



CHEL TENHAM

BOROUGH COUNCIL

Notice of a meeting of Licensing Sub-Committee

Thursday, 14 July 2011
1.30 pm

Municipal Offices, Promenade, Cheltenham, GL50 9SA

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

Agenda

1. ELECTION OF CHAIRMAN
2. APOLOGIES
3. DECLARATIONS OF INTEREST
4. DETERMINATION OF AN APPLICATION FOR REVIEW OF A PREMISES LICENCE & A CLUB PREMISES CERTIFICATE (Pages 1 - 50)
Hillview Social Club, Hillview Community Centre, Hulbert Crescent, Up Hatherley, Cheltenham

Contact Officer: Rachael Sanderson, Democracy Assistant, 01242 264130

Email: democratic.services@cheltenham.gov.uk

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 – 14 July 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 On the 21st of March 2011 a sub-committee heard an application by Gloucestershire Constabulary for review of both the premises licence and club premises certificate in respect of the Hillview Social Club.
- 1.2 At that hearing, the sub-committee having considered all the evidence did not feel that enough of the issues which led to the tragic incident on 17 April 2010 were addressed. As a result, it decided to remove the sale of alcohol from the premises licence and the club premises certificate.

The sub-committee felt that the decision would allow sufficient time for the Social Club to put in place procedures to ensure there are no repeat similar incidents and also to promote the licensing objectives. The sub-committee suggested a number of possible procedures that could be implemented in order to promote the licensing objectives at the club such as;

- (a) a review of the committee structure and implementation of any necessary changes in its composition,
- (b) the training of staff,
- (c) better record keeping, and
- (d) the DPS be the bar manager and be employed full time.

Finally, the sub-committee decided that once negotiations with the Police are completed to the satisfaction of the Police, the social club committee can reapply for the licences.

- 1.3 Hillview Social Club lodged an appeal of the sub-committee's decision. The pre-trial determination hearing was held on the 3rd of June 2011 at Gloucester Magistrates' Court. The Hillview Social Club has put in place a number of measures to address the concerns that were raised by the Sub-Committee.
- 1.4 In light of the additional steps that have been undertaken by the Club the police have indicated that they have no objection to the Club being licensed for the sale of alcohol.
- 1.5 At this hearing, the Magistrates' Court agreed to adjourn the appeal on the basis that the case would be remitted back to the Council for further consideration.

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1.6 The application is therefore brought before the committee for reconsideration. The Hillview Social Club and the Constabulary have submitted additional documents and information for consideration by the sub-committee.

1.7 The Social Club has submitted the following documents which are attached at **Appendix A**;

- (a) A covering letter;
- (b) List of measures implemented;
- (c) An updated Hillview Community Association constitution; and
- (d) An updated Hillview Social Club constitution.

1.8 PC Andy Cook submitted the following information on behalf of the Constabulary;

With regard to the Hillview Social Club, the Constabulary welcomes the Court's directive to refer the case back to the Licensing Authority for re-consideration of the case.

The Constabulary takes the view that the Committee took appropriate action when it revoked Alcohol from the Club's Licences at the previous Review Hearing. However, the re-structured Committee (now also chaired by a new Chairperson) has since made significant changes to their proposed manner of operating including:

1. Agreement to Alcohol Hours terminating at Midnight
2. Sensible changes to the Club Constitution
3. Clearer lines of responsibility (which are particularly welcome)
4. More responsible practices
5. The installation of a new and much improved CCTV system

The Club has now adopted all the recommendations made by the Constabulary (within the Review application) and is clearly keen to try and prevent a repeat of the tragic incident (which led to the Review) occurring at the premises in the future. In the circumstances, the Constabulary would be happy for Alcohol to be reinstated with Hours reduced to Midnight and with the Conditions agreed.

For the sake of clarity, the Constabulary wishes to see the following Conditions placed on any renewed licence (some new conditions and some carried over from existing licence):

1. 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 14 days and be provided to officers of the Council and the Police on request.
2. All Bar staff 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/Customers 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.
7. 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.
8. 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.
9. 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.
10. 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).
11. Contact telephone numbers for taxi/private hire services shall be displayed and a telephone provided for ordering such services.

1.9 Implications

1.9.1 Financial

Contact officer: Sarah Didcote
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1.9.2 Legal

The Magistrates' Court has adjourned the appeal pending the matter being remitted back to the Council for further consideration. The committee is not bound by its previous decision and it must consider determine whether or not the licensing objectives are now met.

If the committee does not re-instate the sale of alcohol on to the premises licence and the club premises certificate the Club can continue with its appeal through the Magistrates' Court.

