it was one person who said "lets have
a game", it just happened as was other
Saturdays before.

There were 5 of us, myself, Chris,
Nigel, Kam and some one called Tom, I
* think his surname is O'Neil ^{Reilly} but I'm not
sure.

This game had 5 rounds, as 5 of us
were playing. I didn't lose a round and
neither did Nigel.

When someone lost they paid for the drinks
I think I drank a pint of Lager, 2 x single
shots of Port and 2 x single shots of Rum.

I think Nigel had 2 x pints of Lager, 1
single shot of Port and 2 x single shots of Rum.

The rules of the game were that the
players could pick their own drinks as
long as it was a pint or a single shot.

I am sure that Kam left before the
game ended but we carried on till the
5th round.

The last thing I remember is the last
round of "SPOOF".

Signature



Signature witnessed by

 PC427

Continuation of Statement of Darren Healey

Page 3 of 3 pages

I checked my mobile on next morning and on it it showed I called a taxi at 1.46am this would have taken me home, the company was 727.


When I saw Nigel earlier when he came into the club, I would describe him as being normal, he was talking and walking OK, and as usual we were making fun of each other.

Even during "SpooG" he seemed fine he was being cocky as he would be out in the first round.

The club has never refused me a drink, I have once fallen over in there because I was drunk, I hit my head but the staff made sure I got home.

I have seen the bar staff refuse people drinks in the past.

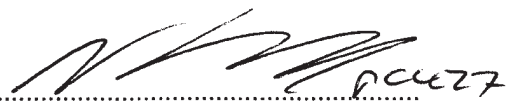
I have been told I was there when Nigel was taken out of the club but I can't remember being there.

 727

Signature



Signature witnessed by



Statement of Witness

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN

53			
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Title Ms Statement of Julie Marie Hopkins
 Age if under 18 0:18 (if over 18 insert "over 18") Occupation Assistant Manager

This statement (consisting of 2 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 2nd day of MAY 2010.

Signature [Handwritten Signature]

*Evidence Visually Recorded YES NO (Supply witness details on rear.) V.P.S.S. Actioned YES NO

I am the above named person and reside at the address overleaf.

I am employed MITCHELLS + BUTTERS BREWERY, and hold the position of Assistant manager at THE GREATFIELD, CARMARVON ROAD, CHEWTONHAM. I have worked here for eighteen months but have worked in the industry for sixteen years. My duties include the day to day running of the premises, which involve serving customers alcoholic beverages.

At 7pm on SATURDAY 19 APRIL 2010, I concluded duty behind the bar and sat at a table in the pub to have a drink and a meal. During the course of the evening, I drank three small (175ml) glasses of wine but I had a clear thought process during the evening.

At about 9pm, two males came over to our table. I know one of the males was called 'CAM' and I now know the other male to be Nigel Russell. Both males are regulars at the pub, but I know Cam better.

Signature [Handwritten Signature] Signature witnessed by [Handwritten Signature]

Continuation of Statement of Julie Marie Hopkins

Page 2 of 2 pages

than I know Nigel. Both appeared in good spirits but I did not speak to them at that point and I lost sight of them inside the pub.

About sixty to ninety minutes later, I bumped into Nigel as I left the toilet. He appeared in good spirits, due to the smile he was wearing and I said, "ALL RIGHT, YOU SEEM HAPPY TONIGHT." He replied, "I'VE ONLY HAD THREE OR FOUR TONIGHT." I had no reason to disbelieve him as he was steady on his feet and did not demonstrate any clear signs of drunkenness.

I would consider myself as an expert at drunkenness and will not serve anyone who I consider to be drunk. In my opinion, Nigel was some way off that level, although I had not served him and cannot confirm what he had drunk.

I asked him, "ARE YOU OFF OVER THE ROAD?" by which I meant going to the WILKINSON COMMUNITY CENTRE, which is next door. He replied, "YES" and we both walked off in opposite directions. I did not see Nigel again that night.

I do not know Nigel very well, only as a regular customer at the pub, which he frequents about three times a week. He is a very quiet man and I have never experienced any problems with him.

In total, I only saw Nigel for no more than a couple of minutes. I was in close proximity and had a clear and unobstructed view of him. I only found out his name when another customer told me he had had a heart attack.

Signature

J Hopkins

Signature witnessed by

[Signature] PC 1955

Statement of Witness

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN 53

Title Mr Statement of Ian Roger MILLER
Age if under 18 'or 18' (if over 18 insert "over 18") Occupation Cellar Manager

This statement (consisting of 2 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 27th day of APRIL 2010

Signature [Signature]

*Evidence Visually Recorded YES NO (Supply witness details on rear.) V.P.S.S. Actioned YES NO

I am the above named and reside at the address known to the Police. I am the cellar manager at the premises known as; THE GREATFIELD, CATERWARREN ROAD, UP NATHORLEY, CRATCHEVALE, GL51 3BW. I work at the premises with my wife who is the licensee, June MILLER. We have been at the premises for 22 months. My duties include; stock take, general maintenance, the use of the CCTV system.

I have been requested by Police to provide copies of the CCTV footage during the times of 8pm and 11pm duty Saturday 17th April 2010. I have viewed the CCTV and produce 4 (four) CD's with the time requested. I have numbered them in order; D1, D2, D3 and D4. There is a time difference in our CCTV system of one hour and the footage shows 1900 - 2200 hrs, but it is the correct date.

I produce these CD's as exhibit 1RH/01 and have

Signature [Signature]

Signature witnessed by [Signature]

Continuation of Statement of lan Roger MILLER

Page 2 of 2 pages

provided then to PC 1831 SEWALL.
J R Miller

Signature J R Miller

Signature witnessed by [Signature]

SDN ROTI Contemporaneous Notes Index of Interview with VW Visually Recorded

Person Interviewed NORMAN ADLAM

Place of Interview CHELTENHAM POLICE STATION

Date of Interview 30TH APRIL 2010

Police Exhibit No
Number of pages 45

Signature of interviewing officer producing exhibit

Time commenced 13:10

Time Concluded 13:48

Duration of Interview 38 MINS

Tape Reference Nos 04039/10

Audio Tape Reference Nos:

Visual Image Ref. Nos:

Interviewing Officer (s) PC 417 COOK

Other persons present KINGSLEY THOMPSON, CHELTENHAM POLICE LICENSING DEPARTMENT

Tape counter times	Person Speaking	Text
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PC COOK		Should stop, that beep, after a few seconds... <i>[tape beep continues then stops]</i> Ah! This interview is being tape recorded. I'm PC Andy COOK, Licensing Officer at Cheltenham Police Station, and you are?
ADLAM		Norman ADLAM, I'm chairman of the Hillview Community Association.
PC COOK		Okay, thank you Norman. And also present in this interview is?
THOMPSON		Kingsley THOMPSON of the Cheltenham Police Licensing Department.
PC COOK		Okay, thanks. Now before I interview you, Norman, I need to caution you and tell you that you do not have to say anything, but it may harm your defence if you do not

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 1

Tape counter times	Person Speaking	Text
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mention when questioned something which you later rely on in court. Anything you do say may be given in evidence.

Do you understand?

ADLAM Yes.

PC COOK Now, you're not under arrest and you do not have to remain here with me. Do you understand?

ADLAM I understand.

PC COOK You're entitled to legal advice. You may consult with a solicitor or legal advisor either in person or over the telephone. Do you wish to have such a consultation?

ADLAM No.

PC COOK Is there any particular reason why you don't want legal advice?

ADLAM *(Laughing)* I want to be interviewed first, so I don't need legal...

PC COOK So you're happy, you're happy to be interviewed...

ADLAM Yes, I'm happy.

PC COOK You don't, you don't feel it's necessary?

ADLAM No.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 2

Tape counter times	Person Speaking	Text
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PC COOK Okay. Right. Okay, now I want to run through some things with you. First of all, you're a member of the committee of the Hillview Social Club as you said just now.

ADLAM Yep.

PC COOK How long have you actually been a member of that committee, when did you join the committee as a whole?

ADLAM Two, about eighteen months to twenty months ago.

PC COOK Eighteen months. You don't remember the exact date?

ADLAM No, because the other committee were running and I'd got co-opted on about halfway through their run, I believe.

PC COOK Okay. So you joined the committee about eighteen to twenty months ago,

ADLAM Yep.

PC COOK when did you become chair of the committee?

ADLAM Last May.

PC COOK Okay. I'll take a few notes myself, by the way.

ADLAM Yep.

PC COOK And you're very welcome to. And the committee membership at the moment, if you could just whizz through that again. I know you've told me on the phone already who

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 3

Tape counter times	Person Speaking	Text
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the members are, but if you could just whizz through that again for us please.

ADLAM If I can think of! Right. Sheila, Sheila and Tim MARSH.

PC COOK Yes.

ADLAM Councillor Roger WYBORN.

PC COOK Yes.

ADLAM Lillian HARRIS.

PC COOK Yep.

ADLAM Paul HOLDSTOCK.

PC COOK Okay. That's a name you didn't mention before. Paul HOLDSTOCK?

ADLAM Yeah, I'm sorry, thought I mentioned him.

PC COOK That's alright.

ADLAM Yep. If I remember right, I said to you he hasn't turned up for a few meetings.

PC COOK Right.

ADLAM Y'know.

PC COOK Okay.

ADLAM Um, who else is there? Um, Councillor Simon... trying to think...

PC COOK Simon WHEELER?

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 4

Tape counter times	Person Speaking	Text
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ADLAM		Simon WHEELER, who's just joined the committee.
PC COOK		Yes.
ADLAM		Er, the Treasurer is George TAYLOR; the Secretary, Louise HINGLEY. Er... Ash, Ash but he's just the rep of the children's... Ah, God, what's his surname...
PC COOK		Somebody called Ashley?
ADLAM		Yep.
PC COOK		Is he actually a member of the committee?
ADLAM		Right. No, he's not a full committee member, what he does is sit on behalf of the children, y'know, the playgroups and all that?
PC COOK		As a representative? So he's not actually a member of the committee?
ADLAM		Yeah, so he's not actually a member. No, he's not a voting...
PC COOK		No. Okay. And who, is there a Deputy Chair?
ADLAM		There was but Darren decided to resign because he'd had enough.
PC COOK		Right.
ADLAM		Darren HEALEY, that would've been.
PC COOK		Okay. Thanks very much for that.
ADLAM		I think that's everybody is it?

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 5

Tape counter times	Person Speaking	Text
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PC COOK Yeah, I think so now because...

ADLAM Yeah.

PC COOK ... you've just mentioned Paul HOLDSTOCK which wasn't on the previous list that you told me on the phone of the members of the committee. And we're obviously here to talk about the incident on the 17th of this month. Can you just tell me what you know about that incident?

ADLAM Right, what I know about that incident is I actually seen Nigel at 12:30 because...

PC COOK Nigel being the deceased?

ADLAM Yeah, Nigel RUSSELL.

PC COOK Nigel RUSSELL, yep.

ADLAM Nigel RUSSELL. I never spoke to him but what it was, I was running a Motown night next door in the hall. That finished. I got rid of my customers, I walked into the bar at 12:30 and Nigel was stood at the bar talking to other people and other members on the bar. I then went back into the back room to make sure the disco had cleared up everything and just before 1 o'clock before the bar closed, I went back in for another pint.

PC COOK Okay.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 6

Tape counter times	Person Speaking	Text
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ADLAM		And as I walked in Nigel slumped on the bar.
PC COOK		Yep.
ADLAM		And then people tried to pick him up. Obviously they thought he was just drunk.
PC COOK		Yep.
ADLAM		They then, 'bout ten minutes after, they moved Nigel outside because Sally, Sally wanted to close the bar which was fair enough, like everybody thought he was just.. couple over the top.
PC COOK		Yep.
ADLAM		Um, we got him outside. He was checked for his breathing etcetera by Robin CURRY who said he was a full first-aider.
PC COOK		Yep.
ADLAM		And he was breathing okay. Actually he started to snore.
PC COOK		Yep.
ADLAM		So time went on a little bit, um, people trying to find out where Nigel actually lived, because a friend of his was there, Tony... I call him Tony the Stick, but his name's Tony DICKINSON.
PC COOK		Right.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 7

Tape counter times	Person Speaking	Text
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ADLAM But he said he'd actually walked down there but he never knew exactly where he lived. So then Craig, the one barman, found Nigel's telephone on his person and phoned his wife.

PC COOK Yep.

ADLAM Who then came up to pick him up. I was then ready to go but a few, a few of the boys, I don't know who, I think it was Craig and Tony DICKS, carried him over to the car and then they all went on their way.

PC COOK Right.

ADLAM Now, on the Sunday I had a telephone call to say he was in a very bad way.

PC COOK Yep.

ADLAM Which shocked me completely. And that was from Craig.

PC COOK A bad way in hospital?

ADLAM Yep.

PC COOK Yep.

ADLAM Then Craig phoned me up again about 5 o'clock I think it was, and he said he had, um, looked on, was it Facebook, and Nigel's daughter, Nigel Russell's daughter, had put

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 8

Tape counter times	Person Speaking	Text
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something on that, y'know, dad had passed away, or...

And that's when I knew he'd died.

PC COOK Right. Okay. Would it, would it be fair to say d'you think, that what's, what's happened here if we were to sum it up, there's a member of the club that's actually been drinking on the premises there to the point of collapsing?

ADLAM Well he'd been drinking but as I say at half-past-twelve I never seen anything untowards with Nigel. He was stood there, chatting, talking. Y'know.

PC COOK Are you aware of how much he'd had to drink, or not?

ADLAM No.

PC COOK No?

ADLAM No.

PC COOK Not at all?

ADLAM No.

PC COOK Not even since?

ADLAM I have since. Well, what's... what people have said to me, that he only had three or four rums in the club, that he'd played a game of spoof...

PC COOK Yes.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 9

Tape counter times	Person Speaking	Text
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ADLAM ... and he'd had three or four of those. And a couple of pints I think, but that's all I've heard.

PC COOK Right.

ADLAM I dunno exactly how much he had. Because obviously with the do being on, as I say, I was round the other side looking after that one.

PC COOK Yes.

ADLAM But, um, apparently he'd come in about ten o'clock, quarter past ten was it? People were telling me he'd come in the club.

PC COOK Round about that time, yeah.

ADLAM Y'know, so...

PC COOK You, you didn't pop into the club and check it then, prior to going in there at the time you mentioned, which was... 12:30, you said you went in.

ADLAM Yep. No, I hadn't been in the club.

PC COOK You hadn't been in there prior to that at all that evening?

ADLAM No. No. No, because I run the door, as well as do the organisation, so I am sat inside the foyer,

PC COOK Yes.

ADLAM and near enough opposite the library doors.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 10

Tape counter times	Person Speaking	Text
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PC COOK Yes. By the entrance to the hall.

ADLAM So I look after that and then I go in through the main hall and make sure everything's okay, because we have had a few incidents of people trying to sneak in through the fire exit, so I go and look over that. Everybody's enjoying theirselves and that's it. And that's the way I run it, that nobody can get in without – into the do, anyway – without me knowing.

PC COOK Okay. Our investigation so far, Norman, which is still, is still ongoing,

ADLAM Yep.

PC COOK has revealed that, that Nigel had consumed probably four pints at The Greatfield prior to arriving at the Hillview.

ADLAM Right.

PC COOK And then on arrival at the Hillview, he purchased another drink, another pint of lager.

ADLAM Mm-mm.

PC COOK That's now five.

ADLAM Yep.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 11

Tape counter times	Person Speaking	Text
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PC COOK He may have purchased one or two more drinks before then playing a game of spooof, where he consumed – there were five rounds to that game of spooof.

ADLAM Was there? Right. Okay.

PC COOK So he consumed five more drinks, the last one of which was a double rum.

ADLAM Right.

PC COOK So in effect that's six. Six drinks.

ADLAM Mm-mm.

PC COOK So he's had four pints – we'll say for argument's sake, that he's had one pint on his arrival – that's now five.

ADLAM Yep. Mm.

PC COOK He's then had another six during the round of spooof, and I'm told he then was served more alcohol after the game of spooof before he slumped off the chair.

ADLAM Of that I do not know. Because what you've been told I don't know.

PC COOK So we're talking twelve, twelve drinks.

ADLAM Mmm.

PC COOK Perhaps if he'd just bought the one drink after the game of spooof...

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 12

Tape counter times	Person Speaking	Text
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ADLAM		Yeah.
PC COOK		Does that seem acceptable to you?
ADLAM		Um. Well, it's everybody's capability of drinking. I've seen people drink more, not in the club but at, when I work people can have eight, ten pints, and sometimes it doesn't affect them. I've seen Nigel drink in the club and it's never affected him before.
PC COOK		Well, Nigel's been one of your regulars, hasn't he, for a long time?
ADLAM		Yeah. Yeah.
PC COOK		And he was there, I think, virtually every Saturday, wasn't he?
ADLAM		Yep. Either a Friday night or a Saturday night he would come in.
PC COOK		But he wouldn't normally drink to this extent, would he?
ADLAM		Oh no. Um. He always had, I would say Nigel would always have five or six [<i>knock on door</i>], y'know, on a normal night.
PC COOK		Yes.
INCOMER		Receptionist Elaine Tierney enters room "Sorry to interrupt!
PC COOK		Okay, Elaine.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 13

Tape counter times	Person Speaking	Text
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INCOMER I've got your office on the phone, they've got Nigel CROWN up there, they asked if I could interrupt you just to speak to them for a minute?

PC COOK Okay, we're right in the middle of an interview at the moment. They'll have to wait unfortunately.

INCOMER Oh right, okay. It's just that they wanted to know what sort of statements to get and stuff."

PC COOK Yeah, he'll have to wait now unfortunately. Thanks. That was Elaine from reception just with a query. Now, normally, Nigel would arrive at the club, have some drinks, and then walk home?

ADLAM Yes.

PC COOK He was always in a suitable condition to walk home?

ADLAM Well, I would say so. Sometimes he was a little bit wobbly but it depended how many he'd drank between The Greatfield and... Because he used to go to The Greatfield first.

PC COOK Yes.

ADLAM And have a tour, so.

PC COOK Yes. Have you ever seen him drunk and incapable on any other occasion?

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 14

Tape counter times	Person Speaking	Text
	ADLAM	No, no, I've seen him drunk. Well, what I class drunk, not falling over drunk but, y'know, you've had enough so to speak.
	PC COOK	What would you say is a description of somebody who's drunk? How would you define that?
	ADLAM	Well. A bit incoherent, a little bit wobbly on their feet. And that would be my form of somebody being drunk.
	PC COOK	Okay. See, I put it to you really, Norman, that what's happened on this occasion is that he's gone there,
	ADLAM	Mmm.
	PC COOK	Nigel's gone there, Nigel's gone there and he's, it's simply that he's been allowed to consume too much alcohol to the point of collapsing.
	ADLAM	Yes, but if he's, if he's stood there in a normal situation and he's having a drink how, how d'you know he's had too many?
	PC COOK	Well...
	ADLAM	I mean what, what do people class as too many?
	PC COOK	It's a good question, but I think the fact is that, that...

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 15

Tape counter times	Person Speaking	Text
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ADLAM If he's stood in front of my bar staff talking coherently and not wobbling all over the place, they would class that as he's in a normal situation.

PC COOK I find it very difficult to believe though, Norman, that somebody would drink, for example, ten drinks, and not be showing signs of drunkenness, i.e., slurred speech,

ADLAM Yep.

PC COOK maybe unsteady. The usual symptoms of someone who's drunk. Glazed eyes and so on.

ADLAM Mmm.

PC COOK Those symptoms will start to kick in long before someone actually collapses.

ADLAM Oh, yeah, but if they were playing spoof, then somebody else could be buying the round of drinks. It's not Nigel going to the bar every time and buying his drink. If we were playing,

PC COOK Yes.

ADLAM Then if you lost, you would get them and if I lost I would go up, y'know.

PC COOK Yes.

ADLAM Gentleman here, he would then buy them.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 16

Tape counter times	Person Speaking	Text
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PC COOK	Yes.
ADLAM	So it's not the same person, unless you lost all six rounds then you'd be going up personally to buy them, so.
PC COOK	So what you're saying is that it was quite feasible that he would be in the premises drinking,
ADLAM	Yep.
PC COOK	Getting drunk, but not be identified as that and the staff carry on serving others within that particular group?
ADLAM	Exactly because, yeah, because he hasn't gone to the bar.
PC COOK	Okay. I mean there's no suggestion at this moment in time that he collapsed on the floor through anything other than him taking in too much alcohol.
ADLAM	Well, he just collapsed. So nobody hit him or anything like that, he was...
PC COOK	No.
ADLAM	One minute he was stood there, then the next minute he was stood against the bar and he... he flopped.
PC COOK	And no ambulance was called.
ADLAM	No.
PC COOK	As you say, he was carried out into the fresh air.
ADLAM	Yep.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 17

Tape counter times	Person Speaking	Text
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PC COOK And then when his wife's arrived in a car with a friend he was loaded into that car and driven back to his home in Preston and carried him onto the lounge floor before it was...

ADLAM Yep, he was breathing, he was breathing okay, um. In fact we thought he was asleep, because he was actually snoring. Now, if I'd heard him gurgling,

PC COOK Yes.

ADLAM Then that would've been a different thing. But we all thought that he was just asleep, in a sound sleep, because obviously if I'd heard him gurgling there would've been an ambulance called straight away.

PC COOK Where, looking at the incident as a whole, where d'you think it went wrong?

ADLAM Well I think it went wrong, um, obviously he had too many to drink but.. Nigel's drunk like that before and I'm sorry, I am sorry for him dying, but I think in a way it was just a volcano waiting to erupt. And maybe it was that night that it went.

PC COOK Drinking that amount, or very close to that amount, was the norm for him then?

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 18

Tape counter times	Person Speaking	Text
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ADLAM	Nigel liked a drink.
PC COOK	Okay. Now, I want to run through the sort of history of the premises a little bit.
ADLAM	Yep.
PC COOK	And I realise that you've only been on the committee for eighteen to twenty months, but are you aware of problems at the premises over quite a long period of time?
ADLAM	Well it depends what you call problems.
PC COOK	Well, allegations of drunkenness, under-age issues, drug-taking in the toilets, after-hours drinking, that was certainly prior to the hours being extended.
ADLAM	There's been no, there's been no after-hours drinking while I've been Chairman. I can assure you of that.
PC COOK	Okay. Smoking within the premises.
ADLAM	Nope. I've actually, we haven't had people smoking in the premises, I've kicked everybody out and they all stand outside the foyer.
PC COOK	And then drink-driving by some members.
ADLAM	Well, excuse me. If people bring their keys in their pockets and they drive away in a car,
PC COOK	Yes.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 19

Tape counter times	Person Speaking	Text
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ADLAM What am I meant to do? Because the car park is away from the club. They could turn right and go round the opposite way to avoid me.

PC COOK Okay. And then occasionally...

ADLAM They could park in The Greatfield, y'know, like a lot of people do.

PC COOK Okay. And then occasionally violence.

ADLAM We've had a coupla punch-ups. Who doesn't have a coupla punch-ups? But we sorted that out within our own disciplinary and people got suspended.

PC COOK Okay, what I want to do is just go through a few of the incidents or allegations that we've got on our licensing records.

ADLAM Yep.

PC COOK When you took over as Chair of Committee..

ADLAM Yep.

PC COOK Were you given any sort of handover from the previous Chair?

ADLAM No. The Chairman didn't turn up at the meeting, he resigned and his wife's the Secretary, they just walked away from the club, and just left me.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 20

Tape counter times	Person Speaking	Text
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PC COOK	That was Alan TYLER, and...
ADLAM	That's it.
PC COOK	... Lynne TYLER, was it?
ADLAM	That's it.
PC COOK	Okay.
ADLAM	And I thought, well, I've gotta run the club and I stood up to be counted and I got voted in.
PC COOK	At that time did the whole committee change, or just some of them?
ADLAM	There was quite a few, um, I think... trying to think back now... There was a few people who didn't stand. I'm trying to think who they were. But I actually got, Paul was a committee member before and I persuaded him to stay on the committee. Same as Lillian HARRIS, I persuaded her to stay on the committee.
PC COOK	Okay. Okay. When you became, when you went onto the committee then where you aware that there had been some problems at the club prior to that? That you were inheriting a club with a few problems to be sorted out?
ADLAM	Yeah, yeah. So I tried to sort 'em out, as...

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 21

Tape counter times	Person Speaking	Text
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PC COOK What, what were you told at the time, what... Were you a member before that?

ADLAM Yes, I've been a member for fifteen years.

PC COOK Fifteen years? So you know the club well?

ADLAM Yeah.

PC COOK You'd probably seen some of those problems then in?

ADLAM Yeah, and you try and sort them out. What's the club all about, if we have any problems we try and sort 'em out within ourselves.

PC COOK Yes.

ADLAM And what we do then is we bring it to committee and then if it's out of order people get suspended.

PC COOK Mm-mm.

ADLAM And that, that's what happens in the club. They either get suspended or they can get banned for life, it depends on, on the incident.

PC COOK Okay. Right. I'm just going to whizz through, just for your information, you may or may not know some of this cos you've obviously had very long connections with the club and you've been on the committee now for nearly two years, that, going back to 2006 there was an incident with a fight

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 22

Tape counter times	Person Speaking	Text
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in the car park which resulted in somebody with a broken nose.

ADLAM No, can't remember that one! *(Laughs)*

PC COOK No, that is going back quite a long way, I appreciate that.

ADLAM I might not've even been there, I might've been home, y'know, at home. I don't go to the club every night.
(Chuckles)

PC COOK Also in August 06 there was an incident where, where, there were three, three involved in an incident and a window was smashed, one of whom cut his hand badly. In late 06, ten-0, August, sorry, *October* 06, there was a assistant manager called in saying that, from in fact the assistant manager from The Greatfield called in, saying there'd been a party in the community centre now in the car park was a fight going on, twenty fighting, lots of pushing, shoving, getting out of hand. We attended, there were about forty youths congregating there. It was a birthday party here and we tried to disperse them. That was on the 14th of October 06, while you were a member but not while you were on the committee.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 23

Tape counter times	Person Speaking	Text
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ADLAM	Well in 06 I think, wasn't Becky, Becky WILSON the Stewardess then?
PC COOK	I'm not sure who...
ADLAM	And those on the committee? Well...
PC COOK	Yes, well she was certainly there in 07.
ADLAM	Yep.
PC COOK	Um. Because I had a long telephone call with her in 07.
ADLAM	Yep. So obviously she was there then.
PC COOK	And that was regarding events being allowed to take place there in contravention of the licence at that time. The premises hold a Club Certificate,
ADLAM	Yep.
PC COOK	For a private members club.
ADLAM	Yep.
PC COOK	They now hold a Premises Licence,
ADLAM	Yep.
PC COOK	Which was obtained in August 07.
ADLAM	Yep.
PC COOK	Of course this was just prior to that licence being obtained, and these parties were actually taking place with alcohol in

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 25

Tape counter times	Person Speaking	Text
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stopped all the youngsters going up there. But I personally do not have eighteenth birthday parties or twenty-firsts.

PC COOK

Okay.

ADLAM

Because I know...

PC COOK

There can be trouble.

ADLAM

There could be trouble, or there could be kiddies – sixteen, seventeen – going into an eighteenth, well, I think twenty-one's very reasonable but I still don't do twenty-ones!

PC COOK

On the... Moving on then, Norman, on the 14th April 07 we had a call, somebody had called us out of concern to the very drunk male in your premises at some stage would be attempting to drive home, he'd had an absolute skin-full. We found him driving home and breath-tested him. So we were able to intercept that person that left and drove. Do you think that possibly the club could've done anything to stop that sort of thing happening?

ADLAM

Um. Well, if he's, if he's got his keys in the club I would personally, I would ask him to hand his keys over. If I'd knew he had driven up.

PC COOK

Yes.

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Continuation Sheet No 26

Tape counter times	Person Speaking	Text
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ADLAM But if that person doesn't show any keys and then walks out the club,

PC COOK Yes.

ADLAM And into the car while you're doing other things, what are you meant to do?