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

2. Background

- 2.1 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.
- 2.2 On that day 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.

2.3 A copy of the initial application form is attached **Appendix B**.

3. Information

3.1 The Hillview Social Club currently holds a Premises Licence and a Club Premises Certificate.

3.2 Following the Review the following licensable activities are permitted under the **Premises Licence**:

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

3.3 The following conditions were attached to the current **Premises Licence** and were not altered as a consequence of the review:

- (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 Year's 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.

3.4 Following the Review the following licensable activities are permitted under the **Club Premises Certificate**:

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

3.5 The following conditions were attached to the current Club Premises Certificate and were not altered as a consequence of the review:

- (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.

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

4. Local Policy Considerations

4.1 The 2003 Act introduces a unified system of regulation 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.

4.2 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.

4.3 The Council's adopted licensing policy statement (Council 30/03/09) includes the following:

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)

4.4 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)

4.5 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)

4.6 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)

5. National Guidance

5.1 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.

General

5.2 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)

5.3 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)

5.4 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)

- 5.5 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)
- 5.6 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)
- 5.7 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)
- 5.8 Communications between the managers of the premises and the police can also be crucial in preventing crime and disorder. (Para. 2.15)
- 5.9 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

- 5.10 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)
- 5.11 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)
- 5.12 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)
- 5.13 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)

5.14 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)

5.15 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)

5.16 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)

5.17 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)

6. Licensing Comments

6.1 The hearing has been remitted back to the committee for reconsideration in light of new information submitted by the club detailing the measures that it has implemented to address the concerns raised by the committee and Gloucestershire Constabulary.

6.2 The Council is required to discharge its licensing function under the 2003 Act with the view of promoting the licensing objectives. The committee must therefore be satisfied that the

measures implemented by the Club are sufficient to promote the licensing objectives, these being;

- (a) the prevention of crime and disorder,
- (b) public safety,
- (c) the prevention of public nuisance, and
- (d) the protection of children from harm.

6.3 If the committee is satisfied that the operation of the club, particularly in reference to the sale and supply of alcohol, will not adversely affect the licensing objectives, it can consider the reinstatement the sale/supply of alcohol on the licences.

6.4 However, if the committee is not satisfied of this fact, it must take such steps as it considers necessary to promote the licensing objectives. For the **Premises Licence**, these steps could include;

- (a) Not reinstating the sale of alcohol or excluding other licensable activities from the scope of the licence; or
- (b) Re-instating the licence subject to modified conditions attached to the licence on a permanent or temporary (up to 3 months) basis;

and for the **Club Premises Certificate**:

- (a) Not reinstating the sale of alcohol or excluding other licensable activities from the scope of the club premises certificates; or
- (b) Re-instating the club premises certificate subject to modified conditions attached to the licence on a permanent or temporary (up to 3 months) basis;

6.5 A plan of the location of the premises is attached **Appendix D**.

6.6 The plan of the premises is submitted with the application is attached at **Appendix E**.

Background Papers

Service Records

Sub-Committee Minutes and Report - 21 March 2011

Report Author

Contact officer: Mr Louis Krog
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Tel no: 01242775004

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Cirencester
Gloucestershire
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hillviewsecretary@gmail.com

Cheltenham Borough Council
Promenade
Cheltenham
GL50 1PP

4th May 2011

Dear Sir or Madam,

Up Hatherley (Hillview) Social Club – Premises Licence 10/00837/PRMVPS

Following the pre-hearing to our appeal of the decision dated 21st March 2011 by Cheltenham Borough Council (Licensing sub-committee) to **exclude the sale and supply of alcohol from the premises licence** at the social club's premises in Hulbert Crescent, Up Hatherley, Cheltenham, my colleague Roger Whyborn has enclosed some relevant documents about measures which the club has taken. We believe these address the requirements identified by the Licensing sub-committee, and more besides.

The original grounds for appeal is that the club had insufficient notice to implement all the Police recommendations following the incident in which Nigel Russell sadly died in April 2010, as many of those recommendations were not known to the committee until the hearing or the Police submission to it just beforehand. However the club now believes that all the steps have been taken to address the concerns of the Licensing sub-committee in its findings, including some on our own initiative. This includes discussions with the Police, in the sub-committee's words "to the satisfaction of the Police", in terms of organisation, training, and implementation of additional CCTV.

In doing this we have radically restructured - and re-named - the social club, and also successfully introduced new personnel to the Association's committee, especially new officers, as part of a re-branding programme.

Please note the club is not appealing the decision of the same hearing which **excludes the sale and supply of alcohol from the club premises certificate** 07/01023/CLUBV at the same address. We do not intend to continue to operate a club premises certificate.

I wait to hear from you about the remitted appeal.

Yours sincerely,

Barry Turner
Treasurer of Hillview Community Association & Chair of Up Hatherley Social Club.
(formerly secretary of Hillview Community Association)

HILLVIEW MEASURES

These items have been requested by the Police

- 1) A dedicated CCTV system to be installed within 3 months, as discussed with the Gloucestershire Constabulary on 30th March. This is now installed and operating.
- 2) All Bar staff to undertake the National Certificate for Personal Licence Holders within 3 months of commencing that activity. This is now implemented with the current staff team. The following persons have been trained:
 - Barry Turner
 - Shaun Armstrong
 - Jordan Price
 - Cllr Simon Wheeler
 - Mike Kavanagh
- 3) The Bar shall not operate unless at least one person serving has passed the NCPLH course. NCPLH Course now held at Hillview), already implemented.
- 4) Whenever the Bar is operated by more than one person, a 'lead person/supervisor' shall be identified, who will be responsible to the DPS), already implemented.
- 5) Pro-active enforcement by staff of the ban on "drinking games". This is already implemented, and with notices in the bar to that effect.
- 6) A member of the Committee and a personal licence holder appointed by the DPS shall be present throughout any event where a Temporary Event Notice is used, and throughout any event where the Public are admitted), already implemented.

This item has been introduced following concerns expressed by the Licensing sub committee and others

- 7) Change to the committee structure to more clearly define roles and responsibilities, especially to ensure that the Social club is clearly and separately constituted separately from Hillview Community Association. These changes are expected to address the additional concerns of the Licensing sub-committee in its finding of 21st March 2011, to the satisfaction of the Police. This has been implemented at the clubs' AGM on 20th May 2011, where a new constitution has been adopted and a committee elected.

These items have been introduced by the club on its own initiative and or following suggestions by others

- 8) Change of time for sale and supply of alcohol from 1 am to 12 midnight, with no exceptions; this is already implemented.
- 9) A named personal licence holder, probably Barry Turner, and an employed DPS, the latter would be the bar manager responsible for all alcohol selling activities. When the DPS was not personally present, the DPS would allocate the staff for the day who would be NCPLH trained.
- 10) Better record keeping using a diary system, as regards visitors, and to record any incidents, accidents, as well as who is on duty on each session when the bar is open. Already implemented.
- 11) Hillview Social Club will join Pubwatch and currently operates Challenge 21.

UP HATHERLEY SOCIAL CLUB CONSTITUTION & RULES (2011)

1. NAME

The name of the club (hereinafter called "the Club") shall be "the Up Hatherley Social Club ". An alternative valid name shall be "The Hillview Social Club". The Club shall be affiliated to The Hillview Community Association, Hulbert Crescent, Up Hatherley, Cheltenham, Gloucestershire (hereinafter called "the Association").

2. OBJECT

The objects of the club shall be:

- a) To promote social and recreational activities in close collaboration with the Association.
- b) To actively pursue a policy of fundraising with the object of improving the facilities of the Community Centre.
- c) To provide the overall management function for the Bars of the Community centre .

3. MEMBERSHIP

- a) Membership of the Club shall be open to residents of Cheltenham and neighbouring areas who are 18 years of age or over. Such membership shall be annual.
- b) The Club shall consist of not less than twenty five members.
- c) There is no provision for temporary, day, sectional, associate, junior or group membership

4. SUBSCRIPTION

- a) The membership year shall be from 1st April to 31st March. The annual subscription rates shall be as the Club Committee decide from time to time. If any member shall fail to pay his annual subscription by the date due his membership shall be suspended forthwith.
- b) All membership subscriptions are due to the Club.

5. APPLICATION FOR MEMBERSHIP AND SUSPENSION FROM MEMBERSHIP

- a) New applications for membership shall be in writing and the applicant's name shall be posted on the Clubroom notice board for 14 days. If no objections are received from other members, the application shall be accepted, otherwise it shall be referred to the committee for consideration.
- b) Members who have been suspended for reason of non-payment of subscriptions within the previous 42 days, and no other reason, shall be accepted back into membership upon full payment of the subscription. If more than 42 days have elapsed, the membership shall terminate, and the individual may re-apply at any time under the terms of sub-clause a) of this clause.
- c) The Committee shall have the power to expel or suspend any member who shall offend against the Club rules or whose conduct shall in the opinion of the Committee render him unfit for Membership of the Club. Before any such member is expelled or suspended the Honorary Secretary shall give him written notice of the reasons for expulsion or suspension and shall allow 14 days for an appeal. The Club Committee will hear any application from the appellant before any decision is taken to suspend or withdraw membership.
- d) Any person shall upon ceasing to be a member of the Club forfeit all rights to and claim upon the Club and its property and funds.