PC COOK Well, that's for you to decide,

ADLAM Y'know, I've had people...

PC COOK But a responsible licensee would generally try and intervene to stop them driving.

ADLAM That's it. What, yeah, but what I'm trying to say is you've got to see them going out the club first..and into his car. There's other things to be done in the club bar watch every movement that your customer makes. But, I've said to people since I've been in charge "If you're gonna have a drink, either don't drive your car or leave your car here over night."

PC COOK Yes.

ADLAM And a couple of people have done that.

PC COOK Okay.

ADLAM Y'know. But what I also say is like when we have private functions and things like this. People park round in The

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Continuation Sheet No 27

Tape counter times	Person Speaking	Text
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Greatfield car park. And I've seen people come to our club where they park up over in The Greatfield, they probably have one or two in The Greatfield, then they will come round the corner and they walk to your club.

PC COOK Okay. We'll look more specifically. You took over approximately eighteen months ago, let's try and think what day approximately is that?

ADLAM It was round about the Christmas time. Alan TYLER asked me if I would go as Vice-Chair.

PC COOK So it was late 2008?

ADLAM Yep.

PC COOK Okay.

ADLAM And I said okay, because they were struggling. They needed volunteers, and I've always been able to sort of raise money and things like this, it's, um. So I thought, right, I'll give the club a hand, but I didn't like the way Alan TYLER was running things so I used to object with... He seemed to think he was still in the Army. And it doesn't work in Civvy Street, I'm afraid. So I told him then I'm gonna stand against him.

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Continuation Sheet No 28

Tape counter times	Person Speaking	Text
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PC COOK Right. Okay. Are you aware that the council licensing officer, Richard GRIFFITHS, and an enforcement officer from the council, Nigel DENBY, had a meeting with the committee as a whole in 2000 and... let me give you the date here... it would've been 2007.

ADLAM No.

PC COOK April 2007. You, you're not aware of that?

ADLAM No. I've had, I've had, the only incident I've had with the licensing officers is Mr PIFF and his assistant came to the club while I was running it,

PC COOK Yes.

ADLAM Um, on a Thursday night, I believe. And said they'd had complaints of people smoking and doing this. And he walked into the club, checked everything out, he checked all the licences, and as far as I was concerned I explained to him that nobody had been smoking in there, somebody had phoned up to say there was smoking in the club, and he went away, I thought, very happy.

PC COOK Yes. Okay.

ADLAM I mean, I cannot stop people trying to make accusations against the club.

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Continuation Sheet No 29

Tape counter times	Person Speaking	Text
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PC COOK	No.
ADLAM	I've got, I've just gotta try and prove that they're wrong.
PC COOK	Yes.
ADLAM	<p>But some of these people, I don't know what they're, what they want. I mean, I've given up a year, eighteen months, of my time to try and make that club better and work better with everybody, and it's just getting thrown in your face. And that's why I am actually standing down this year. And that's from before this incident start, because I can't do anymore for the community.</p>
PC COOK	Right.
ADLAM	<p>Cos the community doesn't want to help theirselves in a hole. There's only so many brick walls you can run into, I'm afraid.</p>
PC COOK	<p>Were you aware that the bar steward resigned in June 08, that's not long before you took over as, before you joined the committee. The bar steward resigned and that was due to ongoing problems.</p>
ADLAM	Who was that, Mr COLE?
PC COOK	<p>It could've been, I don't know at this moment in time who it was.</p>

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Continuation Sheet No 30

Tape counter times	Person Speaking	Text
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ADLAM	ADLAM	Yep.
PC COOK	PC COOK	He was, he was unhappy with alcohol being served to underage drinkers.
ADLAM	ADLAM	Well, not that I know of.
PC COOK	PC COOK	He also raised the issue of drugs being used in the premises.
ADLAM	ADLAM	Wasn't mentioned to me. I've heard rumours of drugs and I've actually say to people, the ones who I thought, y'know, might've dabbled, I've said to them "Any drugs in this club and I will report you to the police myself". And I've seen no incident of drugs in the club.
PC COOK	PC COOK	Do you take any pro-active steps to stop that happening?
ADLAM	ADLAM	All, I had a word with all members. All members, that any drug taking or the selling of any drugs in this club, I will report them personally to the police and they will be banned for life.
PC COOK	PC COOK	All, when you say all members, you've got something like two hundred members, haven't you?
ADLAM	ADLAM	Well, the ones that use the club. We've got what, what I would class we have members is basically between thirty and forty that use it every week... on the weekends.
PC COOK	PC COOK	So very regular. Yep.

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Tape counter times	Person Speaking	Text
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ADLAM	Those people.
PC COOK	Those thirty or forty regulars.
ADLAM	I mean obviously you got your, you got your skittles, which only come in one night a week from other places, you've got your old-age pensioners who have their dances, and obviously we don't – unless they're on drugs, but I don't think so! <i>(Laughs)</i>
PC COOK	So they, they don't use it so much?
ADLAM	Yeah, I'm just basically concerned, y'know, with the people who go into the actual social bar, that's who I mean is.
PC COOK	Okay.
ADLAM	And everybody knows my stand on drugs because I deplore them.
PC COOK	September 08. There was an incident involving criminal damage where one of the interior door windows had been smashed and several pint glasses smashed. D'you remember that incident?
ADLAM	That's, if I remember right was... I think it was the Mr TYLER? Mr TYLER and Mr TYLER. I think son and father were having a go.
PC COOK	Right, okay.

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Continuation Sheet No 32

Tape counter times	Person Speaking	Text
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ADLAM		If I believe that's the incident.
PC COOK		And the barman was Daniel SMITH. Is that the lad you mentioned just now? Okay. Was that before, just before you went on the committee? Or were you on the committee at the time?
ADLAM		I think I was on the committee when that incident...
PC COOK		That was September 08. So that'd be about the time you went on the committee.
ADLAM		Yeah, it was roughly round about there or just after I went on the committee, because I think there was arguments between father and son, and mother and son, for quite a while, quite a while. There was quite a lot of problems between the three of them.
PC COOK		You seem to have experienced as a club quite a lot of in-house squabbling between...
ADLAM		Yes, because we have families and families squabble.
PC COOK		And you also have quite a few changes of DPS since you've had the premises licensed.
ADLAM		Yeah.
PC COOK		In fact you've had, I think it was six, six changes of DPS in the time that you've, since you've held the licence. There's

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Continuation Sheet No 33

Tape counter times	Person Speaking	Text
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six DPSs changes since August 07. That's two and a half years.

ADLAM Well, all I know in my time is Sally CURRY used to be the DPS for us.

PC COOK Yes.

ADLAM But then she resigned because she had too much work. Because she worked thirty-odd hours for us...

PC COOK Yes.

ADLAM ... as the club steward, but she also does all her own cleaning.

PC COOK Right.

ADLAM She's got a little cleaning company. But she was finding the hours were just too much, so she then said that she was finishing and I got Denise, Denise JONES in?

PC COOK Yes.

ADLAM And Denise run it for a little while and now I think she's got her own pub somewhere up in the Cotswolds or something, y'know.

PC COOK Yeah, that's right.

ADLAM So obviously she went as well, y'know! *(Laughs)* A bit of hard luck, but I would've rather Denise stayed but she got

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Continuation Sheet No 34

Tape counter times	Person Speaking	Text
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her future, she got her own pub and she's happy. And then I've got Louise so, okay, it sounds a lot in three months, but I've also got Sally CURRY back working there, she comes in one or two nights a week.

PC COOK So she just does occasional work?

ADLAM Yep, yep.

PC COOK But she was working on the night in question?

ADLAM She was working on the night in question because we had the Motown function on which you've got a 120 people.

PC COOK Yes.

ADLAM So you need three bar staff.

PC COOK Okay. Are you aware of an anonymous complaint that was made to the borough council licensing department in February of this year? Has that been drawn to your attention?

ADLAM What was it about?

PC COOK Well, it was about a number of issues. Because I know this was drawn to the attention of Roger WYBORN,

ADLAM Yep.

PC COOK Who's on your committee, isn't he?

ADLAM He is.

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Continuation Sheet No 35

Tape counter times	Person Speaking	Text
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PC COOK This was drawn immediately to his attention on the 18th of February and hopefully he, did he not draw it to your attention?

ADLAM He probably did, but what, what, give me a clue. What are you talking about?

PC COOK Well, if I read this out.

ADLAM Once you start it, I can finish it.

PC COOK Okay. The author says "I write on behalf of concerned members of Hillview Social Bar in Hatherley as we think they should have their licence removed. On Saturday, the 6th of February, there was a fight between two members where one member was knocked out in the entrance joining the library, which was witnessed by members of the public. An ambulance attended but the police should've been called. It's disgusting that this behaviour..."

ADLAM I've heard about that one. Yes.

PC COOK She goes on to say, or he or she goes on to say "It's disgusting that this behaviour being allowed in a public place putting people who use the library in danger. The two concerned were, I have found out, were Shane and Warren EVANS, and they were very drunk and should not've been

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Continuation Sheet No 36

Tape counter times	Person Speaking	Text
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served in the first place. How can this be allowed to carry on is what we want to know, as we are decent members having to put up with a load of idiots running the place who have turned the place into a drinking den for louts. People who work the bar are not experienced enough to run it, and do not know what to do when someone comes in drunk. They just serve them without thinking what can happen and there are too many drunks coming in knowing they will be served. Last week a Pat ELLIS stood in the bar and urinated as he was so drunk, but he was still served after this. We also know that the Chairman's wife, who is also Secretary of the Committee, assaulted a member in the bar. This was caused due to the fact that the member had made a complaint about the Chairman's daughter being allowed to drink alcohol in the club even though she's only fourteen years old. This has happened several times before and although members complain, the Committee just do what they want and take no notice of us decent members. She's been cautioned by the police but will be allowed back in the club at the next yearly membership, which is April the 1st. They should not be allowed to run the place like this, and

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Continuation Sheet No 37

Tape counter times	Person Speaking	Text
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something needs to be done about it. There is talk that the association has very little funds left, which would mean that the social bar has to close and we think this would be best for all with all that's going on. There are separate committees, which is not allowed and is what's caused all the problems when the WILSONS ran it. Committee members use the bar as their own and smoking is allowed by the Chairman all the time in the premises that we do not agree with. Also illegal tobacco and cigarettes are sold on the premises. Can you please do something to stop this rot, or we are sure there'll be further trouble very soon as the idiots who run it are not interested in the user groups who make full use of the hall facilities and rely on its use, those being the senior citizens, playgroup, etcetera. Somebody will get hurt if nothing is done, and we think it should be closed for the safety of everyone, and the committee is not interested in making it a place for the community to use, just a convenient drinking hole for a load of drunks to ruin. We're not giving our names as some of us have had threats. We hope that you can do something, hopefully withdraw

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Continuation Sheet No 38

Tape counter times	Person Speaking	Text
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the licence". Now, seems quite ironic that in this letter which is anonymous, which is...

ADLAM Yeah, know so many names.

PC COOK ... detailing their dissatisfaction with the way the premises are running, and this was dated in February, they actually say here, can you, "Somebody will get hurt if nothing is done". I put it to you that's exactly what has happened. Not just hurt, but actually has died as a result of bad management at the, at the premises.

ADLAM Well I don't think it was bad management. I, I, I cannot say that, as I said to you on this tape, Nigel at half-past-twelve was perfect. He was talking to people in the bar. And some of those incidents they're on about, the brother, the two brothers, I was working away when that happened, but what I was told they'd already left the premises and they were over the other side of the car park when they decided to have a go, and that's two brothers having a go at each other.

PC COOK My understanding was that it happened in the lobby.

ADLAM No, it didn't happen in the lobby. I was told that it didn't happen in the lobby. And as for them saying smoking's going on and things like this, that's a load of baloney. It's

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Continuation Sheet No 39

Tape counter times	Person Speaking	Text
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just people trying to close the club because... I dunno why.

You can come up the club any time, Mr Cook, I can assure you, and you will find that club is run very well as far as I'm concerned. I would not stop anybody coming into that club.

PC COOK Well, I put it to you that it wasn't particularly well-run on this evening when Nigel was allowed to consume alcohol to the point of collapsing and never regaining consciousness.

ADLAM *(Pause)* I don't know how many he had that night. I mean, you're telling me how many he had. But what I, all I've heard from people is that he had four or coupla pints and four shorts.

PC COOK One thing you are aware of is that you, that I had a meeting with Louise HINGLEY when she took over as DPS. I met her on the 23rd, Tuesday the 23rd of February, at the police station, I summoned her here for a meeting, which took over an hour.

ADLAM Yep.

PC COOK And she brought her husband with her too.

ADLAM Yep.

PC COOK And I voiced very strongly to her at that time my concerns about the way the premises were being run and made it

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Tape counter times	Person Speaking	Text
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March, our concerns about the way the premises were being run, and that there were issues that needed to be addressed promptly.

ADLAM Which we have addressed.

PC COOK Okay, tell me what you did to address the problems after that conversation that I had with you on the phone.

ADLAM Right. We've had notices in the bar. I've reiterated, I've reiterated with everybody... no going outside with glasses, etcetera. Basically smoking we've moved them to the one side because we had complaints that if the library was open but nine times out of ten my, the customers of the club are there after the library is closed anyway. We've also informed bar staff if people are drunk you refuse them drinks, so that's in their hands. And I've had words with people. Y'know, just basically control yourself. If you've got any problems come to me and we will try and sort them out. But obviously some people won't even talk, they just write sending letters.

PC COOK You said that you've spoken to bar staff...

ADLAM Yes.

PC COOK ... and asked them to stop serving somebody who's drunk.

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Tape counter times	Person Speaking	Text
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ADLAM Anybody who's drunk, or appears to be drunk, I've told them they refuse to serve them.

PC COOK Which bar staff did you speak to?

ADLAM I've spoken to Rob CURRY, I've spoken to Craig EAST, and Sally knows anyway because we all discuss it, and Sally will not serve anybody when they're drunk. She totally refuses to serve anybody if they're drunk, they've had enough and that's that.

PC COOK You've spoken to Rob CURRY specifically on that point? About that?

ADLAM Yes! I've said no, you do not serve people when they're drunk.

PC COOK And you've said the same to Craig EAST?

ADLAM Yeah.

PC COOK Where and when did that instruction take place?

ADLAM Oh, this is after you, well, I've told them from the beginning when they've been working with us, but also when you phoned me up I reiterated with staff. Y'know, talking to them at the bar when I've gone in on a Friday and Saturday, and they know that they do not serve people who are drunk! And that's the way it is!

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Tape counter times	Person Speaking	Text
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PC COOK Okay, now just tell me in relation to Sally, did you say you haven't spoken to her about...?

ADLAM I haven't spoken to Sally because Sally will turn round in front of anybody and say "You've had too many, you're not having any more".

PC COOK You've seen her do that?

ADLAM Yes. I've seen her do it on a couple of occasions.

PC COOK And she is a professional licence holder as well?

ADLAM Yep.

PC COOK Since that time, in fact on the 12th March, Councillor WYBORN, Roger WYBORN, again raised concerns with the council over the way the premises were being run. Did, were you aware of that?

ADLAM On what?

PC COOK On the general way in which the club was being run. He wasn't happy that it was being run in a proper way. Were you aware of that? Has he raised those concerns with you?

ADLAM He's raised a couple of things, but I'm trying to think what, what he was trying to say... I mean, he's had, y'know, he said he's had complaints from people.

PC COOK Yes.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 44

Tape counter times	Person Speaking	Text
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ADLAM From outside people. Now I've tried to prove to people what, we haven't done anything wrong on that aspect. We try and run a tight ship.

PC COOK So you think his fears were unfounded.

ADLAM Yeah, we try and run a tight ship, I mean.

PC COOK D'you think his fears were unfounded?

ADLAM No, I don't think he was well-founded. Because I think people have, have a go, and we've tried everything that's been brought up, we have tried and I know *[tape buzzer]* we've tried to the best of our ability.

PC COOK Okay, now it's getting near the end of the tape so I'll have to put another tape in.

ADLAM Right.

PC COOK So the time is now 1348 and I'll turn the tape machine off and put some new tapes in, okay?

ADLAM Yep.

TM

SDN ROTI Contemporaneous Notes Index of Interview with VW Visually Recorded

Person Interviewed NORMAN ADLAM

Place of Interview CHELTENHAM POLICE STATION

Date of Interview 30TH APRIL 2010

Police Exhibit No

Number of pages 30

Signature of interviewing officer producing exhibit

Time commenced 13:50

Time Concluded 14:23

Duration of Interview 33 MINS

Tape Reference No's 04039a/10

Audio Tape Reference Nos:

Visual Image Ref. Nos:

Interviewing Officer (s) PC 417 COOK

Other persons present KINGSLEY THOMPSON, CHELTENHAM POLICE LICENSING DEPARTMENT

Tape counter times	Person Speaking	Text
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PC COOK	This interview is being tape recorded. This is a continuation of an interview that had to terminate to change the tapes, put new tapes in. This form explains what happens to the tapes at conclusion, you will be supplied with one as I mentioned earlier, and still present are PC Andy COOK interviewing...? Can you give...
ADLAM	Norman ADLAM.
PC COOK	And also present is?
THOMPSON	Kingsley THOMPSON from Cheltenham Police Licensing Department.
PC COOK	Norman, I need to remind you at the continuation of this interview that you're entitled to legal advice if you wish. Are you still happy to continue without legal advice?

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 2

Tape counter times	Person Speaking	Text
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ADLAM And that any, anything that is brought up we try and address it. But I cannot stop people stirring and not even putting their names to things.

PC COOK How much does the committee have to do with the running of the bar itself, the club area?

ADLAM Club area? Basically it runs itself with, with our bar manager, which is Rob CURRY. Sally, Sally who's behind there, Craig who's behind there, Liz does all the wages and the tax and the VAT.

PC COOK Yes.

ADLAM And basically I don't, I don't do a lot behind the... only if they wanna helping out, then I work voluntarily behind that.

PC COOK How often do the committee go into the club?

ADLAM Uh, usually about once every four to six, six weeks. You get, I'm usually there on a weekend on a Friday and Saturday night for a couple of hours, a few hours.

PC COOK Yes.

ADLAM I think Sheila MARSH and Tim occasionally go up there in the week and have a drink, y'know round about six o'clock, seven o'clock. Lillian HARRIS usually uses the club on a Friday night, say. Y'know, for a coupla hours with her, if

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 3

Tape counter times	Person Speaking	Text
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she's got her granddaughters and all with her. They come in but then they have to leave at nine o'clock.

PC COOK

Yes.

ADLAM

Y'know. Paul probably goes up there on a Thursday when they've got the pool, cos he's part of the pool team.

PC COOK

So is there anyone of the committee...

ADLAM

Roger WYBORN we very rarely see cos he's too busy being a councillor.

PC COOK

Do any of the committee go up on a Saturday evening ever?

ADLAM

Yeah, I'm usually there on a Saturday.

PC COOK

You're there usually?

ADLAM

Yeah.

PC COOK

Actually in the club house?

ADLAM

In the, in the club itself having a drink.

PC COOK

Okay. But on this occasion you weren't because you were tied up with events at the back?

ADLAM

Well, I usually... No, I was doing the do and I never even seen him come in. Y'know, that's what I say, because I was in a separate area.

PC COOK

Now you've appointed Louise HINGLEY as the DPS?

ADLAM

Yep.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 4

Tape counter times	Person Speaking	Text
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PC COOK	How often does Louise visit the premises?
ADLAM	Louise is there virtually every day.
PC COOK	Okay. You see I've received information to say that the committee does not allow her to have anything to do with the bar.
ADLAM	<i>(Laughs)</i>
PC COOK	Tell me about that.
ADLAM	Right. What it is, Louise runs the bar.
PC COOK	Yes.
ADLAM	Whatever that letter is, the money and the wages and things like that are sorted by Liz DORLING.
PC COOK	Yes.
ADLAM	Because I don't think Louise could do the VAT and the tax and... so that's why she has that, not that she is not allowed anything to do with the bar even though it's her licence. She <i>is</i> allowed. Her voice tells.
PC COOK	Does it?
ADLAM	<i>(Emphatically)</i> Yes. Because I've passed that on to members of the bar staff as well. Louise is the licence holder and this is what we do for Louise. But what

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 5

Tape counter times	Person Speaking	Text
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somebody's trying to stir there is, well, to me, is basically Liz does the wages and the money side of that.

PC COOK Okay. D'you think that Louise has got a grip of things since she's been DPS?

ADLAM I would think she's *getting* a grip. She needed help which I tried to give her as much help as I can. Y'know, because she, she is quite a shy person Louise. And I think somebody really overpowering could probably overpower Louise rather, y'know, unknowingly.

PC COOK Okay. Can I change tack slightly, Norman,

ADLAM Yep.

PC COOK And show you the signing-in book now.

ADLAM Yep.

PC COOK A copy of it anyway. That's a copy of the signing-in book that Liz DORLING brought in for us a few days ago.

ADLAM Yep.

PC COOK And you can see the date here, the name here.

ADLAM Yep.

PC COOK This is supposed to be an address column?

ADLAM That's in the book, should be, yes.

PC COOK Mm-mm.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 6

Tape counter times	Person Speaking	Text
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ADLAM		Yes, yes.
PC COOK		If you check the book.
ADLAM		Yep.
PC COOK		This is a photocopy of it.
ADLAM		Right.
PC COOK		You can see there's no address listed for the first eight or so people there,
ADLAM		Right.
PC COOK		and then going on down the page there's nothing at all there either for... ten. One, two, three, four, five, six, seven, eight, nine there with no address whatsoever.
ADLAM		Right.
PC COOK		The next person their address is put down simply as Gloucester, the next one's purely Scotland.
ADLAM		Yep.
PC COOK		The next one's Cheltenham.
ADLAM		Yep.
PC COOK		Then the next page, no addresses whatsoever. There's no reference to the member that signed them in.
ADLAM		Right, they should all do that.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 7

Tape counter times	Person Speaking	Text
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PC COOK		Okay? On any of these pages there isn't reference to who's signing in. On the third page we've got simply Hatherley, ditto, Hatherley, ditto, Rowanfield, Hatherley, Hatherley, Wardenhill, Churchdown, ditto.
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ADLAM		Right.
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PC COOK		Okay?
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ADLAM		Tell the truth I haven't looked at that signing-in book cos I haven't signed anybody in for... years. But they should put their...
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PC COOK		Then on the next page, Hatherley, ditto, ditto, ditto, down to Gwernant Road to here, which is the first, first, it's not even a complete address, but at least we have road name here, Winchester Way.
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ADLAM		Yep.
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PC COOK		On the twenty-second of the eighth, 09. The first person to actually put their road name in, and then the following person, Mr Carr, Mr and Miss Carr, whoever that is, puts their name, the name of the road in again as Gwernant Road, but actually not quite a complete address. And then the next page again we're back to Hatherley or absolutely nothing.
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Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 8

Tape counter times	Person Speaking	Text
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ADLAM	Yeah.
PC COOK	Same again on the next page. Kidderminster and so on. County Durham, St Helens. Burrow in Cumbria.
ADLAM	Yeah, that's Dave WHITE, that's, that's the one I...
PC COOK	Oh, that's you signed that person in.
ADLAM	Yeah, Dave WHITE. He used to be a member of the club but he moved up to, up to Barrow.
PC COOK	You, you've actually signed this book,
ADLAM	I've signed.
PC COOK	But you've failed to put an address on it properly.
ADLAM	I did, yes. I did. I apologise for that one, I'm guilty on that one, because he has actually applied for a membership again, so.
PC COOK	So these are the club members' signatures here, are they?
ADLAM	Yes. Should be.
PC COOK	Would you be able to tell who they were?
ADLAM	Nope.
PC COOK	No.
ADLAM	No, that's why you should be printing shouldn't it, because I...

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 9

Tape counter times	Person Speaking	Text
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PC COOK Now I happen to know that in addition to this there are people that have been visiting the club who have not been asked to sign in.

ADLAM Well, I don't know anything about that.

PC COOK Well I can tell you that is the case.

ADLAM Yep. Well people should all be, always... I've said to bar staff if you spot anybody who's a so-called stranger or you don't recognise their face as a member, then you ask them for their membership card or they have to be signed in by a member.

PC COOK Okay.

ADLAM That's the rule I lay down. So if there's people getting in that club and haven't been signed on then somebody's doing the wrong job.

PC COOK Okay. Thank you. *(Pause)* So, I put it to you again Norman, that what we're seeing here is signs of things being run in a slightly sloppy way,

ADLAM Mmm.

PC COOK In relation to the signing-in book,

ADLAM Signing-in book, right.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 10

Tape counter times	Person Speaking	Text
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PC COOK In relation to people being served alcohol and too much of it, and not being run in the way that it ought to be conducted.

ADLAM That's fair enough on the signing-in book, I plead guilty on that one.

PC COOK Yes

ADLAM But as for alcohol, people go out and drink and they come to our club, say on a Friday and Saturday, and as I've explained before one man can drink four pints, one man can drink ten pints. And what would you class as a social night? Because some people say two pints, but would you go out for two pints of beer?

PC COOK Right, I don't think that's the question. The question is, what do we class as somebody who's drunk. And there's a very clear definition of that, and that is that someone perhaps has the smell of intoxicants on their breath because they've been drinking alcohol, their breath smells of alcohol, their eyes are glazed, their speech is slurred, they'll be talking nonsense or even worse, that'll be the next stage but their speech is slurred, and then they're beginning to get

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 11

Tape counter times	Person Speaking	Text
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unsteady on their feet. That is the definition of somebody's who's drunk.

ADLAM Yep.

PC COOK And I put it to you that actually, for quite a long time, people have been frequenting the club being served alcohol in sufficient quantities to put them into that state. Regular drinkers.

ADLAM Regular drinkers? Umm, I would say they probably do get tipsy, but then they go home and no trouble. No trouble whatsoever.

PC COOK Okay, so they get drunk, but they get home safely.

ADLAM Well, I wouldn't say drunk. I'd say tipsy. Everybody goes out to have a bit of fun.

PC COOK Right.

ADLAM I've never had anybody going mad and fighting, y'know, through drink in the club, and they've just gone out, enjoyed theirselves and gone home.

PC COOK You mentioned earlier that you thought it was perfectly possible that Nigel could've been served more alcohol whilst being drunk because somebody else could've bought it at the bar for him.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 12

Tape counter times	Person Speaking	Text
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ADLAM Yep, well, if you're, when you're playing that sort of game as I explained to you earlier, if you lose the game, then you buy the drink. If Nigel didn't, if Nigel didn't actually lose a game he wouldn't have got served that drink. Because he wasn't the one standing at the bar to get it.

PC COOK Mmm.

ADLAM Now I don't know where they were positioned in the bar when they were playing this game, because as I said I was in the other room. If he was stood at the main bar then somebody might have seen him in a state, but they were serving 120 people. The other side as well, so he was probably rushed up to here...

PC COOK Well I can answer the question cos the whole group playing spoof was standing alongside the bar actually.

ADLAM Right. That's fair enough.

PC COOK And although Nigel didn't make a purchase, others in that group clearly did.

ADLAM Right.

PC COOK But are you aware that it's an offence for a person to serve alcohol to an individual who is not drunk if that drink is being passed on to someone that is?