6. GUESTS

All members of the Club shall be entitled to introduce guests subject to the following provisions:

- a) No person whose application for membership has been refused or who has been suspended or expelled from the Club shall be introduced as a guest.
- b) The member may be required to pay a registration fee for each guest introduced. Such fee to be at a rate that shall be determined by the Club Committee from time to time.

- c) The number of guests that a member may introduce shall be limited to:
 - (i) 3 at any one time
 - (ii) 5 in any period of 28 days
- d) The member shall enter the name and address of the guest(s) in the Visitor Register of the Club.
- e) The member shall ensure that the conduct of the guest(s) shall at all times conform with the rules and requirements of the Association and of the Social Club.

7. IDENTITY

Every Member of the Club shall if required so to do by any duly appointed Officer of the Club or other member of the Committee produce his Club Membership.

8. MANAGEMENT COMMITTEE

- a) Club Committee: The management of the Club shall be by the Club Committee. The Committee shall comprise:
 - (i) Chairman who shall be an officer of, and appointed by, the committee of the Association
 - (ii) Hon Secretary
 - (iii) Hon Treasurer
 - (iv) Two Committee MembersTotal Five Members of which at least two shall be members of, and appointed by, the committee of the Association.
- (v) In addition, the Designated Premises Supervisor ("DPS"), or such title as applies under the latest legislation for licensing of the sale of intoxicating liquor shall be an ex-officio non-voting member of the committee.
- b) The Committee may co-opt additional members as required.
- c) The Officers and Committee members, other than the representatives of the Association, shall be elected annually at the Annual General Meeting of the Club. Outgoing Officers and Members of the Committee shall be eligible for re-election.
- d) The Chairman, Hon. Secretary and Hon. Treasurer shall hold office until the Annual General Meeting next following or until removed from office by a resolution of the Committee.

8.1 COMMITTEE MEETINGS

The Committee shall meet at least six times per year and at all such meetings of the Committee three shall form a quorum. In the case of an equality of votes the Chairman shall have a second or casting vote.

8.2 VACANCY FOR OFFICER

The Committee shall have the power at any time and from time to time fill any casual vacancy among the Officers or other members of the Committee, subject to approval by the committee of the Association. Any officer or other member of the Committee so appointed shall hold office only until the following Annual General Meeting but shall then be eligible for re-election.

8.3 ELECTION

Only members of the Club shall be eligible to the Committee.

8.4 MINUTES

At all Committee and general meetings, Minutes shall be taken and shall be open to the inspection of any member of the Club applying to the Hon. Secretary therefore and such Minutes, once approved, shall also be conclusive evidence of that which transpired at such meetings.

8.5 AMENDMENT

The Committee may from time to time make, repeal and amend all such regulations (not inconsistent with these rules and with English law) as they shall think fit and expedient for the management and well being of the Club. All regulations made by the Committee under this rule shall be binding upon the members until repealed by the Committee or set aside by a resolution of a General Meeting of the Club.

8.6 OPENING

The Club facilities shall be available to members on days and between hours that the Committee shall from time to time determine but, the Committee may close it for such times as they may see necessary for cleaning, repairs, holidays and the like.

8.7 DELEGATION

There is no provision for sub-committees. The chair of the Committee, or in his absence another officer, or failing that another committee member, may act in an emergency as he considers fit and reasonable, but all actions must be promptly reported back to the committee.

8.8 DESIGNATED PREMISES SUPERVISOR ("DPS")

a) A primary function of the Club Committee shall be to appoint the DPS, and such other staff as are required, and to provide quality training for same within the meaning of the 2003 Licensing Act or such legislation as may supersede it, ("the 2003 Act").

b) In the case of any matter involving the supply of intoxicating liquor in the Club premises, nothing in this constitution shall countermand the authority provided to the DPS under the 2003 Act. The DPS must delegate authority to the person in charge on the day, when the DPS is absent from the premises. In the case of conflict of opinion with a member of the club or committee, the DPS' authority shall be final.

8.9 LICENCE HOLDER

The Premises licence must be held in the name of an individual who must be both a member of the Club committee and a member of the Association committee.

8.10 MEMBERS OF THE COMMITTEE NOT TO BE PERSONALLY INTERESTED

a) Subject to the provisions of sub-clause (b) of this clause no member of the Committee shall receive remuneration or be interested (otherwise than as a member of the Committee) in any contract entered into by the Committee.

b) Any member of the Committee for the time being who is engaged in a profession or trade may charge and be paid all the usual charges for business done by him or her or his or her firm when instructed by the other members of the Committee to act in that capacity on behalf of the Club; provided that at no time shall a majority of the members of the Committee benefit under this provision and that a member of the Committee shall withdraw from any meeting at which his or own instruction or remuneration, or that of his or her firm, is under discussion.

9. ANNUAL GENERAL MEETING

The Annual General Meeting of the Club shall be held in the Month of April or May in each year and fifteen months shall not elapse without a General Meeting. The Annual General Meeting shall be held upon a date and at a time to be fixed by the committee and at such meeting the following business only shall be conducted:

- a) To receive from the Committee a report balance sheet and statement of accounts for the preceding financial year ended on the 31st of March prior to the meeting and an estimate of the receipts and expenditure for the current financial year.
- b) To elect the Officers and other members of the Committee.
- c) To decide on any resolution which may be duty submitted to the meeting as hereinafter provided.
- d) To appoint auditors for the current year's accounts
- e) Such other business as shall have been communicated in writing to the Honorary Secretary and included in the notice of the meeting sent by him to the members.

9.1 Any member desirous of moving any resolution at the Annual General Meeting shall give notice thereof in writing to the Honorary secretary not less than 21 days before the date of such meeting.

9.2 The Committee may at any time for any special purpose call a Special General Meeting and shall do so forthwith upon the requisition in writing of any fifteen members or of one-fifth of the members whichever shall be the less.

9.3 Fourteen days at least before the Annual General Meeting or any Special General meeting a notice of such meeting and of the business to be conducted thereat shall be posted on the Clubroom notice board and a printed copy thereof shall be sent to every member. The report balance sheet statement of accounts and estimate shall be placed on the Club notice board fourteen days at least before the Annual General Meeting.

9.4 At all meetings of the club the Chairman, and in his absence a member selected by the committee shall take the chair. Every member of the club shall have one vote at all meetings of the club. The committee shall be empowered if they think fit to make regulations for enabling members unable to be present to vote by proxy or in writing.

9.5 In the case of an equality of votes the Chairman shall have a second or casting vote.

9.6 The quorum at all general meetings shall be ten.

9.7 No amendment (other than a motion for adjournment) shall be moved in any resolution proposed at any Annual General Meeting or any Special General Meeting.

10. VISITORS & FUNCTIONS

a) Persons who attend a private function where the use of a Bar is required: A private function shall be defined as a function in which the organiser(s) is/are not the committee of the Club, whether or not the organiser(s) is/are Club members and the following provisions shall apply:

(i) The organisers of the function shall, if requested to do so by the Club Committee, supply a list of the names and addresses of all persons attending the function.

(ii) Persons attending the function shall be restricted to the use of the bar facilities provided for that function and may not use any other facilities of the Social Club.

(iii) The organisers of the function shall have hired the premises under a written hire contract, to be agreed with the booking secretary for the time being of the Association .

(iv) The number of private functions (not promoted by the Club committee) shall be limited to not more than twelve in any one year.

b) Club functions: A Club function shall be defined as a function in which the organisers are the committee of the Club, following the decision of a properly constituted meeting. All committee members shall share responsibility for the function, regardless of whether and how they vote, and whether they are present or not at the function.

c) There may also be admitted to the Club's registered premises persons other than members or their guests and intoxicating liquor may be sold to such persons by or on behalf of the Club for consumption on the premises and not elsewhere, provided that such persons to whom intoxicating liquor may be sold are confined to members of other Community Associations, teams visiting the Club for sporting events organised by the Association, dance teams, and such other specified groups as the Committee may determine in advance at a properly constituted meeting, but not including the general public.

11. APPLICATION OF INTOXICATING LIQUOR BYE-LAWS

11.1 The supply of intoxicating liquor in the Club premises will be permitted during such hours as may be decided by the Committee and approved by the Licensing authority in accordance with the 2003 Licensing Act or such legislation as may supersede it, ("the 2003 Act").

11.2 The Committee shall arrange the supply of intoxicating liquor by the Club to its members and to other persons on the Club premises, and shall secure the due observations of the provisions of the 2003 Act and of any condition attached to any licence granted in respect of the Club premises. No intoxicating liquor shall be supplied to members or to any other person on the Club premises other than by or on behalf of the club.