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 13

Tape counter times	Person Speaking	Text
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ADLAM	No, I didn't know that.
PC COOK	You didn't know that?
ADLAM	I didn't know that.
PC COOK	You didn't know that a bar person commits an offence if they serve a certain person and then that's passed to Nigel when he's drunk.
ADLAM	I, I, I know... I thought it was that you knowingly serve a drink to somebody who is drunk then you're responsible if you serve behind that bar.
PC COOK	Okay, well the responsibility goes much further than that.
ADLAM	Yep.
PC COOK	There's a responsibility on the stewards, bar staff, and obviously on the management to ensure that not only is it not served to an individual who is at the counter and buying the drink,
ADLAM	Yep.
PC COOK	But also that there's not consumption by drunks on the premises.
ADLAM	Mmm.
PC COOK	So there's a duty to monitor what's happening in the premises and not solely at the bar.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 14

Tape counter times	Person Speaking	Text
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ADLAM	Right.
PC COOK	Okay.
ADLAM	I get you.
PC COOK	Now, do you think that responsibility has been fulfilled in the premises? Probably not from your lack of knowledge about it.
ADLAM	No, no. By the way you sound it, I would say no. Y'know, that's all I can say is I didn't know that, y'know, you could buy it and basically, you're playing a game. It's a game.
PC COOK	Have you ever tried to stop that game?
ADLAM	No, because nobody's ever got, nobody's ever got drunk. It's a bit of fun.
PC COOK	Nobody's ever got drunk through that game?
ADLAM	Well, they got tipsy but not... What you play is.. normally you might have three or four people playing, and that's it. Everybody completes a round, then the game's over. And that's what you do.
PC COOK	Okay.
ADLAM	You don't just keep on going at it. Because, it's only for a pint of beer, or sometimes they play for shorts, and.
PC COOK	Do the staff ever join in those games?

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 15

Tape counter times	Person Speaking	Text
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ADLAM	No.
PC COOK	Never?
ADLAM	No.
PC COOK	Not the bar staff?
ADLAM	No, not while they're working.
PC COOK	Okay.
ADLAM	Y'know, they have, I have seen Sally play the other side of the bar,
PC COOK	Yes.
ADLAM	when she's not working.
PC COOK	When she's off duty.
ADLAM	Y'know when she's off duty, yeah.
PC COOK	Okay.
ADLAM	But I don't know about Rob, I don't think Rob plays it. Rob doesn't like spending money!
PC COOK	Are you aware of recent changes in legislation that forbid the playing of games concerning alcohol in a bar?
ADLAM	This, this is what I was gonna ask you about. What, spoof, I can understand cards and stuff like this, but spoof is a game of basically no money's changing hands. You actually, whoever loses, buys their friends a drink.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 16

Tape counter times	Person Speaking	Text
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PC COOK	Okay.
ADLAM	So is that illegal then?
PC COOK	Well, if the game is arranged between customers, no, providing of course that the drinks are not continuing to be served to drunks, as we discussed just now. But what is illegal is if the staff or management of the premises get involved in that game at all.
ADLAM	No. They do not.
PC COOK	So that doesn't happen?
ADLAM	No. Not while they're working. No way.
PC COOK	It would be very wise to stop those games or try and deter them happening.
ADLAM	Yep. Because...
PC COOK	Because of the risks involved.
ADLAM	Yes. I agree with you.
PC COOK	The risks of people consuming more alcohol than they might otherwise do, which I think is what's happened here. And also risks of the management, or rather the bar staff, being involved in serving drinks indirectly to people who, who've had too much to drink.
ADLAM	Yep.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 17

Tape counter times	Person Speaking	Text
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PC COOK I think we probably both agree that those sort of games encourage people to drink more than they might otherwise do.

ADLAM Yep.

PC COOK And this particular game finished up with a double rum on the fifth round.

ADLAM That I did not know. What is the difference then if somebody's stood at the bar and I buy you a double vodka, and then you turn round a buy me a double vodka?

PC COOK Well, as long as both people consuming the drink are sober, there's no issues.

ADLAM Yep, yep.

PC COOK That's not a problem.

ADLAM That's it.

PC COOK The questions comes in whether somebody's drunk.

ADLAM Yeah.

PC COOK If we go up to the bar together and I'm drunk and you're sober and you buy, or I'm sitting at a table over there and I'm drunk,

ADLAM Yeah.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 18

Tape counter times	Person Speaking	Text
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PC COOK If you go up to the bar sober but ask for two drinks and you bring one back and give it to me,

ADLAM Yep.

PC COOK Not only does the bar person serving commit an offence by selling that drink,

ADLAM Yep.

PC COOK which is not destined for you, it's destined for the person there who's drunk,

ADLAM Yep.

PC COOK But also that you'd be committing an offence by buying and then giving it to him.

ADLAM That's it. Because with the game of spoof, everybody's stood up playing that game in a little circle,

PC COOK Yes.

ADLAM Amongst themselves. They don't, they don't give it to anybody, no Joe Bloggs on the other side,

PC COOK No. It's just within that circle.

ADLAM It's just within, just the circle who are playing.

PC COOK But if one of that circle is drunk, the person who's buying that round and is then supplying it to that drunk is also committing an offence. Were you aware of that?

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 19

Tape counter times	Person Speaking	Text
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ADLAM	No.
PC COOK	Okay. What oversight, leadership or management, do the committee give to the bar? D'you think that it's been adequate in the past?
ADLAM	Um. In what way?
PC COOK	Well, monitoring the way the premises are run.
ADLAM	Mm.
PC COOK	D'you think that's been adequate in the past?
ADLAM	Sometimes it's been a bit shaky, but me and the committee, what I've been in charge with, have tried to address any problems we've had, and I would hope that it is a better run bar.
PC COOK	What training have the bar staff had?
ADLAM	In what aspect?
PC COOK	Any training.
ADLAM	Any training? Well, Rob's done first-aid.
PC COOK	Yes.
ADLAM	Um, Sally obviously went and done her own training and that, and Craig is just an assistant who helps us out coupla times a week.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 20

Tape counter times	Person Speaking	Text
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PC COOK What training have any of the bar staff had specifically on licensing issues, the Licensing Act? These issues... this issue of serving alcohol to under-agers, or serving to drunks and so on, what training have they had on that?

ADLAM I don't think they've had any then. Y'know, bar, bar Sally CURRY. I would presume her being a licensee, when she was running a pub and stuff like this, she, she knows all that, and we've got the actual thing at the club, what you can do and what you can't do.

PC COOK What's that?

ADLAM It's a list. Well, yes, we've got a list there of, y'know, basically serving alcohol to drunken people and stuff like this.

PC COOK That's on the wall, is it?

ADLAM Yep.

PC COOK Behind the bar?

ADLAM Yep.

PC COOK Okay. On that evening in question you got three people behind the bar, one of whom is Sally CURRY,

ADLAM Yep.

PC COOK the personal licence holder.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 21

Tape counter times	Person Speaking	Text
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ADLAM	Mm.	
PC COOK	Is she in charge? Who's in charge?	
ADLAM	No, Rob's in charge.	
PC COOK	Rob's in charge?	
ADLAM	Yes.	
PC COOK	Even though he's not a personal licence holder?	
ADLAM	Even though he's not... He's head barman. How this come about is basically I was Chairman of the committee, Darren was Vice-Chairman, so I said to Darren you look after the bar side of it,	
PC COOK	Yes.	
ADLAM	which he did. And then when Denise left I said well, what we gonna do? I said, are we gonna apply for another steward or what? And he said 'give Rob a chance', as head barman. And we've left Rob to do it and he's done quite a good job, y'know, working behind the bar, and. He has refused to serve people, he has told people that, y'know, he's a responsible lad, I'd say.	
PC COOK	Responsible lad but no proper training?	
ADLAM	No proper training as such, no. Because I want him to go for his, go for the training course but he's trying to get an	

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 22

Tape counter times	Person Speaking	Text
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apprenticeship at the moment? So if he gets that apprenticeship, if not he wants to go and be a licensee.

PC COOK
 Okay. Are you aware that, with a members club, the responsibility for running the premises in a fully responsible manner rests not with an individual as with a pub, where the manager and a licensee DPS is in charge, but with a club that the responsibility is shared by the committee as a whole?

ADLAM
 Yes, I've been told that, that we all share, that we all share responsibility.

PC COOK
 Okay. D'you think that that has been adequately, you've adequately exercised those functions of responsibility?

ADLAM
 Yes, I think we have. I think we have.

PC COOK
 You think there's, apart from the training aspect which you admit is lacking, you think that you've adequately monitored it, supervised it, dealt with the concerns that we've related to and that the council have related to the club in the past?

ADLAM
 Yep, yep, yep. I think we've done that quite well, and we've, we have got on top of a lot of things. I, as I say before, I cannot stop people sending the letters but I've

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 23

Tape counter times	Person Speaking	Text
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tried, I've tried my damndest and so's the committee tried their damndest to get that club back together and up and running in a reasonable way. And I think that's what we've done.

PC COOK So if we assume that the staff have served Nigel alcohol to the point of being beyond drunk to the point where he collapses, whose feet would you rest the responsibility of that at?

ADLAM Well, I wouldn't because Nigel, as I said, was standing up and at five-to-one he was still standing up. And then he just fell down as though... and we presumed he'd just gone to sleep. So I wouldn't put any blame down to anybody, because you're telling me he had so many drinks...

PC COOK Twelve drinks.

ADLAM Yep. But that wasn't on our premises was it?

PC COOK Well, the last eight were.

ADLAM Well. That's what you're telling me, so I've gotta believe that. But he wasn't untowards.

PC COOK He certainly wasn't drunk when he arrived, but I don't think there's any argument that he was drunk when he left.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 24

Tape counter times	Person Speaking	Text
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ADLAM As I said, I never seen the gentleman until half-past-twelve and he was stood there talking to somebody else. He wasn't speaking to me personally. He was at the bar, talking.

PC COOK Let's assume that he was served alcohol to the point of being drunk and collapsing, whose feet would you put the responsibility for that at?

ADLAM I would put the person who served him the drink. Because they've been told you do not serve drunken people.

PC COOK You don't think the committee shares any responsibility for that?

ADLAM We employ the, okay, yeah. So we, we do but when, you cannot be there twenty-four hours a day. It's like I work away. I can't be there when I'm working away to tell people who know in theirselves they cannot serve somebody being drunk. Now I have to leave that to somebody's responsibility in their own person. When you think somebody's had enough, that's it. I can't be stood by that bar twenty-four hours a day, can I?

PC COOK Okay. I think, I think now that I've asked, asked you all the questions that I wanted to ask you, and we've obviously covered quite a lot there. And I guess that you will, if the

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 25

Tape counter times	Person Speaking	Text
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bar re-opens, put in some place some, some changes to the way that the premises is run?

ADLAM Yes. I'm having a meeting tonight.

PC COOK Okay. What sort of changes would you, d'you anticipate putting in?

ADLAM Well, I'm gonna get all the bar staff together in on this meeting. Nobody will be served if they *appear* to be drunk. Not drunk, but *appear* to be drunk. That way I cut that out straight away, so if somebody comes to the bar or even if they're in the club if, I've got that there like you say, if I see that situation or the bar staff see that situation I will get that printed up behind the bar, wallop. And it will also be against the bar so the club members can see it as well.

PC COOK Okay. D'you think you might have quite a challenge shifting regular behaviour, regular customers from quite a, from being quite severe drinkers, actually, and running the risk of a repeat incident possibly.

ADLAM I know what people will do. They'll see that at the club and they'll say right, okay, they'll come in the club, they'll have a few beers, then they go over The Greatfield. They'll say

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 26

Tape counter times	Person Speaking	Text
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stick your club. So I say, fine. That's, that's how it's gotta be.

PC COOK Well, that, it'll be them that become the...

ADLAM Correct.

PC COOK ... responsibility of The Greatfield to refuse them, won't it?

ADLAM But that's what I'm gonna implement, implement tonight. We've got a meeting tonight and my bar staff'll be there as well and all the committee. And this is what will be implemented.

PC COOK Mmm.

ADLAM And then if people do that then it's on their own head then. Because this is not, to me that was an accident and I do feel sorry for Nigel cos Nigel was a personal friend of mine, I've known Nigel for years, and I am not, I'm gonna go into that situation that you don't get drunk or tipsy, you basically if you appear to be you've had too many then you won't be served in the club. And if you walk into the club in a tipsy situation you will be refused a drink anyway. And that's the best I can do to my ability.

PC COOK Yeah. Right, okay.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 27

Tape counter times	Person Speaking	Text
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ADLAM But the bar staff will be told *in no way* will anybody be served, and the game of spoof will be stopped.

PC COOK And you're going to be tightening up on the membership...

ADLAM And I will be tightening up on the memberships because obviously, yes, I do plead guilty of that because it's a long time since I looked in the book. As you say, I've even done it myself, Barrow-in-Furness, Mr Dave WHITE, yep.

PC COOK Okay. Is there anything else you want to say Norman, cos I know I've had quite a long interview with you there?

ADLAM No. It's...

PC COOK Nothing else you want to say at this stage?

ADLAM No, I, no. All I can do is apologise for mistakes that, we have made a few by the looks of it, but I will there again go and tighten these things up, tighten them up even more and what I thought I was doing a good job, but obviously I'm not doing a good job so then somebody else can take over and hopefully they can do a good job. But I will implement to whoever's taking over that this is the way it's gotta be.

PC COOK Okay, so you're standing down.

ADLAM And I will pass on my years' experience so hopefully it will help, help the next person out.

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 28

Tape counter times	Person Speaking	Text
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PC COOK		Okay.
ADLAM		And knowing, y'know, if you got any problems then these are the sort of people you can ring up and hopefully get some advice off people.
PC COOK		Okay.
ADLAM		Yourself included in that. I hope you don't mind if I say to the next chairman that he can ring you and...
PC COOK		No, not at all. Not at all. It's imperative that any licensed premises is run properly.
ADLAM		Yep. Yep.
PC COOK		And that people are not allowed to be served to the point of being drunk, and certainly not to the point of being unconscious. Now as a member of the committee, I need to tell you that you will be reported for consideration for the question of prosecuting you for the offence of allowing a person to be served with drink when they're already drunk.
ADLAM		Mm-mm.
PC COOK		Okay. And I shall caution you and say that you do not have to say anything but anything you do say will be noted down and may be used, may be used in court. Is there anything else you want to say in relation to that?

Record of Tape Recorded Interview NORMAN ADLAM

Continuation Sheet No 29

Tape counter times	Person Speaking	Text
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ADLAM Nope. No, I... Yeah. To me I didn't knowingly know that he was drunk because as I say at half-past-twelve he was stood there talking. So, I don't think I have a charge to answer on that one because I don't think he was drunk at that time, but that's up to other people to decide.

PC COOK Okay, fair enough. Okay, well the time is now, what is it, 14:23, and I'll turn the tape machine off.

TM

Date: 27/4/10 Station/Branch: Cheltenham

Interview of Louise Ann HINGLEY

URN 53

Age: 36 Date of Birth: 28/2/74

Police Exhibit No:

Officer conducting interview: Pe 417 Cook

Number of pages: 11

Other persons present:

ASCAN

Signature of interviewing officer producing exhibit

Location: Cheltenham Police Station

Time commenced: 1540 hrs Time ended: 1705 hrs

Q

You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence. Do you understand?

Reply: Yes.

Q

You are not under arrest and you do not have to remain here with me. Do you understand?

Reply: Yes

Q

You are entitled to legal advice. You may consult with a solicitor or legal advisor either in person or over the telephone. Do you wish to have such a consultation? (The reasons why the interviewee declines legal advice must now be recorded).

Reply: No, (I'm happy to state my case.)

(If the interviewee is attending voluntarily at a Police Station and asks about their entitlement to free legal advice, they must be provided with a copy of form D4A.)

Signature(s): L Hingley

Person Speaking	Text
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Q.

You are the Designated Premises Supervisor for the Hillview Social Club, which holds both a Premises Licence and a Club Certificate?

R

That's correct.

Q

You are also a member of the Committee of the Hillview Community Association, which effectively operates the premises?

That's correct. I'm the Secretary of the Association.

Q.

Are you aware that a member of the club named Nigel Russell died last weekend on Sunday 18th April 2010 following him spending the evening at your premises?

R

Yes, I'm aware of that.

Q

Were you present at all at the Club on the evening of Saturday 17th April?

R

I wasn't, but I came in the night before, the Friday, with my husband John, to check that everything would be OK for Saturday. I wasn't feeling particularly well at the time.

Q

Who worked behind the bar on Saturday evening?

R

Sally Curry, who is a Personal Licence holder, Robert Curry who is Sally's son, and I'm not sure

Signature(s):

L Hingley

Person Speaking	Text
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who the third one was, but there was definitely 3 behind the bar. Craig ~~was~~ was due to go on holiday but I don't know if he did or not.

Q You have been the DPs and, I presume, on the Committee for several weeks, as you became the DPs around mid February. Is that correct?

R Yes.

Q ~~Hi~~ What have you done in your capacity as DPs and Committee member since that time to ensure the Club is being run responsibly?

R We put posters up in the bar about 'No drinks outside', and the previous allegations of people getting drunk, underage drinking and unruly in the bar were put on a Notice and put on display in the bar for members to see.

Q When was that done?

R The weekend after I came to see you at the Police Station.

All the bar staff were told individually on the Saturday morning after the meeting at the Police Station about the allegations, problems and so on. They were told by the chairman Norman Adam to ensure that they were doing their job properly.

Signature(s):

L Hingley

Person Speaking	Text
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This included, as far as I know, making sure that people who were drunk were not supplied with more alcohol. These one-to-one interviews took place in the Hall of the Club. I was in the building at the time but not in the interviews. I saw the staff coming and going.

Q What staff did you see being interviewed?

R Robert & Sally. Craig had just had an interview as far as I know and was behind the bar.

Q Do you ever visit the Club on a Friday or Saturday evening?

R Yes, mostly Fridays.

Q Is that just quickly popping in or do you stay there for some time?

R I stay there for some time.

Q Do you monitor the bar staff?

R I check to see if they're doing the right thing.

Q Would you notice if they served someone who had already consumed sufficient alcohol?

R Yes.

Q Have the staff received any formal training regarding Licensing matters?

R I'm not sure.

Q You haven't trained anybody.

R No, I haven't.

Q Am I right in thinking the bar

Signature(s): L Hingley

Person Speaking	Text
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Staff includes volunteers?

R That's correct.

Q Who supervises them?

R Technically it's the Chairman, but I'm supposed to, being the DPS.

Q Would it be the case that some of the staff, volunteers possibly, working behind the bar have received no training?

R It's normally Norman who does the voluntary and Darren Henney used to but is no longer on the Committee, so he doesn't anymore.

Q So it's only members of the Committee who work behind the bar and not members?

R Only Norman at the moment.

Q So are Robert Sally and Craig all paid staff?

R Yes, they are all paid staff.

Q Who has authorised them to work behind the bar?

R I have authorised them.

Q Do you have written copies of that authorisation?

R I haven't got them on me but they have been authorised in writing.

Q You said that Sally holds a Personal Licence. How do you know that? Have you seen it?

Signature(s): J Hingley

Person Speaking	Text
R	She was a previous licensee at the premises so I've assumed that.
Q	You have authorised Robert and Craig but you have not trained them at all?
R	Craig already works in another Bar, the RAOB Club, so he knows how to work the Bar.
Q	What about Robert?
R	Sally trained him when she started here.
Q	How do you know that?
R	Because I was a member of the Club at the time.
Q	Are you aware that a game known as 'spook' is played at the Club on a regular basis?
R	Yes, I have heard about that?
Q	Do you know what it involves?
R	I don't really know to be honest I don't play games myself.
Q	Are you aware that the group who in which Nigel Russell was part of on last Saturday was playing spook?
R	Yes. Somebody told me.
Q	Are you aware that the members of that group drank considerable quantities of alcohol that night.
R	I'm not aware of that. No.
Q	I understand that Nigel consumed

Signature(s):

Hingley

Person Speaking	Text
	Alcohol at the Greatfield prior to visiting the Hillview and was then served later at the Club, then played snook which led to him being served a mix of at least 5 more drinks including Port and Rum, and he was served more alcohol after that. In total he consumed something in the region of 12 drinks.
Q	Are you aware of that?
R	No I was not aware of that at all, No
Q	Do you think that someone who consumes 10 or so pints/drinks should continue to be served more alcohol?
R	Absolutely not.
Q	Where would you set the limit?
R	3 or 4 pints to be honest.
Q	Nigel had just consumed about 4 pints in the Greatfield prior to visiting the Hillview, so are you saying the staff should have refused him more alcohol at that point?
R	Absolutely. They should have offered him soft drinks.
Q	Considering the staff continued serving him with more alcohol, where would you place the responsibility?
R	I don't know.

Signature(s): Hingley

Person Speaking	Text
Q	Do you want to add anything?
R	I wasn't there that particular evening - I wasn't feeling too well, was the I had been there I would naturally have told the staff to refuse him more drinks.
Q	I believe that this level of drinking is a fairly regular occurrence at the Club.
R	Not when I've been there.
Q	Are you aware that Nigel collapsed at the premises after consuming all that alcohol?
R	I've seen it on the CCTV footage, yes.
Q	Do you think that the staff should have called an ambulance?
R	Yes I do.
Q	Have they ever been trained what to do in the event of someone collapsing?
R	No, unfortunately not.
Q	I called you to the Police Station for a meeting which lasted for over an hour on Tuesday 23rd February, at which I stressed to you that the Police had concerns about the way the Club was being run and making it clear that you as DPS and as a Committee member were responsible for the way the Club was run.

Signature(s): Hingley

Person Speaking	Text
	I also warned you that should matters not be addressed properly and incidents occur which indicated the premises were not being run responsibly, that you would personally be held accountable. Do you remember that?
R	Yes.
Q	Is there anything you wish to add?
R	What I'd really like to say in my defence is that I wasn't there that night. I went in the night before to check everything was in place. If I had been there the event would never have occurred.
Q	Do you recollect that I told you at our meeting that you as DPS and the Committee were liable even when you were not there, and even if you were on holiday?
R	Yes.
Q	And that you were responsible for ensuring that staff working behind the bar were complying with your wishes and responsible standards?
R	Yes.
Q	Do you recollect that I stressed the responsibilities that you were taking on and the difficulties you faced in sorting things out with the help of the Committee, especially Norman

Signature(s): Miffey

Person Speaking	Text
	Adam whom I also spoke to.
R.	Yes. Yes.
Q	Do you think that you sorted out the problems that I stressed to you?
R	I've sorted out some of the problems; by raising awareness among members of low standards and the need to improve
Q	Have you ever considered closing the Bar?
R	I'm actually considering pulling my own Licence (as DPs) at the moment as I don't consider the standards are good enough. I'm even considering resigning from the Committee as I'm so disillusioned with it.
Q	Have you ever checked the Visitors signing-in book to see whether staff are all ensuring it is filled out correctly?
R	I've checked it a couple of times.
Q	No addresses are complete, and I know from having checked it earlier that other visitors have been there but they are not signed in.
R	All I can say is that in future the address will be complete and a proper contact number. I am not aware of visitors going into the Bar without signing in.

Signature(s):

Hingey

Person Speaking	Text
Q	Is there anything else at all that you wish to add to this interview?
R	No, I don't think so.
Q	You will be reported for consideration of the question of prosecuting you for offences in connection with members of the Club being served alcohol when they are already drunk.
R	What exactly does that mean?
Q	It means that the bar staff and those responsible for seeing the management of the staff will be considered for prosecution, for the offence of serving alcohol to persons who are already drunk.
Q	Would the Committee also be held responsible?
R	Yes they might.
	I have read the above record of interview and confirm that it is an accurate record. Hingley

Signature(s):

Page 11 of 11

SDN ROTI Contemporaneous Notes Index of Interview with VW Visually Recorded

Person Interviewed **ROBERT CURRY**

Place of Interview **CHELTENHAM POLICE STATION**

Date of Interview **6TH MAY 2010**

Police Exhibit No

Number of pages 39

Signature of interviewing officer producing exhibit

Time commenced **14:10**

Time Concluded **14:55**

Duration of Interview **45 MINS**

Tape Reference No's **4082/10**

Audio Tape Reference Nos:

Visual Image Ref. Nos:

Interviewing Officer (s) **PC 417 COOK**

Other persons present

Tape counter times	Person Speaking	Text
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PC COOK This interview is being tape recorded, I am PC 417 COOK.

If you could just introduce yourself please on the tape?

CURRY My name is Robert CURRY.

PC COOK Ok. Rob thanks for coming in before we, before I interview you I just want to caution you and tell you that you do not have to say anything, but it may harm your defence if you do not mentioned when questioned something which you later rely on in court. Anything you do say may be given in evidence. Do you understand?

CURRY Yes I do.

PC COOK You're not under arrest, so you do not have to remain here with me. Do you understand?

CURRY Yes

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 1

Tape counter times	Person Speaking	Text
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PC COOK	You are entitled to legal advice. You may consult with a solicitor or a legal advisor either in person or on the telephone. Do you wish to have such a consultation?
CURRY	No I don't.
PC COOK	Would you just tell my why you don't want legal advice?
CURRY	I, I just don't think I need.
PC COOK	You don't think you need it, ok. Now there's a copy of your rights. Although you're not under arrest you still have rights and entitlements and there's a copy of D4A, and I'll make sure that you get a copy of the tape at the concluding of the interview ok. Right, now Rob can you just give me your full name please?
CURRY	Robert Warwick CURRY.
PC COOK	Robert Warwick CURRY and your date of birth?
CURRY	14 th of April 1988.
PC COOK	And your address is?
CURRY	<div style="background-color: black; width: 200px; height: 15px;"></div>
PC COOK	Ok thanks. Now, you're connected with the Hillview Social Club. Can you tell me your role at the premises please?
CURRY	Bar staff, just Bar staff.
PC COOK	Bar staff. And under whose supervision do you work?

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 2

Tape counter times	Person Speaking	Text
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CURRY		The licensee, which is Lou HINGLEY.
PC COOK		Ok. And what experience have you got in the licence trade?
CURRY		Just from this one, from working in the bar. I've been there nearly two years now.
PC COOK		Two years. Have you ever under taken the BII course to qualify you as a licensee?
CURRY		No, No.
PC COOK		No. Have you undertaken any other training in relation to the role?
CURRY		No.
PC COOK		So when you started there you had no professional training at all.
CURRY		Oh, well to change barrels and the normal things – to change the barrel, to clean the lines (inaudible)
PC COOK		Yeah.
CURRY		And stuff like that but nothing professional, nothing leading to certificates or anything like that.
PC COOK		Who gave you that training? The practical arrangements.
CURRY		My mum and the licensee who was before that was... I can't remember her name... Denise...
PC COOK		Denise JEFFREYS-JONES?

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 3

Tape counter times	Person Speaking	Text
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CURRY		That's it.
PC COOK		Now your mum, of course, was the DPS for a while wasn't she? Was that during the period that you started and your mum trained you?
CURRY		Yeah.
PC COOK		Ok. Now your mum's also a personal licence holder of course, having been the DPS. Has she given you any training on the licensing side, licensing law?
CURRY		As in the rules of how to (inaudible) yeah, yeah she's told me everything I need to know basically. (Inaudible)
PC COOK		Ok, Well I'm glad you said so. When it comes to licensing law about what you can and cannot do, have you had any training on that at all? For instance you'd not be allowed to serve alcohol to an under eighteen?
CURRY		Oh yeah, yeah definitely, yeah she's told me yeah.
PC COOK		Ok. Do you know that in certain circumstances you can serve to a sixteen, seventeen year old?
CURRY		Not (inaudible) with a meal.
PC COOK		That's absolutely right with food with a meal with an adult buying it for them and so on ok. And are you aware it's an

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 4

Tape counter times	Person Speaking	Text
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offence for instance to serve alcohol to somebody who's drunk?

CURRY Yes.

PC COOK Who would have told you that?

CURRY My mum, the committee, the chairman, everyone I work with basically.

PC COOK Ok. Just tell me how the bar operates. I say that because I've been told that you are the Bar Manager?

CURRY They I, I do more hours. I refuse to be called a Bar manager 'cos I'm not a Bar manager. I do more hours, I clean the lines, I do the job but, I wouldn't class myself as a Bar manager at all.

PC COOK You were one of three behind the bar on the 17th of April and I'll come onto events that evening shortly. But you're one of three behind the bar. One was your mum, who I believe is a part-time volunteer perhaps, or in a paid capacity?

CURRY Yeah, yeah.

PC COOK Which? Volunteer or paid capacity?

CURRY She's paid, yeah.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 5

Tape counter times	Person Speaking	Text
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PC COOK	Just occasionally helps now I think doesn't she, she's dropped down from full-time employment?
CURRY	Yeah.
PC COOK	You're in full-time employment there?
CURRY	Just about yes.
PC COOK	How many hours a week?
CURRY	I do just about average 34 hours a week.
PC COOK	34 hours a week. And the other person with you on that night was Craig EAST.
CURRY	Yeah.
PC COOK	What's the situation with Craig? Is he an employee?
CURRY	Yes.
PC COOK	For how many hours a week?
CURRY	Average ten to twelve hours.
PC COOK	So he's a part time Bar person
CURRY	Yeah.
PC COOK	You are effectively a full-time bar person?
CURRY	Yes.
PC COOK	Thirty-four hours a week did you say?
CURRY	Yeah, yeah average.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 6

Tape counter times	Person Speaking	Text
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PC COOK Because you were referred to by someone on the committee
I think it was, as being the Bar Manager. But you say you
don't consider yourself a Bar Manager?

CURRY I just, I don't like to be called the name, because I don't
think, I don't know, I'm Bar staff. I do more hours than
what I usually, when I... as part-time they gave me more
hours because Denise left so I just do more hours that's how
it works and stuff.

PC COOK Ok.

CURRY I have not signed a contract saying I'm Bar Manager or
anything like that.

PC COOK What were you appointed as in your contract of
employment?

CURRY Just Bar staff.

PC COOK Bar staff.

CURRY Yeah.

PC COOK And Steward?

CURRY No, no not Steward.

PC COOK Not Steward.

CURRY No my mum was a Steward.

PC COOK Yes.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 7

Tape counter times	Person Speaking	Text
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CURRY	But I (inaudible)
PC COOK	You're just a Bar person?
CURRY	Yes.
PC COOK	So when there's three people behind the Bar who's in charge?
CURRY	I would say my mum cos she, she's got the licence she knows, she's got the experience, so she would be. I would class that as my boss.
PC COOK	Ok. So if mum's there she's in charge of the three behind the Bar.
CURRY	Yeah.
PC COOK	If your mum's not there perhaps there's another volunteer?
CURRY	If there's two at the bar I would say I was in charge so yes.
PC COOK	Ok. And if your mum wasn't there let's say somebody else was there helping out, or wouldn't there be?
CURRY	Yeah, yeah, we could have a volunteer.
PC COOK	They could have a volunteer behind the bar, a member of the club?
CURRY	Yeah.
PC COOK	Who would be in charge in those circumstances?

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 9

Tape counter times	Person Speaking	Text
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PC COOK The amount of experience. But if you had a volunteer from within the club who was experienced within the licensed trade, who would be in charge then?

CURRY Well then it would be me because I'm the one that's being paid.

PC COOK Still you, because you're being paid. Ok. I just wanted a clear understanding of your perception of how the Bar operates and who's in charge there. Now you're aware that on the 17th of April, which was a Saturday two weeks ago, there was an incident at the club involving a member called Nigel RUSSELL. Do you know Nigel RUSSELL?

CURRY Yes.

PC COOK He's been a member of the club for some time has he?

CURRY As I know he renewed his membership for a year, but before that I haven't, I haven't know him be a member. If he used to be a member, had a gap then come back as a member again.

PC COOK And a regular visitor to the club?

CURRY Once, once a weekend and that's it, he wouldn't come in the week.

PC COOK Usually on a Saturday?

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 10

Tape counter times	Person Speaking	Text
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CURRY	Friday or Saturday.
PC COOK	Ok. And can you just tell me what happened as far as you're concerned on the 17 th of April? What would you say, summing up what happened on that day?
CURRY	Basically we had a 'Motown do' as well, which was on the other side of the Bar, so it was a really busy night.
PC COOK	How many people at that event?
CURRY	Well it was sold out so I would assume there was 120 people on that side.
PC COOK	Ok.
CURRY	Just going as a normal night, serving people, we were rushed off our feet and I didn't notice Nigel coming in at first to be honest. Then I, and then we were just working as usual. I served Nigel his drinks around half-twelve which was two shots and then half-an-hour later he dropped down snoring on the floor.
PC COOK	Ok. Right. Ok. Are you aware that other Bar staff served him drinks during the evening? You served the two, but are you aware that other staff served him?
CURRY	If I didn't talk to people then no, I wouldn't of. I mean it was so busy I just served people and just rushed around.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 11

Tape counter times	Person Speaking	Text
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So I know, I eventually noticed that he was there but obviously I didn't see him walk in like the usual way we would say 'Hi are you alright' cos it's so busy or whatever.

PC COOK What was the two shots that you served him?

CURRY They were Woods Navy Rum.

PC COOK Woods Navy Rum. Are you aware that Nigel was in a group of five that were playing a game of spoof?

CURRY You could tell there was a game of spoof obviously 'cos of the banter and obviously they go in a circle.

PC COOK Yeah and I think they would do that regularly as well wouldn't they?

CURRY Yeah, regularly.

PC COOK The two shots that you served to him, the Navy Rum, was that in the game of spoof or after the game of spoof?

CURRY I would say after, I'm not too sure to be honest. I literally was doing my thing. I seen he wanted a drink, 'Can I have two shots?' so I served him and...

PC COOK Did he ask for that directly from you?

CURRY Yes.

PC COOK Ok. And that was the only drinks you recollect serving him?

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 12

Tape counter times	Person Speaking	Text
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CURRY	Of what I can remember yes it is.
PC COOK	Is it possible you served him drinks before that?
CURRY	It was possible yes, but I didn't serve any game of spooof as it was, cos he would drink shorts, so that was the only shorts served on that side of the bar.
PC COOK	Is it possible you served him more drinks after this?
CURRY	Oh after these?
PC COOK	After these?
CURRY	No, No, No.
PC COOK	No. So you distinctly remember that one, two shots of Navy Rum, which you think was after the game ended, this spooof game.
CURRY	Yeah, I think so cos everything just...
PC COOK	Well my understanding is Nigel didn't lose any rounds. If that's the case he wouldn't have been buying directly from you would he?
CURRY	Well no, no I don't know. He was with Darren and he asked for two shots and then Darren asked for a shot... so when he said 'Can I have two shots?', in one round he bought two, one for him and one for someone else and he did it again and then Darren asked for two and that was it.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 13

Tape counter times	Person Speaking	Text
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PC COOK		Ok who paid you?
CURRY		Nigel paid me twice.
PC COOK		Nigel paid you directly. For drinks for himself and for...?
CURRY		And for someone else.
PC COOK		For someone else?
CURRY		Yeah.
PC COOK		Ok. And that was, as far as you remember, about 12.30?
CURRY		Yeah, yeah it could... I'm not too sure about the time but it was around about 12.30 yeah.
PC COOK		Ok. And you're aware, you mentioned he, he dropped down to the floor half-an-hour later or so, you said, around one o'clock.
CURRY		Yeah.
PC COOK		Did you see that?
CURRY		Well I seen him on the floor.
PC COOK		Ok. And are you aware that he was then carried outside unconscious?
CURRY		Yeah, cos we carried him outside, we put him...
PC COOK		When you say we, who was we?
CURRY		I carried him and so did Tony DICKS, so I carried from behind and he was carrying the legs. Put him outside, put

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 14

Tape counter times	Person Speaking	Text
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him in the recovery position and checked his ABC and everything seemed fine. He was snoring, so the next thing was to do... everyone was saying 'phone a taxi.' I said 'Well he's drunk. No taxi's going to let him in, so we should just phone his wife'.

PC COOK

Yes.

CURRY

So.

PC COOK

There was actually three people carrying him outside.

CURRY

Oh was there?

PC COOK

So you're one of those and Tony DICKS is another. Who was the third, was it Craig?

CURRY

Yeah it might, yeah it might have been Craig.

PC COOK

Ok. You're unable to raise him, you're unable to rouse him.

CURRY

We were trying to wake him up and he was just snoring away so we just thought we'll get him some fresh air.

PC COOK

Ok. You took him out in the fresh air. You still couldn't rouse him.

CURRY

There was, there was an argument going on beside it, so my attention was going to the argument and everything making

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 16

Tape counter times	Person Speaking	Text
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CURRY Well I, I thought he was just asleep, but it was just ‘Come on Nigel, come on Nige’ and he was just snoring away, so we gathered he was asleep so...

PC COOK And you put that down to drunkenness. I know just now you’ve said you’ve, you said you thought he was just drunk?

CURRY Well at the time I thought he was standing fine. When I was serving him he was up and he was talking to everyone. He was having a mess about with a man called Lenny and then he just dropped to the floor and fell asleep so then I thought oh...

PC COOK I haven’t heard mention of the name of somebody called Lenny. Do you know who that is?

CURRY Yeah, he’s he was just, they were just having a play fight.

PC COOK Do you know what his surname is?

CURRY Lenny COLE.

PC COOK Lenny COLE and he’s another member is he?

CURRY Yes.

PC COOK Ok. It’s the first time I’ve heard the name mentioned that’s all. And so what time was that? that play fight?

CURRY That was probably about quarter to, something like that.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 17

Tape counter times	Person Speaking	Text
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PC COOK		Half-past-twelve, quarter-to-one?
CURRY		So around the time I served him the drinks.
PC COOK		Ok. When he asked for these drinks from you, did you think to make an assessment of what his state was at that time?
CURRY		I, I, I thought his state was.. he was fine. He, he was not drunk, at the time.
PC COOK		And yet we've just established that within half-an-hour he's effectively unconscious through too much drink.
CURRY		Well, as I served him, thinking he was ok, because I've seen him talking he was, like he was a little bit cheery, he's happy.
PC COOK		So you would put him down as cheery, or merry?
CURRY		Yeah.
PC COOK		Is that the same thing that people talk about...
CURRY		Yeah, yeah, merry yeah.
PC COOK		Merry, cheery.
CURRY		Having a good laugh with the lads kind of thing.
PC COOK		Ok. What was his speech like?
CURRY		Yeah his speech was fine, talking normally.
PC COOK		Were his eyes glazed at all?

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 19

Tape counter times	Person Speaking	Text
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CURRY	Gloucester College.
PC COOK	Ok. Did you think to call an Ambulance?
CURRY	Well, when I checked him out I honestly thought everything seemed fine that.. I mean I checked everything. He just felt like, I thought he was asleep and I thought I don't want to waste Ambulance time. Obviously if I knew what would happen I would of, but he, I checked everything and he seemed fine.
PC COOK	When you say you checked everything can you just run through quickly what you checked?
CURRY	The ABC, so I checked his airways, he was breathing and circulation, and obviously put him in the recovery position at the same time.
PC COOK	Ok. In the recovery position. And were you then involved in carrying him, lifting him into a car which was connected with his wife?
CURRY	Yeah.
PC COOK	Yeah. And did you follow to their home address and help lift him at the other end?

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 20

Tape counter times	Person Speaking	Text
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CURRY		No I didn't. Craig and it might have been Tony DICKS said they were going to follow them on the way back and help them get into the house and stuff, so.
PC COOK		Do you know who the third one was that helped back?
CURRY		No I don't.
PC COOK		Ok.
CURRY		Craig definitely drove that's all I know.
PC COOK		Ok. Were you, do you remember the conversation that his wife had with you when she arrived at the club?
CURRY		We literally got him in the car and I just like.. 'keep an eye on him. Just make sure he sleeps on his side, and just, just keep' ... Cos she said she was out in town, lucky her friend wasn't drinking and, and that's about as much as I can remember, and the other driver said 'Oh, I don't want him sick in my car, don't want him sick in my car'.
PC COOK		Ok. When Nigel's wife arrived at the club, she queried whether an Ambulance should be called. Do you remember that?
CURRY		No I can't remember that.
PC COOK		Reads from statement. She said "I asked whether someone should call an Ambulance and somebody said.." possibly

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 21

Tape counter times	Person Speaking	Text
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you or Craig “he’s just drunk he’ll be alright in the morning”.

CURRY I can’t remember that statement, if I’m honest.

PC COOK Would you have said that?

CURRY Well yeah, I might have done but that’s cos what I of what I checked on him. I didn’t want to waste Ambulance time.

PC COOK Yeah.

CURRY Because of someone being drunk.

PC COOK So you can’t recollect saying that, but that was your view at the time - he was just drunk and he’d be alright in the morning?

CURRY Well yeah, yeah I, I honestly thought he’s just dead drunk he’s got a.. just get him home, make sure he’s on his side and keep checking on him. I honestly thought I didn’t want to waste Ambulance time assisting.

PC COOK If I can just sum up the situation up to this point then Rob. What we’ve got is a situation here were somebody’s gone to the club, they’ve had some drinks. And you’ve served him what might have been his last drink. There may have been others served to him by other members of staff you’re not aware of that I assume?

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 22

Tape counter times	Person Speaking	Text
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CURRY		No.
PC COOK		And half-an-hour later he's so drunk that he can't stand up and you can't wake him and rouse him. Is that correct?
CURRY		Well yeah, it must be then.
PC COOK		You put it down to drunk didn't you, you didn't put it down to a medical complaint?
CURRY		Well that's what I assumed. I didn't, I never knew he had a medical complaint anyway, so.
PC COOK		I'm not saying he did have a medical complaint, but what I'm saying is you didn't assume that he had a medical complaint, or surely you would have called an Ambulance wouldn't you?
CURRY		Well yeah, yeah if I knew he had a medical complaint or anything like that, then of course I would have called an Ambulance. I just thought the drinks have just caught up with him or something like that and he's just so drunk.
PC COOK		Yeah ok. Where do you think things went wrong in this incident, if they did? Do you think things did go wrong here?
CURRY		I, I honestly can say the only thing that I really regret is may... we should have phoned an Ambulance because of

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 23

Tape counter times	Person Speaking	Text
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what's happened, that, if he woke up fine the next day then I think we've done everything we could have done.

PC COOK Ok. So do you think that it was ok to serve him drinks until he couldn't stand up and basically collapsed?

CURRY As I said when we, when I served him I thought he was, he was ok. I didn't like.. he was just having a good time and I just.. he seemed ok. I've refused people service before.

PC COOK Right.

CURRY So if I honestly thought he was drunk, I wouldn't of served him.

PC COOK Ok. How much attention did you give to that, to his demeanour and his state?

CURRY As to... say again, sorry?

PC COOK How much attention did you give to his state when you served him? Because you've said to me just now you were excessively busy or something. 'Run off your feet' I think you said.

CURRY Yeah well yeah to be honest I just wanted to make everyone, everyone (inaudible). Obviously you've got to check on that side 'cos you know that eventually he's died,

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 24

Tape counter times	Person Speaking	Text
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but he seemed fine and as soon as I served him I went to the other side and did my duty.

PC COOK Ok. Did you serve any of the others in the group with drink, any of the others in the spoof group?

CURRY As in.. when they played spoof?

PC COOK Yes.

CURRY I, I don't think I did, no. I served, I served them before when they'd just come in for a pint but I, I cannot...

PC COOK What when they first arrived?

CURRY Yeah when they first arrived they just 'Can I have a pint please?' 'Yeah'. Served them a pint before like the night got busy and what not.

PC COOK My understanding is there were five rounds to that spoof game because there were five in the group?

CURRY Yes.

PC COOK And as far as you know you were only involved in serving that final round, oh sorry you weren't involved in serving during the game of spoof, but you served him the drinks afterwards?

CURRY Yes.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 25

Tape counter times	Person Speaking	Text
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PC COOK Ok. Do you know who served him, of the bar staff, on the games of spoof then?

CURRY I, I really don't know. I was literally just focusing on doing my own thing trying to serve everyone outside.

PC COOK Can I just check with you on that point, because obviously Nigel didn't lose the game of spoof so his drinks were not being bought by himself. They were being bought by others. The first round, the first game of spoof, Tom lost the first came and paid for the round of drinks. Do you know Tom?

CURRY Tommy Reilly?

PC COOK I think its Tommy Reilly, yes.

CURRY Yeah.

PC COOK Did you serve him at all?

CURRY I, I really can't say I did or I didn't, cos I really can't remember serving that side at all.

PC COOK Ok. Chris TONER lost the second round. Do you know Chris TONER?

CURRY Yes.

PC COOK He lost the second round in the second game and paid for a round of drinks. Did you serve Chris TONER at all?

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 26

Tape counter times	Person Speaking	Text
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CURRY I really, I really can't remember, I cannot remember, cos if they were playing spoof then I assume they were drinking shorts so.. and I can't remember serving shorts on that side of the bar.

PC COOK They weren't just playing for shorts actually, because they had lager for some of the drinks.

CURRY Oh, Right.

PC COOK Does that change anything, does that bring back any recollection as to whether you served Chris TONER with.. He would have been asking for five drinks I guess?

CURRY I, I really, I honestly can't remember.

PC COOK Because he lost the third round as well, so he actually bought the third round. You don't remember that?

CURRY I, I don't know, I really don't know.

PC COOK Ok. Kam lost the fourth round, do you know Kam?

CURRY Yes.

PC COOK Kam PATEL isn't?

CURRY I'm not sure about his surname.

PC COOK But you know him as Kam?

CURRY Yes, Kam.

PC COOK Did you serve him at all?

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 27

Tape counter times	Person Speaking	Text
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CURRY I, I can't remember; if they're playing the spoof game well then I wouldn't know. I literally cannot remember at all.

PC COOK When you say you wouldn't know, why wouldn't you know if you'd served him?

CURRY Because I was actually, I was going here there and everywhere I was just... what they wanted I just poured it, and I can't remem, literally couldn't remember.

PC COOK Because you were rushed off your feet?

CURRY Well yeah. I was just getting to everyone as quickly as I could.

PC COOK Ok. On that round they had Port, the round that Kam bought, does that ring any bells for you? Were you serving Port? It probably would've been five shorts of port.

CURRY I, I can't remember. I'm sorry I really can't remember.

PC COOK That's alright, if you can't remember, you can't remember. You were extremely busy that night. You had both sides of the Bar to contend with, you had the Club side and the Hall.

CURRY As I said I, I if I could remember I would tell you, but I really can't.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 28

Tape counter times	Person Speaking	Text
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PC COOK That's ok. With the benefit of hindsight, did things go wrong that evening do you think? Or can you see it being repeated there?

CURRY Well it won't be repeated that one obviously, cos we stopped all sort of games like that now anyway.

PC COOK You've stopped the games of spoof.

CURRY Yeah, we've stopped any sort of drinking games now.

PC COOK Do you, you can't envisage this situation now, now that you've just re-opened where somebody would be served too much alcohol to the point of collapsing?

CURRY No, no way, obviously we've, we've got to observe as best we can, me and Craig have refused people drinks already just because they're slurring their words, so we have got really, really strict.

PC COOK So where did things go wrong this night, what if you could put your finger on where it went wrong, where would you say it went wrong?

CURRY I can honestly say if we didn't have our busy function, we would of noticed that, that.. everything else happening straight away, even if there was only one person on the bar

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 29

Tape counter times	Person Speaking	Text
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they would have noticed someone... if they were drunk, that they would not be getting served.

PC COOK So if you weren't so busy you would probably have noticed that Nigel had what, had more drinks?

CURRY Yeah, yeah cos we, we would have had more time on that side of the bar and we could of noticed if there was any slight, slight difference between any of them.

PC COOK Were you short-staffed that night?

CURRY No.

PC COOK Is three enough to contend with the members in the private members club and also in the hall when you've got a function on?

CURRY I would say three is just about ok, we can manage on three.

PC COOK Ok. Do you have, I am going to put it to you Rob that actually the club's had some slack practices over quite a period of time.

CURRY Ok.

PC COOK Because we've had allegations of regular drunkenness there.

CURRY Ok.

PC COOK Allegations of under-age serving, on occasions.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 30

Tape counter times	Person Speaking	Text
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CURRY	Ok.
PC COOK	Allegations of drug-taking in the toilets, going unchecked.
CURRY	Ok.
PC COOK	After-hours drinking occasionally. People smoking inside the premises. Occasional violence. Some of the customers drink-driving. And I know for a fact, cos I've got a copy of the signing-in book here, that that's not been completed properly either.
CURRY	No, no. We have been told how about that, how to fill in the signing-book properly now.
PC COOK	And moreover, not has it not only not been completed properly on the occasions that people have signed in, but actually over and above that there's people who have actually been into the club who've not signed in at all, who are not members.
CURRY	Yeah that's what I've been.. that's what I've understood. Obviously we've had a meeting about this. We've seen people going in there but, because our membership form is so messed up we, we just got to try our best to figure out if they are a member. We ask if they're a member and they

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 31

Tape counter times	Person Speaking	Text
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say yeah we'll say have you got your card on you and they say we haven't got it on us, so.

PC COOK You say the membership form is messed up?

CURRY The list of members is completely, it's just mixed up ever since we changed, changed Chairman. There's been people that just haven't paid their membership that are on the form as paid their membership, so...

PC COOK So it's not a very accurate list of members?

CURRY Not at the minute but obviously we are doing are best to sort that out now as it's renewal of memberships.

PC COOK Ok and are you saying that because of that list not being reliable you have not adequately checked on people coming in to see whether they are members or not?

CURRY It's just makes our job a bit more difficult but we've, we've just got to try and use our initiative to see... to know if they are member or not a member.

PC COOK What's the relationship between you and Louise HINGLEY? She's the DPS, recently gone on as DPS on the 16th of February. What's the relationship between you and her, because you don't describe yourself as the Bar manager?

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 32

Tape counter times	Person Speaking	Text
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CURRY	No.
PC COOK	So would you say that she's your boss, or committee's your boss? Who would you say is your boss?
CURRY	I would say if I had any problems I'd go and talk to Lou.
PC COOK	Has Louise ever given you any training at all?
CURRY	Well, she's... I... we haven't had, we've obviously spoke to each other but there's not been, she's just points out to make sure anyone who looks drunk they don't get drunk and just...
PC COOK	Who's authorised you to make alcohol sales?
CURRY	Who...?
PC COOK	Who's authorised you to make alcohol sales?
CURRY	As in who...? I don't really understand what you are trying to say, sorry.
PC COOK	You're probably not aware that anybody who sells alcohol needs to be authorised to make that sale preferably in writing.
CURRY	Oh so you've got to sign something?
PC COOK	Well you should be authorised by somebody at the helm to say that you're authorised to make sales on their behalf.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 33

Tape counter times	Person Speaking	Text
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Have you never had that either from your committee or from the DPS?

CURRY What?

PC COOK A written authorisation authorising you to sell.

CURRY You're saying you have to sign something?

PC COOK Well they would have to sign to say that they are authorising you to sell.

CURRY I... *pause*

PC COOK When you first started there were you authorised?

CURRY I... *pause*

PC COOK Who interviewed you for the job?

CURRY It was basically, needed some work and they just said that as my mum was watching over me just try out, have a go at it.

PC COOK Who appointed you?

CURRY I would say Lyn TYLER, and Alan TYLER.

PC COOK And Alan was, at that time, the chair of the committee wasn't he?

CURRY Yes.

PC COOK And Lyn was the DPS, well certainly a licence holder.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 34

Tape counter times	Person Speaking	Text
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I'm not sure of exactly her role now but Alan was the chair.

So you were appointed by the Committee?

CURRY Yes.

PC COOK Ok. Have you ever been spoken to more recently by anybody in relation to the allegations that I related just now?

CURRY Have I spoke to people about that?

PC COOK Has anybody spoken to you about it?

CURRY Yeah just people wanted to know what happened.

PC COOK No, before this incident, has anybody spoken to you before this incident about the allegations of drunkenness, under age serving, drug-taking in the toilets and so on?

CURRY Yeah, yeah we've, there's a letter on the board.

PC COOK There's a letter on the board?

CURRY Yeah.

PC COOK Did anybody speak to you directly about that?

CURRY Yeah, yeah, Norman's come up to us and said that we've had these allegations and, if any of them come up just make sure you keep an eye out.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 35

Tape counter times	Person Speaking	Text
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PC COOK		So you had been warned prior to this event to be on your guard about serving drink, to serving drunks, people who are drunk.
CURRY		Serving drugs?
PC COOK		Drunks. Serving people who are drunk!
CURRY		Oh yeah obviously we would have been told it.
PC COOK		Ok. Well as I say I put it to you Rob really, that the way the premises were being run was a little bit slack in several respects. Do you think that was the case?
CURRY		Well yes, yeah.
PC COOK		In what way do you think it was slack?
CURRY		I must admit some of the allegations I could...I'll completely say that I really don't see how they can say that, cos it's not true.
PC COOK		Were people getting drunk there?
CURRY		They were on the edge, we know when their last pint is, so we just... they... most of them know themselves when the last pint is and they just leave at that.
PC COOK		So they're monitoring and controlling their own alcoholic intake?

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 36

Tape counter times	Person Speaking	Text
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CURRY Most of them they do monitor their own.. and they know when's enough and then they know when to go home. So, most of the time we know when to say no, but usually they know when to say that.

PC COOK Are you aware the obligation is on the person *selling* alcohol to determine whether that person is in a fit state to drink more alcohol or not?

CURRY Yeah, yeah.

PC COOK And it's not on the shoulders of the person who's already had some drink?

CURRY No, no yeah I knew that, but I'm just saying they usually know before, if they want another drink they don't usually come for another drink they usually...

PC COOK What about the situation where somebody, one of the group would come up to the bar and say buy five drinks, would that happen often?

CURRY Umm, only if it was a game of spoof I would say.

PC COOK Right, but that tended to happen every Saturday with this particular group?

CURRY Yeah, yeah, yeah.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 37

Tape counter times	Person Speaking	Text
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PC COOK Ok. What if, what if one of that group was already drunk but he wasn't the one coming up to the Bar?

CURRY Obviously we would keep, if, if we can, if it's not busy like we know, say that 'he can't, he/she can't have another one' so, but if it's a private night and we can see what's happening like obviously all the time it's we always know that you just say to them 'look, they can't really have another drink'.

PC COOK So would you monitor what's happening beyond the Bar, people sitting in the corner maybe? Obviously I know the Bar's not very big, but you are going to check the people that come to Bar I would hope, you said you do?

CURRY Yeah.

PC COOK But people who are not at the bar buying and somebody is buying two or three drinks to take back to other people would you be monitoring what their state's like as well?

CURRY Yeah.

PC COOK You do normally?

CURRY Well, yeah, yeah we do. If someone's in the corner and they're going like that (*waves hand*) you just know you've not to serve them anymore, and who they're drinking with.

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 38

Tape counter times	Person Speaking	Text
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PC COOK When you're saying going like that, you mean unsteady on their feet?

CURRY Well, just getting...

PC COOK Getting wobbly, or slurred speech you mentioned earlier.

CURRY Well yeah.

PC COOK Do you think with hindsight that you were not paying enough attention to... (tape buzzes) it's a reminder that the tapes about to end. But would you with hindsight you were not paying enough attention to the Bar in general?

CURRY As in the drunken side of it?

PC COOK Yes.

CURRY Well we just,... don't know how to put it. We usually do our best to know, like to find people's limits, and if they exceed them then we say 'No'.

PC COOK Ok I'll bring this interview to a close and I'll tell you Rob that you will be reported for consideration of the question of prosecuting you for the offence of serving a person with alcohol who is already drunk.

CURRY Ok.

PC COOK Is there anything else you wish to say?

Record of Tape Recorded Interview ROBERT CURRY

Continuation Sheet No 39

Tape counter times	Person Speaking	Text
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CURRY As I said that... if I knew any of this was going to happen we would have phoned an ambulance. That's obviously the main thing. If I knew, if I thought he was that drunk then I would not of served him.

PC COOK Righty ho, the time is now 2:55 and I'll turn the tape machine off. Thanks.

HF

SDN ROTI Contemporaneous Notes Index of Interview with VW Visually Recorded

Person Interviewed SALLY CURRY

Place of Interview CHELTENHAM POLICE STATION

Date of Interview 10TH MAY 2010

Police Exhibit No

Number of pages 35

Signature of interviewing officer producing exhibit

Time commenced 15:10

Time Concluded 15:43

Duration of Interview 33 MINS

Tape Reference No's 4189/10

Audio Tape Reference Nos:

Visual Image Ref. Nos:

Interviewing Officer (s) PC 417 COOK

Other persons present

Tape counter times	Person Speaking	Text
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PC COOK		This interview is being tape recorded. I am PC 417 COOK.
		Also present is:
CURRY		Sally CURRY.
PC COOK		Sally, before I start an interview with you, I have to caution you and tell you that you do not have to say anything but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence. Do you understand?
CURRY		I do.
PC COOK		You're not under arrest and you do not have to remain here with me, do you understand?
CURRY		Yeah.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 1

Tape counter times	Person Speaking	Text
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PC COOK You're entitled to legal advice; you may consult with a solicitor or legal advisor either in person or over the telephone. Do you wish to have such a consultation?