11.3 The supply of intoxicating liquor in the Club premises shall be only be arranged within the scope of a Premises Licence under the 2003 Act, or a Temporary Event Notice under the 2003 Act. Intoxicating liquor shall not be supplied within the scope of a Club premises certificate under the 2003 Act.

11.4 Only the DPS, or a personal licence holder appointed by the DPS and who has been appropriately trained within the meaning of the 2003 Act, may apply for a Temporary Event Notice ("TEN"), which will be in the name of the individual who raises the notice.

11.5 Throughout

(i) any club or private function

(ii) any event where a Temporary Event Notice is used

(iii) and/or any event where the public are admitted,

the DPS, or a personal licence holder appointed by the DPS, AND a member of the committee shall be present, though the same person may fulfil both roles if they been appropriately trained within the meaning of the 2003 Act.

11.6 No person shall be paid at the expense of the Club any commission percentage or similar payment on or with reference to purchases of intoxicating liquor by the Club; nor shall any person directly or indirectly derive any pecuniary benefit for the supply of any intoxicating liquor by or on behalf of the Club to members or guests, apart from any benefit of or to further the objects of the Club.

12. FINANCE

12.1 The Committee shall maintain a bank account in the name of the Club.

12.2 Cheques drawn on the bank account shall be signed by any two signatories, out of such signatories as are authorised by the committee.

12.3) The treasurer shall maintain an income and expenditure account which shall be presented, together with a bank reconciliation statement, at least quarterly to a meeting of the Committee.

12.4) The treasurer may also maintain a petty cash account of not more than such amount as the Committee shall decide in a standing order, for day-to-day expenses. Any request for reimbursement of expenses incurred shall be accompanied by a valid receipt.

13. AUDITORS

The Accounts may be presented to a general meeting prior to, subsequent audit, but shall as soon as practicable be audited by the Club's Auditors, and in any case within six months. The Club's Auditors may not be club officers, nor the Auditors for the time being appointed by the Association.

14. INTERPRETATION

The Committee shall be the sole authority for the interpretation of these rules and of the regulations made from time to time by the Committee and the decision of the Committee upon any question of interpretation or upon any matter affecting the Club and not provided for by these rules or by the regulations shall be final and binding on the members.

15. ALTERATION

No alteration or additions to this constitution & rules shall be made except by a resolution carried by a majority of at least two-thirds of the members present (and entitled to vote) at a General Meeting the notice of which shall have contained particulars of the proposed alteration or addition.

Alterations to this constitution shall only be made with the permission of the Association's committee. The Honorary Secretary shall as soon as possible and in any case within 28 days of any such alteration or addition to these rules give written notice of the same to the Chief Officer of Police and to the Clerk of the Local Authority of the district in which the Club is situated and shall communicate the same in writing to the Secretary for the time being of the Association.

16. CLOSURE

A decision to close the Club shall be made by a majority of at least two-thirds of the members present (and entitled to vote) at a General Meeting the notice of which shall have contained particulars of the proposed closure, provided there are sufficient paid up members in excess of 25 on the membership list, otherwise the Committee shall determine to close the club.

Membership of the Committee must not resign if so doing would leave the Committee unable to act in winding up the financial affairs of the club. Once all liabilities have been met, the Committee shall apply all remaining assets to the Association, or if the Association no longer exists to a local charity within the former Association's area of benefit.

The Honorary Secretary shall as soon as possible and in any case within 28 days of any such decision give written notice of the same to the Chief Officer of Police and to the Clerk of the Local Authority of the district in which the Club is situated and shall communicate the same in writing to the Secretary for the time being of the Association.

17. POWERS OF COMMITTEE

- a) power to raise funds and to invite and receive contributions
- b) power to employ such staff as are necessary for the proper pursuit of the objects and to fix the amount of any remuneration to be paid and the terms and conditions of employment.
- c) power subject to any consents required by law to apply its yearly income to the said objects, and to donate to, deposit or invest funds with the Association, if not immediately required for the Club's objects;
- d) to borrow money from any authorised source that the Club committee shall deem as a reliable and trustworthy company or money lender, including the Association, but only:
 - (i) subject to a resolution of a special general meeting. All members of the club whether voting on such resolution or not shall be deemed to have assented to the same as if they had voted in favour of such resolution.
 - (ii) subject to a suitable guarantor who may not be the Association,
 - (iii) the guarantee to be in writing, and evidenced
- e) power to take out appropriate employer/employee, third party, public insurance and other insurance for the benefit of the Club, including indemnity insurance for Committee members properly incurred in the management of the Charity and for breach of trust provided only such breach results from an honest mistake.
- f) power to make standing orders, signed copies of which must be which must be filed with the signed copies of this constitution
- g) to perform all necessary or reasonable lawful functions as are explicit or implicit in these rules in the furtherance of the Club's objects.