CURRY No thank you.

PC COOK Is there any reason why you don't want legal advice?

CURRY No reason really.

PC COOK Don't think it's necessary?

CURRY No.

PC COOK Okay, thank you. Now, there's a form D4 here which explains your legal rights and entitlements, and at the conclusion of the interview I'll give you a copy of the tape so you've got a full record okay?

CURRY Okay.

PC COOK I want to ask you some questions in relation to the Hillview Social Club. Can you just tell me your role there please?

CURRY Bar staff.

PC COOK Bar staff?

CURRY Yeah.

PC COOK Okay. And how long have you actually had connections with the club?

CURRY Oh gosh, probably three going on four years now.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 2

Tape counter times	Person Speaking	Text
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PC COOK		Okay. Is that always as staff or as a member or...?
CURRY		Staff to start off with and then licence holder and then I left and I've come back as bar staff.
PC COOK		Okay. That's right, because you're the holder of a personal licence...
CURRY		I am.
PC COOK		... to sell alcohol and you were the DPS here previously I think between March '07 and November '09. Is that correct?
CURRY		That's correct, yeah.
PC COOK		Okay. Have you got any other experience in the license trade?
CURRY		About 15 years.
PC COOK		What does that consist of?
CURRY		Running pubs with my ex-husband.
PC COOK		Okay. Now can we just talk about the Hillview Social Club and the bar there. Who would you say was in charge of the bar?
CURRY		Well there is nobody at the moment because the last lady, she left and then they gave Robert some extra hours so basically most of her hours and to do line cleans and to

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 3

Tape counter times	Person Speaking	Text
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collect the delivery in and things like that, but he was never actually officially made bar manager.

PC COOK

Right.

CURRY

So basically there's three members of staff that work behind the bar, so that would be Craig, myself and Robert...

PC COOK

Okay.

CURRY

... who are paid.

PC COOK

Yes, and you just do it on an occasional basis don't you these days?

CURRY

I do Wednesday evenings and Saturday evenings if there's a function, Saturday lunchtimes if there's not a function.

PC COOK

Okay. So you're part-time?

CURRY

Part-time.

PC COOK

Okay, so on any given occasion, who would be in charge of the three of you if there's three of you working behind the bar?

CURRY

Well that's a very difficult question because Robert does most of the hours, but I suppose I'm the most senior and got the most qualifications if that makes sense. So I suppose in fairness, being fair for myself, I would actually say that I called the shots when I was working, 'cos that's... but I'm

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 4

Tape counter times	Person Speaking	Text
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not obviously paid to or that's not my role. But I think maybe the two lads would look to me...

PC COOK Partly because you're mum to one of them.

CURRY Well yeah, partly 'cos I'm mum, yes.

PC COOK And older.

CURRY And older. And I've had the experience.

PC COOK You've got the experience and you've got the licence.

CURRY And I've had the licence.

PC COOK And you've been the DPS there before.

CURRY And I've been the DPS.

PC COOK Okay. Because I asked Robert the same question in interview and you may know this, but he felt that, when you were there, you were in charge.

CURRY Yes. I think that's just mother/son thing, if I'm honest with you. And obviously my experience maybe. I mean, if he was troubled with something I would say that he would come to me, rather than him make the decision – if we were working together.

PC COOK Yes. Which you are on a fairly regular basis.

CURRY On function duties. Yeah.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 5

Tape counter times	Person Speaking	Text
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PC COOK Okay. And where does Craig fit into this? Would he say that you were in charge?

CURRY I wouldn't say that he said I was in charge, but again, I think he'd come to me for an opinion...

PC COOK Yes. Okay.

CURRY ..to be honest.

PC COOK Just tell me what the relationship is with the DPS who's now a lady called Louise HINGLEY as you know.

CURRY Relationship between myself and Louise?

PC COOK Between the bar staff and maybe yourself, but the bar staff in general and Louise.

CURRY I don't really think there's actually been a relationship. I don't, I don't think its been introduced properly – I mean I know because I'm experienced and I know that she's the DPS. But I don't think the boys were ever aware of her role if you see what I mean.

PC COOK Yes.

CURRY And I mean they've never really sat – any of us – down together and said right, now Louise is DPS, she's the licence holder and basically really, what she says goes,

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 6

Tape counter times	Person Speaking	Text
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which it should do. Because she is the licence holder. But that has never, ever occurred.

PC COOK Right. Did it occur when you were appointed as DPS?

CURRY No, I don't think it did actually. No I don't think it actually did. But people knew, knew me, because I did more hours and they'd obviously known that I'd run so many pubs in my time that – then again, Robert was working there then as well.

PC COOK Well, when you were the DPS, were you also employed there?

CURRY Yes I was.

PC COOK Full time?

CURRY Well... yes. full time, yes, with the hours I did.

PC COOK Whereas Louise is actually a volunteer isn't she?

CURRY Louise is a volunteer.

PC COOK She's unpaid I believe.

CURRY Unpaid, that's correct.

PC COOK But she still holds the post of DPS?

CURRY Yes.

PC COOK How often does she pop in?

CURRY I would say before all this happened, probably once a week.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 7

Tape counter times	Person Speaking	Text
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PC COOK		And what would that consist of, that visit?
CURRY		Socialising.
PC COOK		No asking you how things are going? No interrogation of the way things are running?
CURRY		No.
PC COOK		No advice to you?
CURRY		No.
PC COOK		Anybody given a ticking-off or anything of that nature?
CURRY		No.
PC COOK		Just socialising in the bar?
CURRY		Yeah. And her job really, she also does the secretarial side for the Association.
PC COOK		Yes. Okay. Now just tell me about the relationship with the committee. How often do the committee have any input in the way the premises run?
CURRY		Well I don't think they do really. They do have committee meetings but I always have the argument that when they have the committee meetings, bar staff I think, should be involved in those meetings to pass their opinions and say I'm not happy with this.. or we should be going down this route but that's never, we've never, ever been invited to any

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 8

Tape counter times	Person Speaking	Text
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of the meetings. But that's not just in this, as it is at the moment with Louise; it didn't happen before, either.

PC COOK Who's the link person from the committee who would link through to the bar staff?

CURRY Chairman I would say.

PC COOK The Chairman. Norman ADLAM.

CURRY ADLAM.

PC COOK And how often does Norman pop in?

CURRY He's there every weekend unless he's working away.

PC COOK So he tends to have more oversight than anybody else on the committee?

CURRY Well I would say I would go to Norman if there was a major problem, if there was something I wasn't happy about.
Or the secretary, Liz DORLAN.

PC COOK Okay. So whose management would you say you're under when you're behind the bar there? Are you under Louise's management or are you under the committee's management?

CURRY I would say, I would say committee to be honest.

PC COOK Regardless of the type of event that's operating there and the premises?

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 9

Tape counter times	Person Speaking	Text
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CURRY	Yeah.
PC COOK	Okay. Are you aware there's two types of licence for those premises? There's a premises licence and a...
CURRY	And a personal licence.
PC COOK	A club certificate.
CURRY	Yeah.
PC COOK	The premises holds two licences.
CURRY	Yeah, we've got both licences on the door, yeah.
PC COOK	You've got both. I just want to check you understand what I mean when I say that; a premises licence is normally given to a pub and it has less restrictions than a private members club licence which is called a club certificate. Now the social club there operates essentially as a members club, but because that didn't allow general public in, they additionally obtained a premises licence, so there's two types of licence to the premises. Were you aware of that?
CURRY	Yes.
PC COOK	Yeah? Okay. You understand the reasons why they obtained two licences?
CURRY	Not really, no.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 10

Tape counter times	Person Speaking	Text
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PC COOK Okay. Well, just very quickly then, a members club licence is quite restricted and it only allows you to have members and bone-fide visitors who are signed in.

CURRY Well yes.

PC COOK It doesn't allow general public in.

CURRY No.

PC COOK Whereas the club here wants to facilitate events going on in the hall to which the public and community at large are invited aren't they?

CURRY Yes they are. So then you're...

PC COOK You have to have the other type of licence for that.

CURRY Right, yes.

PC COOK And that then requires a DPS instead of a committee. You've got this mix of club and ordinary premises. Has Norman ever given you oversight, checks, advice, tickings off, checked on the way things are running?

CURRY Yeah, he does check.

PC COOK What sort of checks would he make?

CURRY Well basically if we've got a problem then we go to Norman. But he'd check if there was a function booked and to, to make sure that it's not an 18th or a 21st, because we

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 11

Tape counter times	Person Speaking	Text
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obviously don't, we don't have any of those. Check the numbers, approximate numbers and that sort of thing. And obviously making sure that non-members are signed in and their fee paid and things like that, but apart from that, the day-to-day running, unless there's a problem, no.

PC COOK Okay. Has he ever given you or any of the staff that you know of a ticking-off for serving people when they're drunk?

CURRY No.

PC COOK Has Louise ever done that?

CURRY No.

PC COOK Okay. Now you're aware of the incident on the 17th April where one of the members there, a chap called Nigel RUSSELL collapsed at the end of the evening. I think you were working that evening weren't you?

CURRY I was.

PC COOK Saturday 17th April into the Sunday 18th.

CURRY Yeah.

PC COOK Do you know Nigel RUSSELL?

CURRY Only from coming in the bar.

PC COOK But he was quite a regular I think wasn't he?

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 12

Tape counter times	Person Speaking	Text
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CURRY Well I wouldn't say he was quite a regular, only sort of on a Saturday evening.

PC COOK Each week on a Saturday?

CURRY Each week on a Saturday.

PC COOK Okay. Now what was your role that evening?

CURRY Bar staff.

PC COOK Okay. Did you serve Nigel at all?

CURRY No.

PC COOK Were you aware they were playing a game of spoof?

CURRY Yes.

PC COOK Did you serve any drinks during that round of spoof? The five games of spoof?

CURRY No.

PC COOK No? Not at all?

CURRY Not one.

PC COOK You're quite categoric about that?

CURRY *Absolutely positive.*

PC COOK Why are you so positive?

CURRY Because I remember Kam. I'm sorry, I don't know his surname, but Kam...

PC COOK No that's alright, Kam PATEL.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 13

Tape counter times	Person Speaking	Text
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CURRY ... coming in and as far as I was aware, I was the first one to serve them and I served Kam a pint of lager and I said “what does Nigel want?” ‘Cos Nigel had stopped just inside the doorway to chat to somebody and obviously I’m getting busy in the back bar with a function. So I said to Kam, “what does Nigel want?” and Nigel shouts up “pint of lager please”. So I poured them, Kam paid for them and that was the last time I served them or any of that group in the spoo. Because I was in the function end.

PC COOK Was that the first round of the...

CURRY *I believe*, I believe it was the first.

PC COOK Okay. Did you see Nigel arrive before that?

CURRY I say him come through the door, yes.

PC COOK I think he had a drink before he got involved in the game of spoo.

CURRY It would’ve been the pint of lager I would imagine.

PC COOK The one that you served?

CURRY Yeah.

PC COOK Okay. What was it like that evening? Was it extremely busy?

CURRY It was packed in the function room, yes.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 14

Tape counter times	Person Speaking	Text
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PC COOK		And so were you extremely busy yourself?
CURRY		It was a busy night, yeah.
PC COOK		Were you sort of serving almost continually?
CURRY		Yes, absolutely.
PC COOK		All three of you?
CURRY		Yes.
PC COOK		Okay. So you think you only served Nigel the first drink that he had, the lager?
CURRY		I'm absolutely <i>positive</i> .
PC COOK		Are you aware of who was serving who? I mean do you know who did serve Nigel?
CURRY		The two boys.
PC COOK		You're categorical about that?
CURRY		<i>Absolutely positive.</i>
PC COOK		That's Rob and Craig?
CURRY		Robert and Craig.
PC COOK		'Cos Rob remembered serving him one set of drinks, so would you suggest that Craig served the rest of the drinks in those rounds?

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 16

Tape counter times	Person Speaking	Text
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CURRY Within my club I'd probably think six drinks to be honest. In the time that they usually come in and the time that we close, I would say no more than six.

PC COOK What time did he arrive?

CURRY At a guess, I would say about 10 past 10. But I can't be absolutely sure of that.

PC COOK Okay thanks. So really, summing up, as I say, he had a huge amount to drink that evening starting off at The Greatfield and then having several drinks at the Hillview and essentially, the amount of alcohol he consumed made him collapse at the bar. Did you see him collapse?

CURRY Not actually collapse, no I didn't.

PC COOK Where were you at that time?

CURRY Because at that time around half past 12, quarter to 1 I'm out the back clearing and making sure that they're all moving out of the hall; collecting glasses, tidying that end of the bar up. Because obviously the bar's finished in the...

PC COOK In the function room.

CURRY ... in the function, so generally 12 o'clock we lock the doors so that they know they can't have any more to drink and then about quarter past then we start opening them,

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 17

Tape counter times	Person Speaking	Text
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moving in to shift them along. And obviously tidying up and getting rid of that side. And then obviously they've got to be served in the member's side because of the licence till 1 o'clock.

PC COOK When you say they've *got* to be served...

CURRY Well,

PC COOK The licence that day was til 1 o'clock in both the hall and the club wasn't it?

CURRY In the club, yes. To make sure that we could get rid of everybody in time and 'cos if you get the draggers on...

PC COOK Okay, so you came back into the hall at some point, into the club rather, and found what – Nigel on the floor?

CURRY Well about half past 12 I came in and I'm tidying up and I actually, actually remember going down to that end of the bar where the lads stand and Lenny COLE was sat in the chair, on the stool in that corner. Before you go into the, you can get into the hall that side, but the doors are obviously locked on a function, and Nigel was having a laugh and a joke with Lenny, and I actually remember that 'cos I could hear them laughing and joking. So I've

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 18

Tape counter times	Person Speaking	Text
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obviously taken no more notice and then I've gone and carried on tidying up.

PC COOK Okay, so that was about half past 12?

CURRY That was about half past 12.

PC COOK Okay. Now, you're aware then that he's collapsed and presumably you came back in to find him 'out for the count' as it were?

CURRY Yeah.

PC COOK And what, was he lying on the floor at that time?

CURRY (Makes indecisive sounds) er...

PC COOK Inside the bar or...?

CURRY No, I think they'd sat him on a stool and then he looked wobbly so they put him on the floor, 'cos obviously they were worried he might fall off the stool,

PC COOK Who was they?

CURRY Oh, there was a few of them; there was Darren and there was Robert and there was Craig. I think Kam, Kam had already gone I think. Tony – we call him Tony STICK but I'm sorry I can't think of his...

PC COOK Tony DICKS, yeah.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 19

Tape counter times	Person Speaking	Text
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CURRY

And then they got him on the floor and Robert said “well he’s breathing fine”, ‘cos Robert’s done all his first aid and things like that, and then he started to snore. I mean snore really loudly. And I said to the lads “try and take him outside and give him a breath of fresh air you know wake him up a bit, and alert him a bit. And then we stood outside and they took him outside – I can’t tell you who took him outside ‘cos I really can’t remember, there was a few of them out there. And they sat him down on the floor and he sort of went to lie down and again, he’s still snoring and Robert’s checking his airways and things like that, and then what happened? Oh, and then I said, they said “we’ll have to get him a taxi” I said “there’ll be no taxi firm will take Nigel in this state. Somebody will have to call his wife” I mean I couldn’t leave the bar, I’d got to lock up and everything else, and I asked Tony – I’m sure it was Tony – if he’d got his wife’s number. He said “No, I haven’t got it”. So Craig, I think Craig got hold of Nigel’s phone out of his pocket and found his wife’s number and then he phoned his wife.

PC COOK

Okay. You had the keys to the bar?

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 20

Tape counter times	Person Speaking	Text
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CURRY	I did.
PC COOK	You were the one that was allocated to lock up?
CURRY	Well, myself or Robert. In fact I don't have, I don't hold the keys, Robert holds the keys now 'cos he's in more times than I am.
PC COOK	Right, okay. So you were satisfied that it was too much alcohol and he needed some fresh air?
CURRY	Absolutely, yeah. I just thought well, he's gone from half past 12 to larking about and having a joke with Lenny, where I had no concerns whatsoever to within 20 minutes...
PC COOK	Yes, being unconscious.
CURRY	... he's in a bad way.
PC COOK	Through too much alcohol.
CURRY	Yeah, but I mean unconscious, I can't say that I thought he was unconscious because the man was snoring.
PC COOK	Yes, but you couldn't rouse him?
CURRY	But no.
PC COOK	Or at least, they couldn't rouse him.
CURRY	They couldn't rouse him. Robert was checking everything 'cos obviously I haven't got a first-aid certificate.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 21

Tape counter times	Person Speaking	Text
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PC COOK Were you made aware that even when he got the fresh air outside he still couldn't be roused then?

CURRY Well... no. To be honest. I wasn't really aware because I was running in and out checking the bar, making sure everything was...

PC COOK Did you go outside to see him?

CURRY Yes I did. And I saw the lads with him and I honestly thought well, they've got it all under control, I'll go back in and start shutting the bar down and closing the till off.

PC COOK Okay. But you didn't see him roused at all?

CURRY No.

PC COOK Did you consider getting an ambulance?

CURRY In fairness no, because he was snoring. I really, I really thought that he's just, he's had too much to drink, he's sat now, he's gone into his snoring. I really wasn't... it, it, I wasn't panicking about saying "somebody call an ambulance".

PC COOK No, okay. Have you had any first-aid training at all?

CURRY No.

PC COOK No. Rob's had basic first-aid training hasn't he?

CURRY Yeah.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 22

Tape counter times	Person Speaking	Text
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PC COOK Okay. Were you aware that he was then lifted into a car, carried into a car and then followed home and carried indoors at their home?

CURRY Yes. Craig, I know that Craig was one of the lads that did it because...

PC COOK Were you aware that he didn't rouse at all during any of that process?

CURRY I had no idea no. 'Cos obviously I'd stopped behind with Robert and we'd shut the bar up and locked everything up.

PC COOK Okay. Where do you think things went wrong as far as this was concerned? Or didn't they?

CURRY I honestly cannot tell you. When they walked in, I had absolutely no concerns that anybody'd had too much to drink. None at all. And all through the evening none at all. There was no, there was no swearing, there was no loud noise, there was no chairs being knocked over, there was no rowdiness.

PC COOK No, no bad behaviour.

CURRY No. Normally when somebody's had too much to drink you can hear a glass'll get broken or a bar stool will get knocked over. Which then pulls your attention to say "Come on,

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 23

Tape counter times	Person Speaking	Text
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enough's enough" or "Curb your language". But I had absolutely no concerns whatsoever.

PC COOK To what extent do bar staff monitor somebody's state of sobriety before they serve the next drink?

CURRY I think we're all aware of it because there are – well I'm definitely aware of it, 'cos I've been in the game so long. But on several occasions people have been refused drink in that bar. Heavy drinkers that we know are heavy drinkers that come in and then we say "no, no more, you're going home". Doesn't matter how much abuse you get, 'cos you always get abuse straight away "oh, I'm never coming in here again". Fine. And they are refused drinks.

PC COOK Is there any system in place there to keep some sort of tab on how many drinks the individual is having? Bearing in mind you've got three staff that were 'run ragged' with this function.

CURRY Not a system, no. Common sense. Common sense they all – Robert and Craig even know when somebody's had too much to drink. Absolutely.

PC COOK You served the first drink,

CURRY The pint.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 24

Tape counter times	Person Speaking	Text
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PC COOK Yes. Do you think that you would've served the drinks during the game of spoof?

CURRY Yes I would've done.

PC COOK You would?

CURRY Yes. Because I would've had no concerns whatsoever. None of them gave me any reason to be concerned. Because I'd have heard them, obviously, even though I'm in the other bar, you're still aware, or Robert or Craig would've shouted "Sally" you know, "I'm refusing service, come and back me up" or...

PC COOK So, so in one sense what you're saying here, Sally, is the same scenario could happen here again because somebody could sit there and drink a whole load of drinks and appear to be alright and then fall off their chair unconscious and...

CURRY Pfff... it's a hard judgement call. If somebody appears to be sober – not sober – but had, you know, just a couple of pints and were merry...

PC COOK Well, you tell me what your definition of what somebody who's drunk would be. What would be the clues?

CURRY What would be the clues? Generally where we work at the moment would be...

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 25

Tape counter times	Person Speaking	Text
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PC COOK	What d’you mean “where we work at the moment”?
CURRY	because every bar varies and I would look for maybe aggressive behaviour when they’ve had too much or language; knocking things over things like that. Things that would, I would definitely know “oh no, no, no, no, you’ve had enough. If you can’t behave yourself, you’ve had enough”.
PC COOK	So knocking things over would presumably mean they were beginning to get unsteady on their feet?
CURRY	Unsteady on their feet.
PC COOK	Okay. You didn’t mention glazed eyes at all. Is that a consideration in your (inaudible)
CURRY	Yeah, yeah. Yes. It is a consideration. But I’d look more at the eyes, if I’m honest with you, where <i>drugs</i> were related.
PC COOK	Okay.
CURRY	‘Cos I think drugs, the biggest tell-tale is straight into somebody’s eyes.
PC COOK	What about slurred speech?
CURRY	Slurry speech.
PC COOK	Yeah.
CURRY	But none of them gave me that impression.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 26

Tape counter times	Person Speaking	Text
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PC COOK No. I'll just pursue what you said just now about 'at this premises'. Do you think that each premises sets its own point at where one should stop drinking? Stop serving?

CURRY No, no, I don't think that. I think, I think every, every premises is different. I run so many different pubs and the difference in the clientele is incredible. Absolutely the difference...

PC COOK What sort of clientele have we got here?

CURRY 90 – well not 90...most of them are mid-40s going on 50s and obviously older, 80s upwards. Not many youngsters at all, because it's not the place that we encourage to have youngsters in there but they do tend to be drinkers.

PC COOK Quite hardened drinkers some of them?

CURRY Hardened drinkers.

PC COOK Do you think the responsibility to stop serving them falls on the premises or on the individual concerned? To say when they should stop drinking?

CURRY I would... oh no. Um, it's up to the person that's serving them because they're the ones that are sober and they're the ones that're in control. That person that's having just one more is not necessarily... well, they are... (tape buzzes)

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 28

Tape counter times	Person Speaking	Text
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PC COOK	How often do you refuse people?
CURRY	Um... I would probably say since I've been back I've refused service four times and several times before that when I was DPS.
PC COOK	Okay.
CURRY	I've not become very popular for it, but there you are.
PC COOK	Are you aware that allegations were made along the road and certainly in February, further allegations of regular drunkenness, under age serving, drug taking in the toilets, after-hours drinking, smoking inside the premises, customers drink driving and occasional violence. Are you aware of those allegations being made?
CURRY	Those allegations yeah, are from ex people that used to be in there, yeah.
PC COOK	You're aware of those allegations?
CURRY	Yeah.
PC COOK	Was anything done about those allegations? Internally?
CURRY	Was anything done?
PC COOK	Yes.
CURRY	Well, nothing needed to be done because it wasn't happening.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 29

Tape counter times	Person Speaking	Text
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PC COOK	You're happy it want happening?
CURRY	There was absolutely no way there was after-hours drinking in there because quite frankly, I've had a belly-full by the time I've finished and I've got a full days work to go to, so that was definitely not happening.
PC COOK	Okay. So you don't think any of that was happening?
CURRY	That was not happening! And certainly no smoking on the premises when I've been in there. None at all. And what was the other ones?
PC COOK	Well, there's a whole host of allegations were made.
CURRY	But I mean a lot of it, there was a lot of back-stabbing and I can't say the word, but people, ex people that used to work there...
PC COOK	Sight, some ill feeling?
CURRY	Absolutely.
PC COOK	Malicious.
CURRY	We knew it was going to happen.
PC COOK	So malicious allegations?
CURRY	Yeah.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 30

Tape counter times	Person Speaking	Text
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PC COOK Okay. Well we're getting near the end of the tape now; I just wanna ask you a couple more questions. The signing-in book wasn't very well kept up was it?

CURRY Wasn't very well kept up?

PC COOK Mmm.

CURRY I don't think it was kept up like it should've been, no.

PC COOK I've a copy of it here, I can show you if you want but I mean there's no addresses logged in there at all, very poor identification, couldn't really tell who's signed them in and I know for a fact that some people went there were served drinks but weren't signed-in at all.

CURRY See...

PC COOK There's a copy of the book. Some of them don't even say the town, never mind the address.

CURRY No, I know. But unfortunately, even when I first started there, I was never actually told they had to write their full name – their full address in there. *Never* had I been pointed out and I have to agree with that.

PC COOK You were aware that under club rules that people should not drink there unless they are a member or signed-in.

CURRY A member, or a friend of.

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 31

Tape counter times	Person Speaking	Text
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PC COOK What would you have to say if I told you that we know for a fact that people *have* been there and drinking and they're not signed-in? What's your response to that?

CURRY I can't give a response to that.

PC COOK Is it possible that could've happened?

CURRY It could well have done, yes.

PC COOK I mean I know you're only there two days a week now,

CURRY Yeah.

PC COOK Would you mount checks on people that were there as to whether they've signed-in or do you assume if they're with a member that they would be signed in?

CURRY I would – if I went in I would assume that they had been done.

PC COOK There wasn't much checking going on there?

CURRY No.

PC COOK Okay. Who do you think should carry responsibility, overall responsibility for the way the premises operate?

CURRY Well I think it should be the person that's got the licence to be honest with you and I think... where its going wrong or where there's chances it will go wrong is because there is

Record of Tape Recorded Interview SALLY CURRY

Continuation Sheet No 32

Tape counter times	Person Speaking	Text
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not one individual – and I’ve always said it – that is in charge of that bar.

PC COOK

Yes.

CURRY

Its run by a committee. It doesn’t work. Every time I’ve ran pubs in my lifetime, I have been the boss. My husband and I have been the boss. There is nobody else that I have to ask or, or rely on or... it is my decision. My decision was final. But in there, and club-run places, its never a final decision from the person that’s in charge of the bar.

PC COOK

Okay.

CURRY

I think there needs to be “you’re in charge of the bar, you are responsible. If you have a problem, then you come to us and we’ll come to you if you’ve got a problem. But apart from that *you* run it”.

PC COOK

Do you think that the management structure was poor?

CURRY

Yes.

PC COOK

I’m not putting words into your mouth here.

CURRY

I think it always has been. I don’t think it’s just now;
I think it always has been.

PC COOK

Yes.

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SDN ROTI Contemporaneous Notes Index of Interview with VW Visually Recorded

Person Interviewed **CRAIG EAST**

Place of Interview **CHELTENHAM POLICE STATION**

Date of Interview **14TH MAY 2010**

Police Exhibit No

Number of pages 52

Signature of interviewing officer producing exhibit

Time commenced **16:10**

Time Concluded **16:53**

Duration of Interview **43 MINS**

Tape Reference No's **4326/10**

Audio Tape Reference Nos:

Visual Image Ref. Nos:

Interviewing Officer (s) **PC 417 COOK**

Other persons present

Tape counter times	Person Speaking	Text
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PC COOK	This interview is being tape recorded. I am PC 417 COOK from Cheltenham Police Station. Also present in the room is...
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EAST	Craig EAST.
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PC COOK	And what I need to do Craig is first of all give you a notice of your rights and entitlements, okay? It's form D4a there look, and tell you that you do not have to say anything but it may harm your defence if you do not mention when questioned, something which you later rely on in court. Anything you do say may be given in evidence. Do you understand?
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EAST	Yep.
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PC COOK	You are not under arrest and you do not have to remain here with me. Do you understand?
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Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 1

Tape counter times	Person Speaking	Text
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EAST		Yep.
PC COOK		You're entitled to legal advice. You can consult with a solicitor or legal advisor either in person or over the telephone. Do you wish to have such a consultation?
EAST		No thank you.
PC COOK		Any particular reason?
EAST		Don't think it's necessary at the moment to be honest.
PC COOK		Okay. Thank you. Right okay we'll move onto talk about the reason that you're here, Craig first of all – is that your full name by the way Craig or do you have a middle name?
EAST		Anthony.
PC COOK		Is that A N T H?
EAST		No sorry – O N Y.
PC COOK		No H?
EAST		No.
PC COOK		A N T O N Y?
EAST		That's correct.
PC COOK		And your date of birth?
EAST		The 20 th , the 6 th , 1988.
PC COOK		Okay. Craig just tell me first of all, in relation to the Hillview Social Club, what's your role at the premises?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 2

Tape counter times	Person Speaking	Text
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EAST		Just a member of staff behind the bar.
PC COOK		Member of bar staff?
EAST		Yeah member of bar staff, yeah.
PC COOK		On a permanent basis, or regular basis, temporary? What's the situation?
EAST		Originally I started just on a Sunday 'cos they were short.
PC COOK		Yes.
EAST		And then it got busier and staff left and I then done every Saturday and Sunday, the odd week night but now I'm just back to doing Sundays. It got too much really.
PC COOK		And is that paid work?
EAST		Yeah.
PC COOK		How are you – how much are you paid?
EAST		I just know how much I take home an hour after tax really, I don't know how much it is before tax.
PC COOK		Approximately.
EAST		I think it's about six pound.
PC COOK		And how often do you get paid?
EAST		Weekly.
PC COOK		Weekly. Because I've been told that staff are paid in alcohol. Is that correct?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 3

Tape counter times	Person Speaking	Text
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	EAST	No.
	PC COOK	No?
	EAST	I don't drink anyway so.
	PC COOK	You don't drink?
	EAST	So no use to me whatsoever.
	PC COOK	Okay thanks.
	EAST	I've got.. I've got wage slips as well.
	PC COOK	So how long have you been working at those premises?
	EAST	I was thinking about this... I'd have to say about a year. Might be less. Not that long. Less than that maybe.
	PC COOK	Okay, about a year?
	EAST	Yeah.
	PC COOK	Have you got any other licensing experience or is this it?
	EAST	Yeah I work at, I don't know if you know it, the RAOB Club?
	PC COOK	Yeah.
	EAST	I've been there for since just before – well four years this year. Just, not long after I was 18.
	PC COOK	Okay. So what training have you had in licensing?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 6

Tape counter times	Person Speaking	Text
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EAST	Yeah.
PC COOK	Is anybody keeping an eye on you or not or are you all just keeping an eye on each other?
EAST	Keeping an eye on each other really. Well if I'm there on my own I'm there on my own really. I don't need anyone to watch me as such.
PC COOK	Cos you're aware I expect that Sally – Sally CURRY has got a personal licence.
EAST	I knew that yeah.
PC COOK	Cos she was previously a DPS there. You're probably aware of that..
EAST	DPS?
PC COOK	A Designated Premises Supervisor.
EAST	Right, okay. I knew – she was there when I started.
PC COOK	Right.
EAST	Pretty sure it was her licence when I started there, cos obviously not having that sort of – she interviewed me for the job, I went to see her.
PC COOK	Yes.
EAST	So that was the person.
PC COOK	So she employed you?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 7

Tape counter times	Person Speaking	Text
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EAST	Yeah.
PC COOK	Who else was at that interview?
EAST	It was just me and her really.
PC COOK	Right.
EAST	It was – to be honest I drank – I only started drinking there a couple of weeks and I said to her “if you’re ever short just let me know and I’ll help you out” and then it went from there really so it started off only every now and then.
PC COOK	It was just like on an ad-hoc occasional basis but gradually that’s increased to the stage that – how often do you do it now?
EAST	Just every Sunday night now.
PC COOK	Okay and Saturdays?
EAST	No.
PC COOK	This was a Saturday?
EAST	Yeah.
PC COOK	That we’re going to come and talk about. It happened on a Saturday on this occasion. That’s rare is it?
EAST	No I did do every Saturday but I gave it up two weeks ago.
PC COOK	Okay. Since this incident?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 10

Tape counter times	Person Speaking	Text
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PC COOK Now we'll come onto talk about the incident on the 17th of April which went into the 18th of April, early hours of the 18th.

EAST Yeah.

PC COOK Which concerns – well which resulted in the death of Nigel RUSSELL.

EAST Yeah.

PC COOK You're aware of that incident?

EAST Yeah.

PC COOK What was your role on that evening?

EAST Working behind the bar with Rob and Sally.

PC COOK Did you serve Nigel at all that evening?

EAST I did, yes.

PC COOK What – when did you serve him?

EAST I think it would have been his second drink.

PC COOK His second drink?

EAST Think so, yeah. Which was a pint of lager.

PC COOK Okay now, it's my understanding that when he first arrived there he – he bought a drink of lager.

EAST Yeah.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 11

Tape counter times	Person Speaking	Text
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PC COOK And then he progressed on to join some others in a group that played a game of Spoof.

EAST Yeah.

PC COOK And then he had one or two more drinks at the end after that game of Spoof.

EAST Not after Spoof he didn't, no.

PC COOK You don't think he did?

EAST He *definitely* didn't.

PC COOK Well I've been told he did. Why are you so sure?

EAST Cos I was there. He played Spoof and then that was it. Spoof's like last night thing, at the end of the night so you don't normally – normally if you play Spoof (inaudible).

PC COOK You're adamant. He didn't drink anything after the last game of Spoof?

EAST Not after the game of Spoof, no. No-one drinks after Spoof cos Spoof finishes at about – they make it finish at just before time which was one o'clock then say they only finished Spoof at ten to one. That's it.

PC COOK How aware are you of what the other bar staff are doing there?

EAST In what respect?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 12

Tape counter times	Person Speaking	Text
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PC COOK Well Rob told me for instance when I interviewed him,

EAST Yeah.

PC COOK That he had served Nigel with a drink just after the game of Spoof.

EAST After the game of Spoof? Well I didn't – I didn't serve him one. I mustn't have been there, but I'm pretty sure he didn't have one after. I must have been like – cos what I do I check glasses see normally in the function hall, so I was here, there and everywhere. I don't stay behind the bar all night.

PC COOK You weren't in the bar room constantly?

EAST No, no.

PC COOK You were flitting into the hall quite a bit?

EAST Yeah.

PC COOK Were the other two members of the bar staff doing that?

EAST No, it's too busy really to – you only can let one collect glasses really you see, just so busy.

PC COOK Okay so that was your role and you were flitting between the two?

EAST Normally I'd do that yeah.

PC COOK Between the hall where the public event was going on and the club bar?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 13

Tape counter times	Person Speaking	Text
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EAST		Yeah, I serve a bit of both and I get the glasses.
PC COOK		So it was possible that Rob did serve drinks after the end of Spoof?
EAST		Possibly yeah.
PC COOK		But you weren't aware of it?
EAST		I'm not aware of it, yeah.
PC COOK		As far as you're concerned you only served Nigel directly on one occasion?
EAST		Yeah.
PC COOK		That was, you thought, his second drink?
EAST		Think so, yeah.
PC COOK		So that wasn't in the game of Spoof?
EAST		No.
PC COOK		So he came into the premises, had two drinks of lager?
EAST		Yeah, I think so, and then carried onto into Spoof.
PC COOK		Carried on into a game of Spoof?
EAST		I seen him come in but I didn't – I was serving someone else when I seen him come in if you see what I mean.
PC COOK		Are you aware of the other people who were in that game of Spoof because I think they were all regulars and there were five of them in total?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 14

Tape counter times	Person Speaking	Text
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EAST	Yeah.
PC COOK	You're – you're aware of them?
EAST	Five yes.
PC COOK	Yeah.
EAST	Yes.
PC COOK	Now Nigel actually won the games of Spoof.
EAST	Yeah.
PC COOK	He won each round so he didn't actually buy any of his drinks directly.
EAST	No. He always wins.
PC COOK	Does he? Until – until that night, but did you serve any of that group involved in the game of Spoof?
EAST	Yes.
PC COOK	Who did you serve in the game of Spoof?
EAST	I'm ninety-nine per cent sure it was Darren. A chap called Darren.
PC COOK	Darren HEALEY?
EAST	I don't know his second name.
PC COOK	Yeah Darren, yeah. Well he was the only Darren that was in the group, so I gather it was Darren HEALEY.
EAST	Yeah, so I served him once.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 15

Tape counter times	Person Speaking	Text
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PC COOK What were the drinks that you served to Darren? That would have been five drinks then. Were they all the same or?

EAST No.

PC COOK They were choosing their drinks were they? or were they being chosen for them as part of this game of Spoof?

EAST Yeah every game they do differently you see cos sometimes they pick their own, sometimes the loser picks, sometimes they agree before, so it's every time they play it's different.

PC COOK What's your recollection of this particular game?

EAST They were drinking – I'm pretty sure I served Darren ports, yeah ports.

PC COOK Port?

EAST but I was aware they were drinking Woods.

PC COOK Port and Woods?

EAST Yeah.

PC COOK On this particular night was their game of Spoof such that they were deciding what the drinks would be – the first one out would choose the drinks and the last one out would pay?

EAST Normally – that night I think they played whoever loses – whoever has to buy the drinks decides.

PC COOK Right, okay.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 16

Tape counter times	Person Speaking	Text
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EAST		If you see what I mean cos.
PC COOK		So the loser would pick the drinks and pay for them?
EAST		Yeah.
PC COOK		Okay so you...
EAST		Unless someone was that adamant that they don't want that drink and then they normally...
PC COOK		They'd switch it would they?
EAST		Yeah. Like if someone said "right we'll have five Woods" and someone says "I don't want Woods" normally they've got decency to say "right don't get that, he doesn't like it. Better get him something else".
PC COOK		Okay so you served Darren with – presumably then five ports?
EAST		I think – I'm pretty sure it was. Yeah.
PC COOK		For that group to consume?
EAST		Yeah.
PC COOK		Okay and that would have been around about the third round I believe, let me just double-check on that because Chris TONER was part of that group wasn't he?
EAST		Yeah.
PC COOK		Do you remember Chris being in it?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 17

Tape counter times	Person Speaking	Text
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EAST	Yep I remember it, yeah.
PC COOK	Chris, Darren, Cam.
EAST	Yeah.
PC COOK	Yeah? Nigel and Tom or Tony?
EAST	Tom.
PC COOK	Tom?
EAST	Yeah.
PC COOK	Now Chris TONER – sorry – Tom lost the first game so he bought that round of drinks. You didn't serve him?
EAST	No.
PC COOK	Chris TONER lost the second one.
EAST	Right.
PC COOK	And bought some drinks. Did you serve Chris?
EAST	No.
PC COOK	No?
EAST	Okay yeah, go on.
PC COOK	He also lost the third round and bought the third round of drinks.
EAST	Right.
PC COOK	So you didn't serve him then either?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 19

Tape counter times	Person Speaking	Text
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PC COOK	So how – how many of those rounds, those five rounds, do you think you bought drinks for? You mentioned Darren?
EAST	That I sold you mean?
PC COOK	Sorry?
EAST	Not bought drinks for, you mean I served the people
PC COOK	You served the drinks, sorry, sold to..
EAST	I'm pretty sure it was one.
PC COOK	Just the one?
EAST	You see Darren obviously must have done what I said, got – like someone else.
PC COOK	So you think Darren took the cash off one of the others?
EAST	Yeah they sometimes do that if some of them – need the toilet or cigarette or something.
PC COOK	Yeah. Okay. Well they had port during the second and third – sorry the third and the fourth?
EAST	Yeah, must have been one of those rounds.
PC COOK	So it was one of those rounds that you served Darren?
EAST	Well yeah it must have been.
PC COOK	It was five drinks was it?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 21

Tape counter times	Person Speaking	Text
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PC COOK	Did you speak to them?
EAST	Yeah.
PC COOK	All five of them?
EAST	Not all five of them, no.
PC COOK	What's your policy on sort of serving drinks to a group like that?
EAST	Well I'll just have a quick glance over, check they're alright for another one and...
PC COOK	A quick glance at the group?
EAST	Yeah.
PC COOK	To see whether?
EAST	Normally they're all chatting amongst each other so they're normally fine. They don't all come to the bar and get their own drink. They're all talking amongst themselves.
PC COOK	Yeah. Okay. Would you notice if their... if their words were slurred?
EAST	Yeah.
PC COOK	Well I would appreciate you would the one at the bar who's asking for the drinks but the other – the rest of the group chatting to each other, would you necessarily notice that?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 23

Tape counter times	Person Speaking	Text
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EAST Just – I was just checking he was alright really. He was stood at the bar, I said “are you alright” he was like “yeah” and that’s it really.

PC COOK Just a passing comment basically?

EAST Yeah. Friendly, but that’s me really. I always hello to everyone and I was just being friendly and checking he was alright like.

PC COOK And he just said “Yeah, I’m fine”.

EAST Yeah.

PC COOK No other lengthy conversations?

EAST No nothing – I was just busy – I was probably – I might have collected a glass that was next to an empty and I said “you alright mate” and he was like “yeah” and I carried on like.

PC COOK And what was he drinking at that time?

EAST That was when he was on Wood’s I think. I think that would be the last round.

PC COOK That was the last round?

EAST That might be just in fact before the last round. Before we actually – obviously someone put the drink down, he hadn’t drunk it but I was speaking to him so I’m pretty sure he had a Wood’s in front of him.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 24

Tape counter times	Person Speaking	Text
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PC COOK		Yeah.
EAST		But I just said 'hello' like.
PC COOK		The last drink that was being identifiable by the type of glass and the colour of the – you're happy that was the Wood's?
EAST		Yeah. And again if he was not capable of drinking it I would just have taken it off him.
PC COOK		Would you?
EAST		Oh yeah.
PC COOK		Have you done that before?
EAST		Yeah.
PC COOK		To whom?
EAST		A couple of people. Not taking – I've not normally taken drinks off them – I refuse to sell them.
PC COOK		You refuse to serve them?
EAST		'You've had enough, go home,' and it spoils the night really doesn't it if you get absolutely paralytic.
PC COOK		What's the next things that happens here, because Nigel basically collapses or becomes unresponsive. Did you see him keel over or what? Tell me what happened.
EAST		I didn't see him keel over no. I just, when I come in he was on – on the floor.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 25

Tape counter times	Person Speaking	Text
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PC COOK You'd gone out back into the hall and come back in and you find him on the floor?

EAST Cos this is near the end of the night see.

PC COOK So how long's that after you've just spoken to him about 12:30? Are we talking roughly?

EAST Just before one o'clock I'd say. No I spoke to him about ten to one and as I say this is just after one that I've gone back in.

PC COOK You spoke to him again at ten to one or that was when you spoke to him?

EAST No I spoke to him like quarter to twelve, quarter to one.

PC COOK 12:30 you said.

EAST Half twelve, quarter to one.

PC COOK Quarter to one?

EAST I would say this is about one o'clock.

PC COOK 12:45 you spoke to him, not 12:30?

EAST Yeah.

PC COOK And then you spoke to him again about fifteen minutes later?

EAST Yeah, cos the party always disperses into the hall.

PC COOK Or rather you came back in fifteen minutes later to find him collapsed on the floor?

EAST Yeah, sorry, yeah. Yeah.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 26

Tape counter times	Person Speaking	Text
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PC COOK	Okay. Did you ask the staff what – if he'd had any more drinks after the Woods?
EAST	No... one o'clock's – we wouldn't have served him after one. We're strict on that like... We won't –not even one minute past - we wouldn't keep on serving them.
PC COOK	Did you try and rouse him?
EAST	Rouse him?
PC COOK	Rouse him.
EAST	There was people round him so I just left him. I just thought basically he's had too much and fell on the floor.
PC COOK	Who was round him at that time?
EAST	Just the people that were in the bar.
PC COOK	His friends? His drinking friends?
EAST	Yeah basically yeah.
PC COOK	Some of them had left hadn't they? Some of them had left by this point I think hadn't they?
EAST	What for Spoof?
PC COOK	Yes. Part of that group of five had left.
EAST	I think Cam had left. Yeah Cam had definitely left. I'm not sure if Thomas was there.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 27

Tape counter times	Person Speaking	Text
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PC COOK		Were there any members of staff there looking after him trying to get him to respond?
EAST		Yeah we did try getting him up.
PC COOK		When you say “we”, who’s “we”?
EAST		I can’t remember who, but it was me and a customer tried getting him up. We got him on his feet like.
PC COOK		Yeah.
EAST		But he was having none of it so we laid him on the floor in the recovery position.
PC COOK		Inside?
EAST		Oh yeah, yeah.
PC COOK		Inside the bar?
EAST		Yeah.
PC COOK		Yeah?
EAST		Yeah. Checked he was breathing, done the usual checks, put him in the recovery position and he was laid there breathing absolutely fine.
PC COOK		Okay, then he was carried outside.
EAST		Not straightaway no.
PC COOK		About half an hour later?
EAST		Probably not that much – about quarter of an hour I’d say.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 28

Tape counter times	Person Speaking	Text
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PC COOK		Right.
EAST		Cos obviously we were locking up, we'd just obviously again thought he's had too much and he was going to come round and just be normal, cos obviously I've been in that state where I've just collapsed and just got up and got on with it like. So we thought he'd just had too much. He hadn't drunk enough in the Hillview to be like that at all, so we thought he can't be.
PC COOK		No, but he'd had some drinks before he arrived.
EAST		Don't know. I couldn't answer that. I just know that he come in the Hillview at about quarter past tennish, I don't know if he'd been out all day or that was his first pint. I don't know.
PC COOK		Okay, right.
EAST		I can't answer what he's done before he's...
PC COOK		You took him out in the fresh air.
EAST		Yep.
PC COOK		And I think you helped carry him didn't you?
EAST		Yeah.
PC COOK		Were you carrying his head or his legs? Carrying his head and I think his arms sort of.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 29

Tape counter times	Person Speaking	Text
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EAST	I think there was just a few of us underneath him.
PC COOK	Right who was carrying him with you? Who were the others involved?
EAST	I don't even know if I carried him out. I don't think I did actually.
PC COOK	You didn't?
EAST	I don't think so. I can't recall.
PC COOK	Okay. I've got the video but I'm trying to figure it out who's on the video.
EAST	I don't think I did to be honest. I was there but I don't think – he's only – he was only little, it didn't need that many people.
PC COOK	Are you trained in first-aid at all?
EAST	No.
PC COOK	You still couldn't rouse him outside. Did you try and rouse him outside when he was out in the fresh air?
EAST	I just went up to him and tried to – I didn't shake him - I just seen is he was responding. He didn't really respond, he just grunted really.
PC COOK	Right.
EAST	He was just saying like "urr" and that's all he done really.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 30

Tape counter times	Person Speaking	Text
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PC COOK	Fairly typical of someone who's had too much to drink?
EAST	Basically yeah.
PC COOK	There was no reason to suspect anything medical?
EAST	No, no. We thought – I thought that he'd had two pints and three or four Wood's, which is nothing really. Like most people can drink that and be absolutely fine so we thought – I don't know.
PC COOK	You didn't think about calling an ambulance?
EAST	No, because we thought it was just like – I don't think they – we didn't know if they could do anything like, cos he was still breathing, he was fine and I'd heard these days obviously if you call an ambulance just for someone drunk I think you can get fined or into trouble so we thought he seemed fine so we just need to get home now like and get him...
PC COOK	Okay, I don't think it's the case that you can get into trouble or get fined, just to put that right.
EAST	Oh right, I thought wasting ambulance time I thought.
PC COOK	So you then made a decision – somebody did – to put him into a car and contact his wife and get her to come along with her car.
EAST	Yeah, no-one knew where he lived, which was a bit of a pain.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 31

Tape counter times	Person Speaking	Text
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PC COOK It should have been on the Club records shouldn't it?

EAST It probably – yeah it is, but obviously you didn't think of something like that at this time, you just – so I was going to take him home, yet I got a new car the week before.

PC COOK Yeah.

EAST And I didn't – personally I didn't want him to be sick in my car.

PC COOK Yeah.

EAST That's the reason I didn't take him home. I thought if he comes round and chucks up everywhere I'm going to be not impressed.

PC COOK Yeah.

EAST I'd only had this car a week,so I know his wife so I got his mobile out of his pocket. At first I couldn't find it cos it's like a touch-screen phone in a leather case so I just dabbed him around and I thought "he hasn't even got his phone on him" then I went back and realised it was in a leather case so I got hold of his phone, I rang his wife. She was in Charlie's Chippy, I explained that Nige's had a bit too much, is it possible you can pick him up, and she said luckily she was with her friend who was driving and she come and got him

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 32

Tape counter times	Person Speaking	Text
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and then me and two other people put him in the back of her car – his wife’s friend’s car, but we knew – I followed her back cos I knew – I didn’t want to leave her with him cos obviously she’d struggle cos she’d had a drink as well like, I didn’t want to leave her to get him out the car in case she dropped him, so me and two other lads followed her home and then I got him out the car at the other end and laid him in his front room door.

PC COOK	Who were the other two lads there?
EAST	Tony.
PC COOK	Tony DICKS.
EAST	And Tony’s – DICKERSON I think.
PC COOK	Tony DICKS and Tony DICKERSON?
EAST	I think that’s the name. We’ve got a nickname for him called “Sticks” but I don’t think that’s his actual name.
PC COOK	Sticks is DICKS?
EAST	Yeah. No there’s Tony DICKS and then Tony DICKERSON who I think is...
PC COOK	That’s right they’re two different individuals aren’t they?
EAST	Two Tony’s anyway.
PC COOK	Tony DICKINSON and Tony DICKS.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 33

Tape counter times	Person Speaking	Text
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EAST	Yeah.
PC COOK	Where do you think things went wrong on this evening, if you think things did go wrong?
EAST	On our point of half I don't think anything really.
PC COOK	You don't think anything went wrong?
EAST	Not in – well obviously things went wrong, but I don't think we served him too much or – cos as I said at one o'clock he was fine speaking to me, saying how he'd been out to a party a couple of weeks ago and got in the same state to be honest.
PC COOK	He was speaking to you at one o'clock?
EAST	Not – he was – it must have been earlier than that.
PC COOK	12:45 you said.
EAST	I had a conversation with him about half-twelvish but I actually spoke to him just glancily about quarter to one.
PC COOK	So you had longer conversation with him about half past twelve?
EAST	Yeah. Yeah.
PC COOK	What was that about?
EAST	Just about – cos – what was it about? I had a bit more time on my hands then so obviously we were just generally chatting really. How are you? About work and what you

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 34

Tape counter times	Person Speaking	Text
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been up to, and he said he went to a party a couple of weeks ago and by the sounds of it he got in the same state that he got into that night, cos he told me something like he went to a party in Churchdown somewhere, woke up in a bush the next morning, didn't know where he was, what he was doing, and he had to go and knock on a lady's door to ask where he was and we were just having a laugh cos of the state he got into.

PC COOK

Right.

EAST

And I just left him then and carried on.

PC COOK

Okay so that was about 12:30?

EAST

About that yeah.

PC COOK

12:45 you touched base with him very quickly, you said "alright" and he said "yeah I'm okay".

EAST

Basically yeah as I was passing by.

PC COOK

At one o'clockish you find him collapsed?

EAST

Yeah that's why it puzzles me why in the space of half-an-hour he's gone like that. I thought "it can't be the drink that hit him that hard like".

PC COOK

Are you aware of how many drinks he had that evening?

EAST

Well obviously – I reckon he's had a pint before he came in – a first pint – I served him the second and then five round

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 35

Tape counter times	Person Speaking	Text
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games of Spoof. Obviously with five people, everyone buys a drink.

PC COOK When you say he had a pint when he came in.

EAST Yeah. I'm pretty sure I served the second pint.

PC COOK Who served the first drink when he came in?

EAST I couldn't tell you.

PC COOK You don't know?

EAST I just know I come in the bar and seen him with a pint – with a drink in it.

PC COOK And you served a top up?

EAST Yeah I served him the next one.

PC COOK And you served him in the bar for the second one?

EAST Yeah but he hadn't been in there long enough for that to be his – more than that. I think I served him his next one at about quarter to eleven/eleven so there's no way that it could have been more than two cos obviously he didn't get in till about twenty past eleven so – ten sorry.

PC COOK In total he'd had about twelve drinks cos he had three or four in The Greatfield first.

EAST Oh right, yeah.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 36

Tape counter times	Person Speaking	Text
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PC COOK Then he came in and he had two before he played the game of Spoof.

EAST And then I seen – I was counting up to six.

PC COOK Then he blamed the game of Spoof which was another five.

EAST Yeah.

PC COOK The last one of which was a double so that counts as two.

EAST Well I didn't know he had the double, I just know he had five games of Spoof and two pints.

PC COOK Yeah.

EAST That's all I know, I can't – I wasn't there to...

PC COOK So that's eight including the double.

EAST If it was a double – I don't know. I didn't serve him the double and I don't know.

PC COOK Okay and that additional drink was served by Rob after that game of Spoof.

EAST If – again, I don't know.

PC COOK So maybe even thirteen drinks?

EAST Possibly, I don't know. I just know he had two pints roughly and five games of Spoof.

PC COOK Do you think it's reasonable to serve somebody twelve/eleven/ten drinks?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 37

Tape counter times	Person Speaking	Text
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EAST	Well we didn't serve him that many. It depends because I know someone – not that drinks in the Hillview, but some of my mates go out and have ten pints, absolutely fine, walk home, be fine. I'm the same, I can have sometimes six/seven pints and I'm fine so.
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PC COOK	Do you think perhaps you're setting the threshold too high and basing it on whether they can walk still?
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EAST	Not – no, no, I wouldn't say we're not going to serve someone until they're absolutely wasted, but we just serve people until we think they've had enough really and then again if I think someone's had too much I refuse to serve them.
------	---

PC COOK	Do you think this incident will make you lower that threshold and be a little bit more careful about serving drinks when they're clearly consuming nine, ten, eleven drinks?
---------	--

EAST	Probably not, cos – what's the word – I was cautious anyway. I wouldn't. I've got friendly with people who go in there and I wouldn't want harm to come to them and them get absolutely wasted and fall over and hit their head, I don't intend to get people like that. I want them to have a couple of
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Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 38

Tape counter times	Person Speaking	Text
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drinks, have a good night and then go home. I don't want people to get absolutely hammered. It spoils it really.

PC COOK Yeah but there can be a delay obviously between the consumption of the drinks and when it kicks in.

EAST Yeah.

PC COOK Can't there?

EAST Yeah, there can yeah.

PC COOK So they can throw down the drinks and suddenly find themselves in the (inaudible).

EAST That's what I think Nigel must.. maybe had done, because as I said he was fine and then..... but there's no way we served him too much that night. He comes in sometimes and has that many all the time every week, and I take him home and he says 'yeah mate' and he walks home fine, so it's nothing – he's done that before – it's not the first time he's ever played Spoof.

PC COOK You see some people would say that this actually was an incident that wasn't too surprising because there have actually been slack practices over a long period of time at that club and allegations of drunkenness. Underage drinking on a few occasions, drug taking in the toilets, after-hours drinking

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 39

Tape counter times	Person Speaking	Text
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sometimes, smoking on the premises and occasional violence and there was even an incident recently where someone urinated standing up in the bar I believe cos he'd had too much to drink. What's your response to that?

EAST I don't know where that's come from. Obviously what's happened in the past I don't know because I've only been there just under a year but none of that's happened when I've been working.

PC COOK No drunkenness?

EAST Well you get drunkenness yeah, but you're just a pub, you get that everywhere. Not absolutely wasted drunkenness but able to walk home fine if you see what I mean?

PC COOK Underage drinking?

EAST I believe that happened since I been there, but I didn't serve – I have not served anyone underage.

PC COOK Drug-taking in the toilets. How often do you do toilet checks?

EAST Well... not really toilet checks no.