18. In these rules the masculine gender shall import the feminine and the singular the plural.

This Constitution was adopted on the 20th day of May 2011.

----- (Chair)

----- (Secretary)

----- (Treasurer)

HILLVIEW COMMUNITY ASSOCIATION

CONSTITUTION 2011

1. NAME

The name of the Association shall be the HILLVIEW Community Association (hereinafter called "the Association").

2. OBJECTS

The objects of the Association shall be:

- (a) To promote the benefit of the inhabitants of CHELTENHAM and the neighbouring areas (hereinafter called "the area of benefit") without distinction of sex, sexual orientation, race or political, religious or other opinions, by associating together the said inhabitants and the local authorities, voluntary and other organisations in a common effort to advance education and to provide facilities in the interests of social welfare for recreation and leisure-time occupation with the object of improving the conditions of life for the said inhabitants;
- (b) to establish, or secure the establishment, of a Community Centre (hereinafter called "the Centre") and to maintain and manage the same (whether alone or in co-operation with any local authority or other person or body) in furtherance of these objects.

3. POWERS

In furtherance of the said objects, but not otherwise, the Association shall have power to:

- (a) bring together in conference representatives of voluntary organisations, Government departments, statutory authorities and individuals;
- (b) arrange and provide for, either alone or with others, the holding of exhibitions, meetings, lectures, classes, seminars or training courses, and all forms of recreational and other leisure-time activities;
- (c) collect and disseminate information on all matters relating to its objects, and to exchange such information with other bodies having similar objects whether in the United Kingdom or elsewhere;
- (d) write, print or publish, in whatever form, such papers, books, periodicals, pamphlets or other documents, including films and recorded material, as shall further its objects, and to issue or circulate the same whether for payment or

otherwise;

- (e) purchase, take on lease or in exchange, hire or otherwise lawfully acquire such property or other rights and privileges as may be necessary for the promotion of its objects, and to construct, maintain or alter the same, SUBJECT TO the provisions of Clause 14 hereof;
- (f) make regulations for the proper supervision, control and management of any property which may be so acquired;
- (g) sell, let, mortgage, charge, dispose of or turn to account all or any of its property or assets SUBJECT TO such consents as may be required by law;
- (h) raise funds and invite or receive donations and charitable contributions, whether by subscription or otherwise, PROVIDED THAT the Association shall not undertake or in any way engage in any permanent trading activities in raising funds for its charitable objects;
- (i) receive money on deposit or loan, in such manner as the Association may think fit, SUBJECT TO such consents or on such conditions as may be required by law;
- (j) invest money not immediately required for its objects in or upon such investments, securities or property as the Association may think fit, SUBJECT NEVERTHELESS to such conditions (if any) as may for the time being be imposed by law;
- (k) affiliate to the National Federation of Community Organisations and to other organisations with similar charitable objects if in the opinion of the General Management Committee it would be beneficial to do so;
- (l) do all such other lawful things as shall further the charitable objects of the Association.

4. MEMBERSHIP

- (a) Membership shall be open, but subject to approval by the committee at the next GMC meeting, irrespective of sex, sexual orientation, political opinion, nationality, religion or race to:
 - (i) individuals aged eighteen years or over and who live within the area of benefit;
 - (ii) individuals aged eighteen years or over who live outside the area of benefit, who shall be known as Associate Members, and who shall not have the right to vote at General Meetings of the Association;

- (iii) individuals under eighteen years whether living within or outside the area of benefit who may be admitted into Junior Membership as and when, and subject to such conditions as the General Committee may decide. Junior Members shall not have the right to vote at General meetings of the Association;
 - (iv) associations and organisations, whether corporate or otherwise, and whether local, national or international, which are voluntary or non-profit-distributing, and which wish to support or further the objects of the Association, which shall be known as Affiliated Groups; (Groups being those of the Playgroup, Mother & Toddlers, Over 60's and any other charitable organisations).
 - (v) local statutory authorities where in the area of benefit lies.
- (b) Sections shall be such groups of individual members as may, with the permission of the General Committee (hereinafter mentioned), be formed within the Association for the furtherance of common activities. The General Committee shall determine the terms of reference and powers of each such Section and may also determine the duration of its activities. Hirers of the charity premises under a hire contract shall not be given the status of an affiliated group. Those being of the type of business that makes a profit for their own ends, these will be classed as business (i.e. Coady Crew, Kung Fu etc)
- (c) Each member organisation as set out in Clause 4(a)(iv) and 4(a)(v) and each Section established in accordance with Clause 4(b) shall appoint one individual person to represent it on its behalf at meetings of the General Committee and at General Meetings of the Association. In the event of such individual person resigning or otherwise leaving an organisation he or she shall forthwith cease to be a representative thereof. The organisation concerned shall have the right to appoint a new representative, informing the Secretary in writing.