PC COOK Are you aware of allegations of drug-taking in the premises?

EAST No, I didn't know about that, no.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 40

Tape counter times	Person Speaking	Text
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PC COOK	Not even since February since it was brought to the attention of the premises by ourselves?
EAST	No, I didn't know. I didn't even know you'd been there.
PC COOK	Have you seen a sign go up on the wall?
EAST	To do with drugs?
PC COOK	About anything?
EAST	There have been signs gone up yeah.
PC COOK	Have they been brought to your attention at all?
EAST	Well I read them, yeah.
PC COOK	Has Norman or Louise spoken to you at all about problems at the club?
EAST	Yeah.
PC COOK	Who has?
EAST	Both.
PC COOK	When?
EAST	A couple of weeks ago I think.
PC COOK	Before this incident?
EAST	No, after.
PC COOK	After?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 42

Tape counter times	Person Speaking	Text
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EAST		If people have come in and not signed in yeah, but I'm not (inaudible) yeah, I sign people in if I know they're not a member.
PC COOK		What you tell the member to go and sign them in or?
EAST		No, no, no, I say. They obviously know I work there people, if I don't recognise them I'll say, and normally obviously they come in with them so they have signed them
PC COOK		Yeah so if they have – if you're not – if you don't think they've been signed in would you actually say to them “are you signed in”?
EAST		Yeah. You have to sign every time you come in don't you? Yeah?
PC COOK		Yes.
EAST		So I give them the book and then sign them in.
PC COOK		Where's the book kept?
EAST		End of the bar. It's sitting at the bar, it's on top of a fridge in the bar area like. It's not a place you walk – not many people go into somewhere on their own. If they weren't a member they'd go in with friends and meet friends and that friend would sign them in. You don't – not normally you just don't go in there on your own.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 43

Tape counter times	Person Speaking	Text
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PC COOK Okay. Craig if – if you think that nothing really went wrong on this evening, it’s quite possible it could happen again.

EAST We’re obviously going to be more careful about how we serve people but I don’t – I don’t know – I don’t think he had too much really. I just – he drinks like that – as I said he’s drunk that many drinks in there before and I’ve taken him home fine.

PC COOK He’s drunk twelve/thirteen drinks there?

EAST Well I’ve never said he’s drunk thirteen drinks. I know he’s drunk five Spooof and two, that’s seven. I don’t know where thirteen’s coming from.

PC COOK Well that’s included the ones that he had before.

EAST Well as I said I don’t know, he could have been on it all day and had twenty bottles and that doesn’t affect us and we’ve just got to look after him while he’s there and know what he’s drunk, but if he’s been on it all day I don’t know, but when he came in he seemed fine as if he hadn’t had a drink but...

PC COOK Okay. Well I think we’ve covered a lot of ground here, is there anything else you want to say in relation to this?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 45

Tape counter times	Person Speaking	Text
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obviously yeah.. a family friend. I would have done that. I wouldn't have just said "no just get him home" My intentions is to get the – not the best out of him – the best possible action to take, and I said "do you want me to call an ambulance" and she said "no just get him home" so that's what we done. I took him home, and I thought it was decency, I could have just put him in the car but I took him home and got him in the house.

PC COOK Okay now at the house, Donna RUSSELL, Nigel's wife said to you "where are the others who were drinking with Nigel"? You replied "they've all gone home except one of them, they all went home at 12:30. Nigel and the other one - whose name you probably gave her - stayed behind and carried on drinking".

EAST No, they were all still there apart from one, when Nigel was there. When most people were leaving they all stayed.

PC COOK Apart from Cam who we know went home you said earlier.

EAST Yeah everyone else was still there.

PC COOK They were still there?

EAST Even when I left. I actually left when people were still there, obviously not drinking, but people were still there. I just got

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 46

Tape counter times	Person Speaking	Text
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my keys and left. I didn't go back that night but I never said nothing about they've all gone, they were all still there.

PC COOK See, Donna in her statement also says, she says "shall we call an ambulance?" and asked about what he'd had to drink and so on.

EAST She didn't ask me what he drunk, no. I just know that when she come to get him she come running up and we had him on his feet, I said "do you want us to call an ambulance for you or put him in the car?" and she said "no just put him in car, just get him home" cos she was in a panic obviously, so we laid him in the car, made sure he was safe and then I followed them safely home. If she'd said "call an ambulance" I would have called one. I wouldn't have said 'no'.

PC COOK Okay. Okay. Well look there's probably not an awful lot more to be said, we've covered a lot of ground there. Thanks for that.

EAST Did she honestly say that I went back?

PC COOK Yes she said that you were one of three that went back.

EAST No I went back after that. Did she say that?

PC COOK Yes she did yeah.

EAST Cos I was concerned.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 47

Tape counter times	Person Speaking	Text
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PC COOK	Yes you enquired afterwards.
EAST	Yeah I popped back cos I picked my mate up from town, took him home and something in my head, I don't know what it was – but something said something's happened.
PC COOK	Right.
EAST	This was half two/three o'clock?
PC COOK	The following day?
EAST	No, it was in the morning.
PC COOK	Oh in the morning? Sorry she probably did mention that, yes. Yep. Did you actually go back to the house or did you ring her?
EAST	No I went back.
PC COOK	You went back to the house?
EAST	Yeah the ambulance were there.
PC COOK	Right.
EAST	Cos I said something was telling me something's happened. I don't know why. Weird. I went back, the ambulance was there. I went rushing in and I said to Donna "is everything alright" and she said "no". I shouldn't have said ... silly thing to say really, but so I said "please keep me posted, you've got my mobile number".

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 48

Tape counter times	Person Speaking	Text
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PC COOK		Yes that's right.
EAST		And she rang me throughout the day the next day. Her daughter rang me, she rang me, all the time updating me because obviously I was concerned and worried.
PC COOK		Yes.
EAST		I was in contact with Donna until about five o'clock Sunday night and she – she then told me, but yeah... I went back and gave her my number so she could contact me.
PC COOK		Who is it that's just recently lost his wife? The slim chap? Who's that?
EAST		That was Tony – that was Tony, one of the chaps that were taking him home.
PC COOK		Tony DICKS or DICKERSON?
EAST		DICKS.
PC COOK		Tony DICKS?
EAST		Recently umm. Time really flies these days. Probably four or five months I'd say.
PC COOK		Okay.
EAST		Yeah he's just lost his wife.
PC COOK		He said at some point to Donna – you may have heard this – he said "he's just drunk. He just needs to sleep it off".

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 49

Tape counter times	Person Speaking	Text
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EAST		He might have said that I don't know.
PC COOK		She replied "oh what's he had to drink" and he replied "it's not my place to tell you, you'll have to ask him in the morning".
EAST		He probably wouldn't know cos he wasn't involved in the Spooof see. He probably wouldn't have known.
PC COOK		Right.
EAST		He wouldn't have known what he'd drunk.
PC COOK		Okay brilliant. Well look Craig we – we believe that he was served too much alcohol and that has been a major trigger here in his untimely death. Are you aware that it's an offence to serve someone with alcohol when they're drunk?
EAST		Yeah.
PC COOK		Who would have told you that?
EAST		Just common sense really.
PC COOK		Okay.
EAST		If somebody was pissing on the floor and staggering all over the place, they're not going to get another drink.
PC COOK		Are you aware that it's an offence to serve someone with a drink who is sober if that drink is being supplied to someone who is drunk?

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 50

Tape counter times	Person Speaking	Text
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EAST	Yeah.
PC COOK	You are?
EAST	Cos that's the same with under 18 isn't it? Somebody who's 20 buys a 17 year-old a drink.
PC COOK	Yes.
EAST	Cos I know what people drink in there see and obviously if somebody normally drinks Strongbow comes and asks for Carling, I'll say who's that for?
PC COOK	Okay.
EAST	Cos obviously I'll know that it's not for them.
PC COOK	Okay. I need to tell you that you'll be reported for consideration of prosecution for the offence of serving someone who is drunk with further alcohol, okay?
EAST	Right.
PC COOK	I'll caution you again and tell you that you do not have to say anything but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence. Is there anything else you want to say in relation to the possibility of being prosecuted for that offence?
EAST	I don't think so, no. I don't have nothing else to say, no.

Record of Tape Recorded Interview CRAIG EAST

Continuation Sheet No 51

Tape counter times	Person Speaking	Text
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PC COOK Okay well thanks – thanks for that. The time is now 16:53 and I’ll turn the tape machine off and you’ve got the form there explaining what happens to the tapes and I’ll give you a copy of the tape in a moment as well. Thanks very much.

JK

Record of Interview Kambesh PATEL

Form MG15A Rev 07/09

(Contemporaneous Notes)

Date: 27/04/2010 Station/Branch: LEEDHAMPTON

Interview of Kambesh PATEL URN 53

Age: 50yrs Date of Birth: 22/10/59 Police Exhibit No: 125/01

Officer conducting interview: PC 1831 SEEDALL Number of pages: 7

Other persons present: Signature of interviewing officer producing exhibit [Signature] PC 1831

Location: UPHATHURLEY, CHELTENHAM

Time commenced: 1823 hrs Time ended: 1928 hrs

You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in court.

Anything you do say may be given in evidence: Do you understand?

Reply: YES

You are not under arrest and you do not have to remain here with me. Do you understand?

Reply: YES

You are entitled to legal advice. You may consult with a solicitor or legal advisor either in person or over the telephone. Do you wish to have such a consultation? (The reasons why the interviewee declines legal advice must now be recorded).

Reply: NO, DON'T THINK I NEED IT.

(If the interviewee is attending voluntarily at a Police Station and asks about their entitlement to free legal advice, they must be provided with a copy of form D4A.)

Signature(s): [Signature]

Person Speaking	Text
1831	From our conversation to my attendance here today, you are aware Nigel RUSSELL died a week ago falling a drinky senior and that you were drinky with him.
A	I was with him that night, yes.
1831	How long have you known Nigel?
A	I've known Nigel for over 30 years now. He started playing skittles for my team about 8 months and now I see him most days. When we're not working we usually meet up drinky.
1831	Can you please tell me the events of that evening?
A	I left my house about half past 8 that evening. On my way to the CROFTFIELD, which is our meety place. I walked in and got myself a pint. Whilst I was waiting to be served Nigel walked over to me. We talked about work. He told me he'd made quite a bit of money that week, about £900. I said to him I wasn't at work on Friday night due to work. Nigel was sat with a drink, before he'd walked over and after I got myself a drink I did offer Nigel a drink but he said not yet. There was a table also we play skittles with so I said let's sit with him for a bit, it was Andy BRICK. The three of us sat together. After a bit Nigel went to the bar and got three pints of lager. We sat there for a while chatting, Nigel went out for a smoke every now and then. Once the pints were empty

Signature(s):

Kamlesh PATE

Person Speaking	Text
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I went and got the photos in, and then Andy got the photos in. The time was getting on a bit and you have to be inside the club before 11 o'clock so we decided to walk over. Andy was gay here and I think it was about quarter past and half past ten.

I would just like to add, Nigel was in the pub before I got in there.

As we walked over to the club. There were people stood outside the smoking, Nigel carried on talking to them as I carried on into the bar. Asked for two drinks, as for me and Nigel, there were just lagers again. Nigel followed me about 5-10 minutes after and we just had a drink after a while; we usually play a game of 'spoof' and somebody said lets play it, like we normally do. There was five of us; myself; Darren, Tony, Tom and Nigel. Normally when we play 'spoof' we play in a circle so we play

the five times for the five people. The first game I can't recall who ~~left~~ ^{were} and they were playing for pots; it's up to you what you're drinking, it's your choice. On one of the rounds me and Nigel had a pint instead of a short.

On the last game, somebody said, lets play for woods. I said are this game's over I'm leaving, I'm gay here. I'd just care off nights and I was feeling pretty tired. I think it was about quarter past and half past twelve. After each game they were gay for fag breaks. We played the fifth game and

Patel

Patel

Signature(s): *Patel*

Person Speaking	Text
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stood around until I finished my drink and then I went home. And everybody seemed o.k. to me at the time.

1831 Would you say you were drunk?
A I was buzz, I wasn't drunk no.

1831 How long did it last for?
A We got in there about half past three. The first game was about 20 minutes after that. Up until I left.

1831 How much alcohol had you drunk?
A 4 pints in the pub, one pint when we first arrived and then the 'five games of 'spoof'.

1831 How did you get home?
A I walked home.

1831 Who was serving you behind the bar?
There was three people working behind the bar that day, Sally, her son Rob and Greg. I think he's called that. I believe he was one of the lads that helped him home; this is just what I've heard.

1831 Can you tell me who served you during the game?
A I really can't remember. When I first walked in Rob served me. I think it was mainly the two lads; I was think I was served by Rob again during the game.

1831 Are you aware it is an offence to purchase alcoholic drinks for someone who has had enough already?

A Yeah, but everybody looked fine at the time.
1831 Nigel tell over, did you see that?

Signature(s): *Patez*

Person Speaking	Text
-----------------	------

A No, I was gone by then. I didn't know about that until the following day when people have told me about it.

1831 Did you notice if anyone was getting unsteady on their feet, slurred speech or glazed eyes?

A Nope, because after the last game I just went when they went out for cigarettes.

1831 Did anybody else join you for drinks?

A No that was it.

1831 Did you see Nigel with any unusual drinks?

A We'd been playing 'spot' for a long time now. The only unusual drink that night was woods. When I say its unusual we just don't always drink it.

1831 What is woods?

A Woods is Rum. Its a strong drink and as it was the last game we played for dables.

1831 Were you sober enough to judge whether Nigel was drunk?

A I was fine.

1831 Were any others drunk?

A Everyone was talking they all seemed fine.

1831 Did any staff members behind the bar speak to you or query about the drinking game?

A Nothing at all, no.

1831 Have you ever been refused drinks in there before?

A Me, myself, never.

1831 Have you ever seen Nigel drunk?

A I have seen him on occasions, but not when I left that night. He's always been able to find his own way home.

Signature(s):

Patel

Person Speaking	Text
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1831 How often do you go out with Nigel drinking?
 A We go at once a week for skittles ~~drinking~~ and he usually comes out regularly during the week but he's stayed down and just came's out of the weekends. He text me about the Friday night before but I told him I was just out on the Saturday. I don't know if he'd gone out that Friday night.

1831 How often have you seen him drunk?
 A It was every week, I've seen him more merryish.

1831 Did you try to make any further contact with Nigel during that night?
 A No, I just came home and that was it.

1831 Is it unusual for Nigel to stay at longer than you?
 A Nigel usually stays at longer than me.

1831 Is there anything else you want to say in connection with this?
 A I don't really know. I've heard loads of stories. The only person who seems to know fully is Tony STICK who was at with us in the MILLVIEW.

1831 Are you both members of the MILLVIEW?
 A Yes.

1831 Can you provide me with full names of the people in the drinking group?
 A Darren; I don't know his surname.
 Tom; is Chris TOWER.
 Tom; I think is Thomas O'RILEY

1831 Do you wish to add or clarify anything to what

Signature(s): [Signature]

Person Speaking	Text
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you have said?

A No.

1831 I am repobly you for consideration of prosecuting
you for the offence of buying alcohol for a person
who was drunk? Caribian.

A I understand what you are saying. I didn't
buy anybody or drink that was drunk.

I have read the above and it is an accurate
record of the interview.

[Signature]

Signature(s): *[Signature]*

GLOUCESTERSHIRE CONSTABULARY

Record of Interview Christopher TONER

Form MG15A

Rev 07/09

(Contemporaneous Notes)

Date: 26/4/10 Station/Branch: Cheltenham

Interview of Christopher Nicholas TONER URN 53

Age: 62 Date of Birth: 25/12/47

Officer conducting interview: PC 417 COOK

Other persons present: -

Police Exhibit No:
Number of pages: 7
Signature of interviewing officer producing exhibit

Location: Cheltenham

Time commenced: 1512 hrs Time ended: 1620 hrs

You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in court.

Anything you do say may be given in evidence: Do you understand?

Reply: Yes, Yes

You are not under arrest and you do not have to remain here with me. Do you understand?

Reply: Yes

You are entitled to legal advice. You may consult with a solicitor or legal advisor either in person or over the telephone. Do you wish to have such a consultation? (The reasons why the interviewee declines legal advice must now be recorded).

Reply: No. Cos I haven't done anything wrong.

(If the interviewee is attending voluntarily at a Police Station and asks about their entitlement to free legal advice, they must be provided with a copy of form D4A.)

Signature(s): [Signature]

Person Speaking	Text
Q 417	You indicated just now that you were aware that Nigel Russell died a week ago following a drinking session at the Hillview Community Centre and that you were drinking with him and that you bought him some drinks?
R	Yeah, yeah.
Q	Can you please tell me the events of that night?
R	I left here after the Chelsea game about 20 past 7pm on Saturday 9th April. Went to the Hillview Community Centre and obviously had a few drinks with a few mates. Nigel came in later and joined me at the bar, along with a few others who were there.
	We normally have a game of 'Spook' every Saturday night and I can't remember who suggested it on that occasion. There was 5 of us playing. Darren HEALEY, Kam (India), Tom, Nigel and me.
	Tom lost the first game which meant that he had to pay for the next round of drinks. The next round I lost and I lost the 3rd round as well, so I ended up buying two rounds for the group. I would add that when Nigel

Signature(s): *C Toner*

Person Speaking	Text
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First arrived at the pub, he had a pint of Lager.

When I bought the first round I said "Nigel, what do you want?" Nigel had a lager again.

When I bought the next round he had a short - a glass of Port. Kam lost the next game and I'm pretty sure we all had Port. Tom ~~of the~~ lost the last game (the 5th) and we all had a short of Woods Navy Rum.

I think I bought myself another lager but can't really remember much after that.

Q 417

Because you'd had quite a lot to drink yourself?

R

Yes, that's right.

I remember saying to Nigel, "Gosh you're lucky tonight, winning every game." He replied, "You're normally the lucky one."

I don't know if Nigel had any more drinks after the 5th game.

Q 417

Would you say you were drunk as a result of the number of drinks you had?

R

I suppose I was, in a way. I'd had a can or two watching the football before I went out.

I wouldn't say I was drunk while

Signature(s):

Chris

Person Speaking	Text
	playing snook though.
Q. 4.17	Can you just re-cap what you had in total?
R	One or two cans at home. I think it was one. Darren Healey was with me.
	Prior to Nigel arriving I had about 3 pints of Carling Lager.
	In the snook games I had 4 x Ports and a Navy Rum.
Q. 4.17	What time did you leave?
R	I can't remember, but it was before Nigel.
Q. 4.17	How did you get home?
R	I walked home, it only takes 5 or 6 minutes.
Q. 4.17	Who was serving behind the bar?
R	There was three people, Rob, Sally and Craig, cos there was a 'do' in the hall the same night.
Q	Do you recollect who served you on which occasion?
R	I think Rob might have served me the second time I bought a round (3rd game) I can't remember who served the other rounds, cos they were flitting about all over the place. It was quite a busy night. I went into the hall at one point.
Q. 4.17	Are you aware that it is an offence to purchase drinks (alcoholic).

Signature(s): C Toner

Person Speaking	Text
	for someone who has had enough already i.e. is drunk?
R	I didn't know that, No.
Q	Nigel fell over at the end of the evening. Did you see that?
R	No.
Q	Were you chatty to Nigel throughout the game of spook?
R	By game he went out early, 'first shout' so I didn't really chat to him. I can't remember much myself.
Q	Did you notice that his speech was slurring, his eyes were glazed or that he was unsteady on his feet?
R	No, he was fine when I last spoke to him during the spook games.
Q	Were you sober enough to judge whether or not he was drunk?
R	I suppose so during the game. I think I would have been when I bought him a pint and a port.
Q	Were any of the others drunk?
R	Not as far as I know. I think Darren rang a taxi and got a taxi home. Sometimes his son picks him up.
Q	I put it to you that having consumed a lot of drink yourself you probably bought your last

Signature(s):

C Toner

Person Speaking	Text
	<p>drink or two when you were drunk yourself?</p>
R	<p>I can't really remember what happened after the 'spook' game. I think I had a separate pint of lager on the table during the 'spook' game as well?</p>
Q	<p>Did the staff behind the bar speak to you and query how much you had had to drink at any point?</p>
R	<p>Not that I can remember.</p>
Q	<p>You are a regular member there I believe. Have they ever refused you a drink?</p>
R	<p>Not recently. A couple of years ago I arrived there having had a few drinks in the Greatfield and they told me to come back tomorrow. Normally I go to the Greatfield and have a couple of drinks before going to the trial view. That night we didn't, cos we watched the football.</p>
Q	<p>I put it to you that Nigel was a drink a drink when you bought him the drinks in the 2nd and 3rd game.</p>
R	<p>No, he wasn't. He was sober. He was fine. He hadn't long been in there.</p>

Signature(s): C Toner

Person Speaking	Text
Q	How often do you go out drinking?
R	I normally go out every Saturday night. I can't drink in the week 'cos I work nights.
Q	How long have you known Nigel?
R	About 2 or 3 years - only from the Hellens Club.
Q	How often have you seen him get drunk?
R	If you've had a few drinks yourself you don't really notice, but I haven't seen him staggering about or anything. I know he used to go out on Fridays a bit too.
Q	Is there anything else you want to say about the evening or Nigel?
R	No, nothing else I can say. I couldn't believe what happened.
Q	You will be reported for consideration of prosecuting you for the offence of buying alcohol for a person who is drunk. Caution.
R	All I can say is when I bought him drinks he wasn't drunk.
	I have read the above and it is an accurate record.

Signature(s):

C Tonge

Appendix C

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CHELTENHAM
BOROUGH COUNCIL

Licensing Act 2003
Club Premises Certificate

Club Premises Licence Number	07/01023/CLUBV
-------------------------------------	----------------

Club Details

Name of club in whose name this certificate is granted and relevant postal address of club	
Hillview Social Club Hulbert Crescent Up Hatherley Cheltenham Gloucestershire GL51 5FZ	
Telephone number	01242 863635

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

Where the club premises certificate is time limited the dates

Not applicable

Qualifying club activities authorised by the certificate and the times the certificate authorises the carrying out of qualifying activities.

Sale/Supply of Alcohol	Sunday to Thursday	10:00 - 00:00
Sale/Supply of Alcohol	Friday to Saturday	10:00 - 01:00
Performance of Dance	Sunday	09:30 - 00:00
Performance of Dance	Monday to Saturday	09:00 - 00:00
Indoor Sporting Events	Sunday	09:30 - 00:00
Indoor Sporting Events	Monday to Saturday	09:00 - 00:00
Performance of Live Music	Sunday	09:30 - 00:00
Performance of Live Music	Monday to Saturday	09:00 - 00:00
Performance of Recorded Music	Sunday	09:00 - 00:00
Performance of Recorded Music	Monday to Saturday	09:00 - 00:00

Annex 1 – Mandatory conditions

- 1 In accordance with Schedule 8 paragraph 6(6) and (8) the following embedded conditions and restrictions which apply to the existing licence(s) are preserved in this licence including:

From the Public Entertainment Licence (05/01041/PELINA)

- a) The Licence is subject to the Council's Standard Conditions for Public Entertainment
- b) Maximum number of persons permitted: Ground Floor 150, Total for Premises 150

Annex 2 – Conditions consistent with the Club Operating Schedule

- 1
 - a) All windows in areas where any live or recorded entertainment (other than incidental background music) occurs shall be kept shut during these activities.
 - b) All external doors in areas where any live or recorded entertainment occurs shall be kept shut during these activities except momentarily for access and egress or in an emergency.
 - c) The club's Management Committee shall ensure effective overall management of live or recorded entertainment, such as by monitoring noise levels outside the premises, to ensure that noise from such activities is effectively inaudible inside neighbouring premises after 23:00hrs.
 - d) The CCTV system shall be maintained in good working order, shall record at all times that the premises are open, and recordings shall be kept for 28 days (14 days for digital systems) and be provided to officers of the council and the police on request.
- 2
 - a) A closed door policy shall be operated with no re-admission on Friday and Saturdays from 23:00 hours until closing time except that persons who are already in the premises maybe permitted to leave to smoke and then re-enter.
 - b) No more than 5 persons shall be allowed outside at anyone time and this will be monitored at all times by the secretary or some person nominated by her.

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

- 1 Not Applicable

Annex 4 – Plans



CHELTENHAM
BOROUGH COUNCIL

Licensing Act 2003
Cheltenham Borough Council

Premises Licence Number

10/00837/PRMVPS

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Hillview Social Club
Hillview Community Centre
Hulbert Crescent
Up Hatherley
Cheltenham
Gloucestershire
GL51 5FZ

Telephone number 01242 863635

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Sale/Supply of Alcohol	Friday to Saturday	10:00 - 01:00
Sale/Supply of Alcohol	Sunday to Thursday	10:00 - 00:00
Performance of Dance	Sunday	09:30 - 00:00
Performance of Dance	Monday to Saturday	09:00 - 00:00
Indoor Sporting Events	Sunday	09:30 - 00:00
Indoor Sporting Events	Monday to Thursday	09:00 - 00:00
Indoor Sporting Events	Friday to Saturday	09:00 - 01:00
Performance of Live Music	Sunday	09:30 - 00:00
Performance of Live Music	Monday to Saturday	09:00 - 00:00
Performance of Recorded Music	Every Day	09:00 - 00:00
Other/Similar Entertainment	Sunday	09:30 - 00:00
Other/Similar Entertainment	Monday to Saturday	09:00 - 00:00
Prov'n of Facilities for Dancing	Monday to Saturday	09:00 - 00:00
Prov'n of Facilities for Making Music	Sunday	09:30 - 00:00
Prov'n of Facilities for Making Music	Monday to Saturday	09:00 - 00:00

The opening hours of the premises

Opening Hours	Friday to Saturday	09:00 - 01:30
Opening Hours	Sunday to Thursday	09:00 - 00:30

Signature of Issuing Officer



Assistant Director – Operations

Date of issue

14 May 2010

Annex 1 – Mandatory conditions

1 No retail sale of alcohol may be made under the premises licence:

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (c) Every retail sale of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (d) The other conditions are any conditions specified in an order under section 19A and applicable to the premises licence.

Annex 2 – Conditions consistent with the Operating Schedule

1 A closed-door policy (with no admission to new customers) will be operated from 23.30 hrs on New Year's Eve to closing time on New Years Day morning.

- 2 a) The CCTV system shall be maintained in good working order, shall record at all times that the premises are open, and recordings shall be kept for 28 days (14 days for digital systems) and be provided to officers of the council and the police on request.
 - b) There shall be no discounting of alcoholic drinks after 1800 hours on Friday and Saturday night until the start of trading the following day. (For the purposes of this condition a discounted drink is one sold at a price below the tariff in place for that drink for a minimum period of one week before the relevant Friday or Saturday night).
 - c) Non-alcoholic/Low-alcohol drinks shall be available and promoted, especially to 'designated drivers' of groups.
 - d) On any evening when the premises are open after midnight, that between the end of supply of Alcohol and closing time (or until all customers have dispersed from the immediate vicinity) The Designated Premises Supervisor (or a person acting on behalf of the DPS will be positioned outside the premises to monitor the dispersal of customers.
 - e) The Challenge 21 (or equivalent scheme) shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 21 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving licence, PASS-approved Card) and that a sale shall not be made unless this evidence is produced.
 - f) No noise nuisance will be caused to neighbouring residents.
 - g) Reasonable steps shall be taken to bring to the notice of customers a request that they respect the needs of the local residents and leave the premises and locality in a quiet and orderly fashion.
- 2 Windows and doors (except when in actual use) shall remain closed after 23:00 hrs if there is any musical entertainment taking place (except low-level background music).

3 Contact telephone numbers for Taxi/Private Hire services shall be displayed and a telephone provided for ordering such services.

4 A closed-door policy (with no admission to new customers) will be operated from 23.30hrs on New Year's Eve to closing time on New Years Day morning.

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

Annex 4 – Plans

- 1 Plan scale 1:100 dated 4.7.2005 drawing 001.

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Appendix D

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UP HATHERLEY PARISH COUNCIL

Cheltenham, Gloucestershire

Clerk – Kathryn Oakey, 15 Holmer Crescent, Up Hatherley, Cheltenham, GL51 3LR
Chairman – Stuart Fowler, 16 The Oaks, Up Hatherley, Cheltenham, GL51 3TS

Mr Louis Krog
Senior Licensing Officer
Cheltenham Borough Council
Municipal Offices
Cheltenham, Glos. GL51 1PP

4th February, 2011

Dear Louis,

**Re: Hillview Social / Community Club, Hulbert Crescent, Up Hatherley,
Premises Licence and Club Premises Certificate Review Application**

I am writing on behalf of the Parish Council to inform you that from reports that we have received, we have serious concerns about the standards of management and general control of activities at these premises. As a parish council we have no direct responsibilities for either, but as it is an important community facility within the Parish, we are naturally concerned that the Centre is well managed, and all social activities are properly controlled.

From time to time we have received reports from members of the community, and the police that all is not as it should be. These reports have in the main concerned activities at the Social Club with reports of rowdy behaviour and fighting. The culmination of these events resulted in the very sad and avoidable death last April of one member from alcohol poisoning. We are also aware and concerned that the trustees have invariably been late in filing their audited accounts and annual reports with the Charity Commission.

Accordingly, we wish to give our support to the application by the Gloucestershire Constabulary Licensing Officer that their licence should be restricted if not withdrawn. This Social Club adds nothing to the community being as it is nothing more than a members' only drinking club. Because of the poor standards of behaviour, men and women of goodwill and expertise are deterred from offering their services to help with the control and management, hence the very high turnover of club officials leading to an unstable organisation. Last and by no means least there are perfectly adequate and well managed licensed premises within a stone's throw!

Yours sincerely,

Stuart Fowler

Stuart Fowler
Chairman,
Up Hatherley Parish Council



CHELTENHAM
BOROUGH COUNCIL

COUNCILLOR ROGER WHYBORN

15th February 2011

Mr Louis Krog
Senior Licensing Officer
Cheltenham Borough Council

Dear Mr Krog

Review of Licences at Hillview Community Centre 11/00134/PRMR & 11/00139/CLUBR

I am one of the two Borough Councillors for Up Hatherley ward, and Hillview Community Centre falls within this ward. As a result of being elected to the Council in 2008, I have been the Council's representative on Hillview Community Association's committee (not the Social club) for most of that time. As a result of membership of the Association I have become aware of much of the history – including recent history - of both the Association and the club.

The Association is a registered charity. Its function is to run the premises (which it leases from the County Council) for the benefit of the community of Up Hatherley and surrounding areas. As such, I have been surprised at the extent to which the association committee members have been drawn into the affairs of the social club. I will return to this theme later in this letter, as it may have some bearing upon how best to manage the premises and club.

I attach as Appendix 1 a list of events which have been brought to my attention, mainly as a member of the Association committee. Seven of these events relate to either physical violence or inappropriate use of alcohol, or both, on club premises. I am advised by those with more experience than myself that this frequency of such events is not cause for alarm. However I do have concerns, not least for Cheltenham Borough Council's reputation in being represented on the Association. This is a tension which I have already raised with the Hillview committee. It will be for the licensing sub-committee to form its own judgement as to what frequency of such events is proportionate, and I would regard that judgement as important.

Turning to the matter of how Hillview is structured, the Hillview Social Club is a non-profit making members' club, whose principal function in practice is to run a licensed bar for its members, and also some social functions e.g. Motown nights. The relationship between the Social club and the Association is worth listing in some detail:-

- The Social club hires the bar area from Hillview Community Association under a licence agreement, a copy of which is already in your possession.
- A condition of that agreement, which has always struck me as rather odd, is that the Social Club membership must be drawn from the membership of the association.

2

- This condition is repeated in the constitution of the Social Club, which further requires that two representatives of the Association are also members of the Social Club committee, (though of course the whole committee are association members).
- The same conditions do not work in reverse, indeed the Association's constitution, i.e. governing document is entirely silent about Hillview Social Club, explicitly or implicitly.
- For reasons of propriety and charity law, the accounts of the two bodies must be kept entirely separate, and in my observations, this is adhered to.
- However the Social Club cannot make profits, so in order to avoid so doing, when the Social Club is doing well, it makes donations to the Association, over and above any rent.
- A further constitutional matter which may be germane is that regular hall user groups are also entitled to seats on the Association committee, e.g. Senior Citizens and the like, by virtue of being 'affiliated groups'.

It is the case that the Social Club annual turnover is about twice that of the Association.

It is also the case that disciplinary issues, such as are listed in Appendix 1, are brought to the attention of Association's committee to be dealt with, rather than the Social Club.

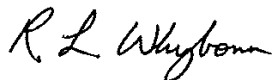
It is also the case that because all Social Club members must be Association members (and it is to the Association that subscriptions are paid), a de facto situation exists in practice where the two memberships are one and the same.

A consequence of the above is that the Association's deliberations are heavily dominated by issues concerning the running of licensed premises, and/or functions which take advantage of the premises licence, as are the majority of the Association committee members. Moreover a major contributor to the Association's finances is the Social Club's bar surpluses.

This has the advantage (although it is a two-edged sword) that committee members are able to combine together to ensure very low rates for regular community hall users, albeit hiring rates for casual users are very high by comparison, about double.

However the disadvantage is that given the reliance on alcohol consumption to support the viability of the Hillview centre as a whole, it is a difficult situation to manage holistically, and moreover does not attract a high calibre of, for example, co-opted outsiders to supplement the members of the Association and Social Club. If the licensing sub-committee is minded against licence revocation, as no doubt the Association would wish, it will have to spend time addressing this point. Equally the ramifications of revocation could be very significant.

Yours sincerely,



Cllr. Roger Whyborn
Up Hatherley

Date	Description of event
04/09/08	Incident involving smashed drink glasses – Mr P E and Mr K T, resulting in 6 month probationary period for Mr E and 6 month suspension, followed by 6 month probationary period for Mr T.
??/02/09	Concerns raised by me over number of bar rows at Hillview. Details lost
14/03/09	Letter from Mrs Hillier (manager at Greatfield pub) to the committee advising Mr R C (barman at Hillview) was barred from Greatfield, for unprovoked attack on a customer, Mr I M, a Hillview member. Police INo 494
03/04/09	Incident involving Mr P E, resulting in 6 month suspension, to be followed by 6 month probationary period (committee 10/04/09)
05/04/09	Scuffle between Mr L N, who had visited club, and Mr R H, member. Complaint raised by the then secretary that the then vice chair (now chair) had done nothing to prevent the incident, and had even signed the application form. As a result (of scuffle) Mr L N's application for membership of club refused (committee 10/04/09). It later transpired Mr N had not been signed in.
12/04/09 & 15/05/09 01/05/09 13/05/09 22/05/09 16/05/09	Concerns raised with me by the then Cllr David Hall and by previous secretary, Mrs T respectively, about poor administration, failure to file returns/accounts with Charity commission (see #), and unclear demarcation between Club and Association. At the time these were not treated as seriously as they might otherwise have been, as all concerns were sourced to Mrs T, who was thought to have an 'axe to grind', having recently stood down as secretary at the AGM on 01/05/09. They were however brought to committee by me, along with concerns about the number of bar rows and expulsions, in the form of a letter dated 13/05/10; further concerns were raised in that letter regarding smoking in the shared library entrance following complaints by a constituent. <u>It should be stated that this was now a new committee</u> , with a <u>new</u> chair and secretary, the questions <u>were</u> answered satisfactorily at the time - 22/05/09 committee; as was anonymous complaint received by committee re financial irregularities.
Undated	Various other allegations of financial irregularities have been received since, all of which <u>I have felt obliged to ignore</u> because off-the-record and unevicenced.
11/07/09	Suspension of Mr P G for fighting (1 year because incident serious).
28/12/09	Incident of underage drinking, involving a subsequent fracas in which the then association secretary, Mrs C A was involved, and involving Police - INo 357. In consequence Mrs A resigned from committee, and was suspended from membership from ??/01/10 till 24/04/11.
17/04/09 & 18/04/10	Incident leading to death of Mr Nigel Russell, and well documented elsewhere, <u>and following which a number of corrective actions were taken.</u>
14/11/10 04/12/10	Fight outside club involving Mr R H, and a previous member of the club, drawn to the attention of Police by a member of the public, and to the club's attention by PC Andy Cook. Committee decision (04/12/10) to give a warning to participants, who had subsequently resolved the quarrel on the night.
Current	#All charity commissions returns now showing as filed at 01/02/11

42, Fernleigh Crescent,
Up Hatherley,
Cheltenham,
Glos. GL51 3QL.
whyborns@blueyonder.co.uk

13th May 2009

Tel. 01242 231458.

Norman Adlam
Chairman
Hillview Community Association.

Dear Norman,

As I said on the phone, there are a number of issues stacking up as regards Hillview, which I believe ought to be put our agenda for when the Committee meets on 22nd May. I don't want to be a doom-monger, but these seem to be the main issues:

Association

- The Committee need a new secretary and a treasurer, I see that we may co-opt.
- The AGM committed the committee to get the 31/03/2009 accounts done and audited, then made available to members. At some point members need to formally accept the 2008 & 2009 accounts; it turns out that the 2008 were already signed by the auditor, something I did not pick up in till after the AGM.
- Please could you ask the auditor what is this "£23,499 tangible assets", shown on the balance sheet; also bring along details of what's in the two Association bank accounts? This makes a big difference to "clearing the fog" from the AGM as to the association's financial position, which we need to understand.
- What arrangements are we going to put into place to ensure day to day management of the centre, so as to deal with users' bookings and handle money, write cheques and liase with the treasurer, cleaners, maintenance people etc?
- We seem to have had to deal with quite a lot of incidents of bad behaviour and fighting at recent committees, and we need a plan to minimise this, from now on. I understanding there is another letter on its way to consider some recent incidents etc.
- Whilst writing, I need to add that with my council 'hat' on, I have had a request to have the smoking area moved away from the front door area, especially when the library is open as it causes irritation to non-smokers using the library.
- We need to notify the Charity Commission of the changes of charity trustees, which is basically the same people as the (voting) members of the Committee.
- Can you find out when we last sent reports and accounts to the Charity Commission. Things may be better than they were, but probably not up to date?
- As I understand it, the Social club/Bar management is run by a sub-committee of the main committee, and the bar is separately managed with its own bank account, essentially as a fund raising activity to aid the Association. From what I can gather, mainly from David Hall, we may have to take another look at the structure of the bar management relative to the association, i.e. whether it is sufficiently separate. I'll unpack that at the meeting, anyway I haven't had enough chance to the study the issue, nor the Charity Commission website.

Bar Accounts and management

- Regardless of the past, or the future, we are where we are as regards the bar. We need to understand how bad the trading position has been during the last few months, and whether that has any knock- on effect on the Association. Could you get the latest figures from the accountant please?
- I'm led to believe (by Linda Tyler) that the DPS was changed from Lin to Sally back in January, and that there should be a letter in the file saying so; however Borough council man Richard Griffiths didn't seem to know that, I'll check that with him, but it may be necessary to notify them again.

Once again, please don't take any of this the wrong way, it is not meant to be negative, just a list of things to work through over these next few weeks.

With all good wishes,

Roger Whyborn

Appendix E

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Dated The first day of **November** 2004

Licence

Agreement Between :

The Hillview Community Association



The Hillview Social Club

Relating to

The Hillview Community Centre
Hulbert Crescent
Up Hatherley
Cheltenham
GL51 5FZ

Within the County of Gloucestershire.

THIS LICENCE is made on:

The first day of **November** the year **Two Thousand and Four**

Between **HILLVIEW COMMUNITY ASSOCIATION**

Of the Hillview Community Centre, Hulbert Crescent , Up Hatherley , Cheltenham. Hereafter called the "Centre".

Acting by **ROGER HANCOCK** and **ALISON SHAW**

Hereafter called the "Grantors" of the one part and **THE HILLVIEW SOCIAL CLUB**

Of the same address acting by **IAN WILSON** and **REBECCA WILSON** Hereafter called the "Licensees" of the second part.

WHEREAS

- 1) The Grantors are the tenants in possession of the said centre and are prepared to permit the Licensees to have such use as is hereinafter mentioned of the premises, facilities and services referred to, and upon such terms as are hereinafter contained. But not so as to grant the Licensees exclusive possession of any part of the said premises.
- 2) The Licensees are desirous that they shall have such use of the said premises, facilities and services upon the said term.

WHEREBY IT IS AGREED as follows,

- 1) **IN** consideration of the payments hereinafter agreed to be made by the Licensees, and the agreements, stipulations and conditions hereinafter contained, and on the part of the licensees to be observed and performed, the Grantors hereby grants unto the Licensees the rights to use the premises, facilities and services that the Grantors may from time to time designate so that the terms of this Licence shall apply in all respects to any such premises, facilities and services so designated for the purpose hereinafter authorised.
- 2) **THE** right hereby granted shall be exercised by the Licensees in common with the Grantors and all other persons now or hereafter authorised by the Grantors to use any part of the said premises, facilities and services affected by this licence, and that the Grantors shall at all times have full and free rights of possession, management and control of the said premises.
- 3) **SUBJECT** to the right of determination set out in clause 7 (a,b) and the licence fee review set out in clause 5(t) , this licence shall be reviewed every 3 years.
- 4) **ON** the Last day of each calendar month the Licensees shall pay to the Grantors a licence fee of £ 600 (Six Hundred Pounds) for the month taken.

- 5) **THE** Licensees agree with the Grantors as follows
- a) To make the said payments in accordance with the foregoing provisions and without any deductions wether the same be demanded or not.
 - b) In the respect of decoration and maintenance the following percentages of costs shall be paid by the Licensees for the respective areas marked on the schedule fig.1. The Area A Bar areas 100% Area B Bar Service Area 75% Area C Lounge Service 25%
 - c) To ensure at all times they are covered by all necessary licensing as dictated by law for the purpose of their trade , together with and part of meeting all regulatory standards.
 - d) To leave the main hall as they find it when using it for formal and certified use.
 - e) That when the club is providing a service to a hall hirer that it be kept in a clean and tidy condition as part of the main service provision
 - f) Not to make any alteration to any part of the said premises or to any fixture or fitting contained therein without the express permission of the Grantors
 - g) Not to use the said premises except for the purpose of and in connection with the provision of a social club. Drawing its members from the parent charity.
 - h) So to conduct their activities and to ensure that the said right is so exercised as in not to any way interfere with or adversely effect the enjoyment of the said premises by the Grantors or others authorised by the Grantors.
 - i) Not to sub let or part let with the said right over the premises or any part of the said premises.
 - j) Not to assign the benefit of this licence to any third party
 - k) To take reasonable care of the said premises and its fixtures and fittings contained therein and not to remove the or any part of them from the said premises without the express permission of the Grantors.
 - l) To make good and pay for all damage including accidental damage caused to any part of the said premises or to any of the fixtures and fittings contained therein by its members , employees servants or agents or similar persons.
 - m) Not to do or permit or suffer to be done anything by reason of which any insurance effected on the said premises by the Grantors that may be rendered void or voidable, or the rate of such a premium of such insurance increase.

- n) Not to use or permit the said premises to be used for any illegal purpose or purposes.
- o) Not to store or bring onto the said premises any articles of a specially combustible inflammable or dangerous nature , nor those and that of an illegal nature.
- p) Not to impede in any way the officers servants or agents of the Grantors in the exercise of the Grantors rights of possession and control over the said premises.
- q) In exercising the right under this licence not to omit or do or permit or suffer to be omitted done or permitted by the Grantors would as between the Grantor and its landlord constitute or give rise to such a breach of covenant by the Grantors in respect of its lease.
- r) On the termination of this licence to immediately vacate the said premises leaving it and its fixtures and fittings in a clean and tidy condition, and all outstanding fees paid.
- s) To keep the Grantors and all those authorised by them to use the said premises indemnified against all damage, loss, injury of every description, and debts financial or other incurred by the licensees which may occur to or effect the Grantors or such other persons as aforesaid or their property arising from or through (a) the exercise of the said right by the Licensees including any person involved by the Licensees or (b) the non observance of any of the terms of this licence however expressed or implied.
- t) That the Licence fees payable at section 4 of this Licence will be re-assessed by the Grantors or authorised persons at 12 (Twelve) calendar months from the date of this licence. The Licensees to accept this assessment and subsequent new fee payable (if any) subject to the arbitration procedures at section 10 detailed furthermore herein.
- 6) **THE Grantors** agree with the Licensees as follows
 - a) To pay all rates, taxes , assessments and outgoings in respect of the said premises
 - b) To provide adequate heating and lighting in the said premises
 - c) To repair maintain and decorate the said premises as per the percentages covered furthermore in section 5 of this licence, when mutually agreed as necessary
 - d) Not to do anything in or upon the said premises which may be or become a nuisance to the licensees or its members employees servants agents or similar persons.
- 7) **THIS Licence** may be determined by
 - (a) The Grantors by one months notice ;

If at any time any payment due is unpaid for twenty eight days after becoming due wether demanded or not.

If the Licensees shall have failed for a period of twenty eight days to remedy any breach (capable of remedy) of any of the agreements stipulations and conditions herein contained after being required to remedy the same by notice in writing from the Grantors specifying the breach and requiring the same to be remedied.

On any breach by the Licensees of the agreements stipulations and or conditions herein contained which is in the opinion of the Grantors is incapable of being remedied and as is so stated in the notice given in writing by the Grantors.

- (b) By either party giving to the other not less than 6 (six) calendar months notice in writing to that effect.
- 8) **IT** is hereby agreed between the parties that this agreement constitutes a Licence and confers no tenancy upon the Licensees and the Grantors subject to the right created by this licence retains possession of the said premises.
- 9) **The** provisions with regards to notices contained in Section 196 of the Law of the Property Act, 1925 as amended by the Recorded Delivery Service Act, 1962 shall apply to this licence, as if incorporated herein and as if the Grantors were Lessors and the Licensees were Lessees.
- 10) **IF** at any time hereafter any dispute bout or question shall arise between the Grantors and the Licensees, touching the construction meaning or effect of this Licence or any clause or thing herein contained, or their respective rights or liabilities under this Licence, or otherwise in relation to the said premises then every such doubt dispute or question shall be referred to arbitration or decision of an independent person to be determined by the parties and this clause shall be deemed to be a submission to Arbitration within the Arbitration Acts 1950 and 1979 or any statutory modification or re-enactment thereof for the time being in force.


The SCHEDULE

“The Premises” means those rooms being part of the Hillview Community Centre shown, edged red on the Plan annexed hereto. Ref fig1.

SIGNED by the said **ROGER HANCOCK**

Witnessed in the presence of :

Linda Tyler
33 The Greenings
Up Hatherley
Cheltenham
Glos
GL51 3UX





SIGNED by the said **ALISON SHAW**

Witnessed in the presence of :

Linda Tyler
33 The Greenings
Up Hatherley
Cheltenham
Glos
GL51 3UX





SIGNED by the said **IAN WILSON**

Witnessed in the presence of :

Linda Tyler
33 The Greenings
Up Hatherley
Cheltenham
Glos
GL51 3UX





SIGNED by the said **REBECCA WILSON**

Witnessed in the presence of :

Linda Tyler
33 The Greenings
Up Hatherley
Cheltenham
Glos
GL51 3UX



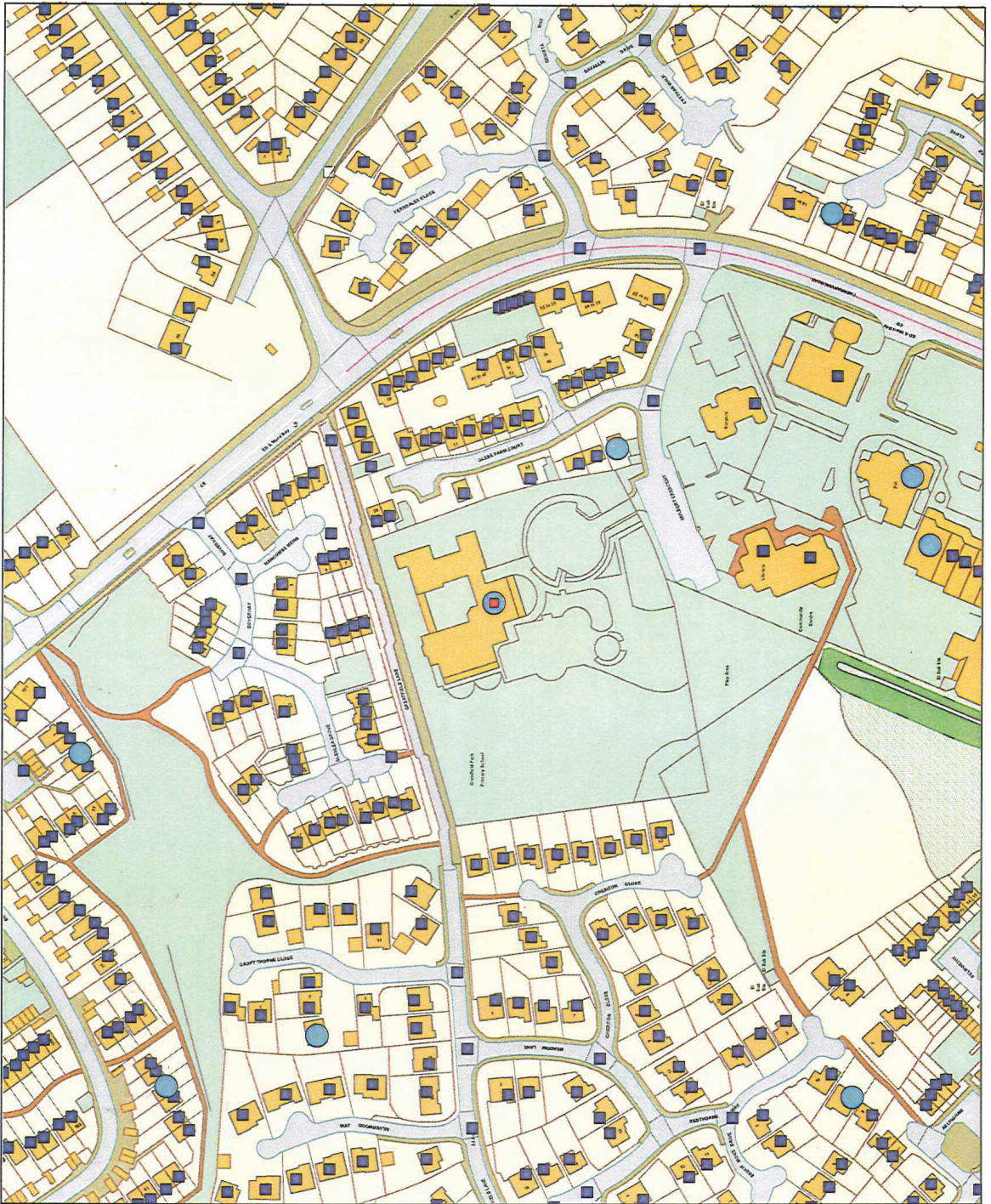


Appendix F

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Hillview Social Club

Centre Hulbert



Legend

Scale : 1:2500

Organisation	Cheltenham Borough Council
Department	Licensing
Comments	Licensing Sub-Committee
Date	22 February 2011
SLA Number	100024384 2009

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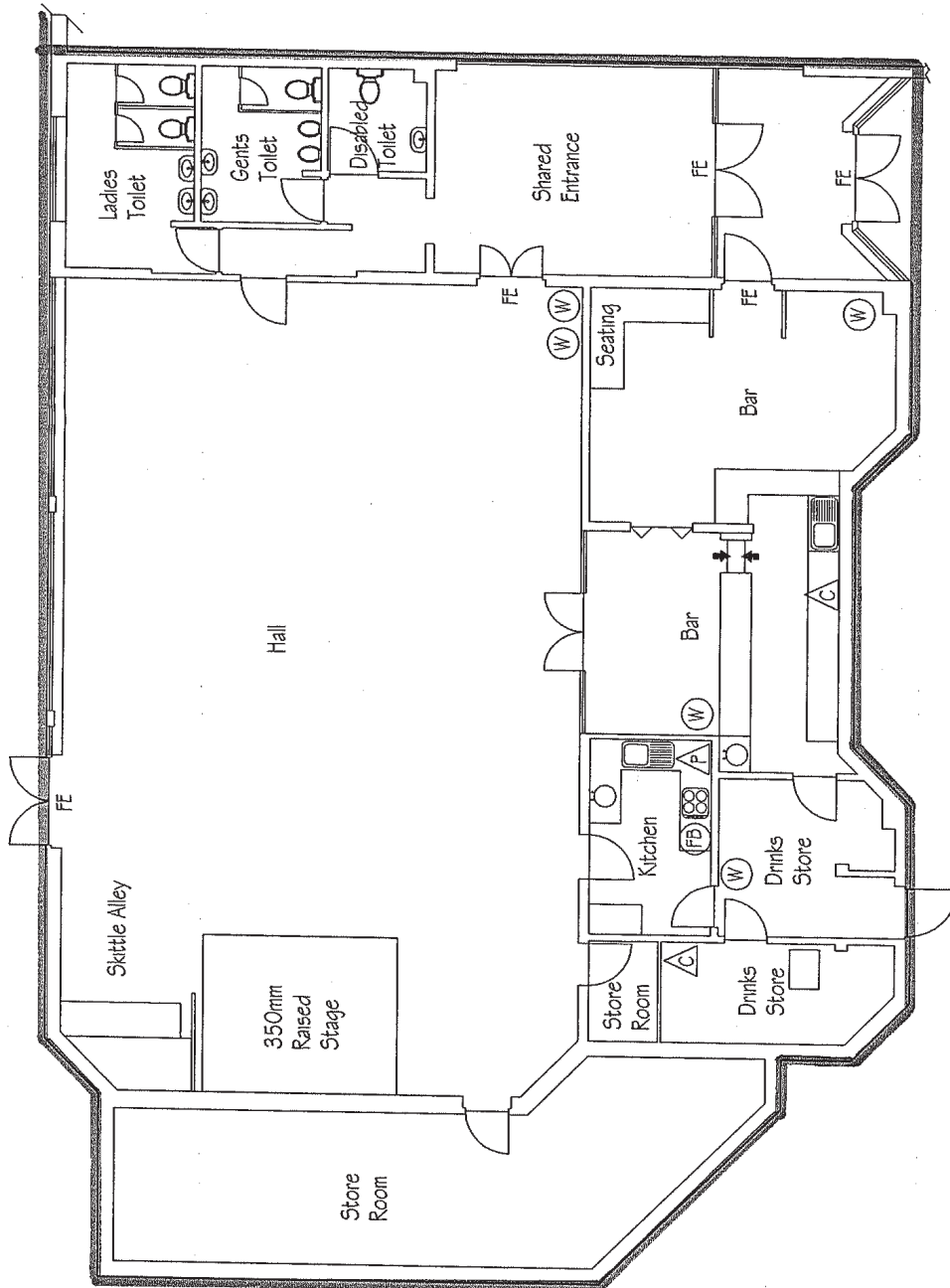
Appendix G

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NOTES:

Arrows denote travel in an upward direction

-  CO2
-  Powder
-  Water
-  Foam
-  Fire Blanket
-  Fire Exit



COTSWOLD FLOOR PLANS LIMITED,
75 SHOTTERY ROAD,
STRATFORD-UPON-AVON,
WARWICKSHIRE,
CV37 9QQ

TELEPHONE: 01789 261865
FAX: 01789 261869
EMAIL: info@cotswoldfloorplans.co.uk

REVISION	DATE	DESCRIPTION
--	--	--
--	--	--
--	--	--

Project :
Hillview Community Centre, Hulbert Crescent,
Cheltenham

Description :
Existing Floor Plan

Proj No : 1920	Date : 4.7.2005
Scale : 1:100 (A3)	Drawn By: MIRA
Draw No : 001	Rev : 001
Checked By : (Project Manager)	Checked By : (Client)
Date Checked :	Date Checked :

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