5. SUBSCRIPTIONS

All individual members and affiliated groups shall pay such subscriptions as the General Committee may from time to time determine.

6. TERMINATION OR SUSPENSION OF MEMBERSHIP

(a) The General Committee may, by resolution at a meeting thereof, terminate or suspend the membership of any person or group if in its opinion such person or group has been guilty of conduct prejudicial to the Association or its objects, provided that the

person or the individual representing the group shall have the right to be heard by the General Committee before the final decision is made. There shall be a right of appeal to an independent arbitrator appointed by mutual agreement.

(b) Unless and until a meeting of the general Committee decides otherwise, any member of the Association, or member of the general public, who has been debarred from the premises by an affiliated group shall be deemed to have been debarred from the premises by the Association for all purposes for the period of the debarment. There shall be a right of appeal to an independent arbitrator appointed by mutual agreement.

7. THE GENERAL COMMITTEE

Subject as hereinafter mentioned the policy and general management of the affairs of the Association shall be directed by a General Committee which shall meet not less than four times a year.

(a) The General Committee shall consist of:

(i) The Honorary Officers elected under Clause 8 hereof;

(ii) One representative appointed by each

- (a) Affiliated group
- (b) Section
- (c) Statutory Authority

in accordance with Clause 4 (c) hereof;

(iii) Five representatives of individual members, or such larger number as shall be equal to the number of General Committee members appointed in accordance with sub-clause (a)(ii) above. Representatives of individual members shall be elected from among and by themselves at the Annual General Meeting. If casual vacancies occur among the elected members of the General Committee it shall have power to fill these from among the members of the Association. Any person appointed to fill a casual vacancy shall hold office until the next Annual General Meeting of the Association and shall be eligible for election at that meeting.

(iv) In addition to the members so elected and those serving by virtue of Clauses 8 and 4 (c) hereof the General Committee may co-opt individually up to two further persons, whether members of the Association or not, who shall serve on the General Committee without the power to vote until the conclusion of the next Annual General Meeting, provided that the number of co-opted members shall not exceed one quarter of the total number of members elected and appointed to the General committee in accordance with sub-clause (a) (i), (ii) and (iii) of

this Clause.

(b) The proceedings of the General Committee shall not be invalidated by any failure to elect or any defect in the election, appointment, co-option or qualification of any person.

(c) The General Committee may appoint such special or standing committees reported back to the General Committee as soon as possible.

(d) No person under the age of eighteen shall be a member of the General Committee or of any special or standing committee of the Association, but such persons may be invited to attend such committee as non-voting observers.

8. HONORARY OFFICERS

(a) Only members of the Association shall be eligible to serve as Honorary Officers.

(b) At the Annual General Meeting hereinafter mentioned the Association shall elect a Chair, Vice-Chair, Treasurer and Secretary and such other honorary officers as the Association shall from time to time decide.

(c) The Chair, Vice-Chair, Secretary and Treasurer of the Association shall be ex-officio the Chair, Vice-Chair, Secretary and Treasurer respectively of the General Committee. The Honorary Officers may be appointed member of such special or standing committees as are appointed in accordance with Clause 7 (c) hereof.

(d) If a vacancy occurs among the Honorary Officers, the General Committee shall have the power to fill it from among its members. Any person appointed to fill such a casual vacancy shall hold office until conclusion of the next Annual General Meeting of the Association and shall be eligible for election at that meeting.

9. PAID OFFICERS

(a) The General Committee may appoint and dismiss such staff as it may from time to time determine, and shall fix the amount of any remuneration to be paid and the terms and conditions of employment.

(b) A member of the Association's staff shall not be eligible to be a member of any committee of the Association, but may be invited to attend such committee as a non-voting adviser.

10. GENERAL MEETINGS OF THE ASSOCIATION

(a) Annual General Meetings: Once in each year an Annual General meeting of the Association shall be held at such time and place as the General Committee shall determine, being not more than fifteen months after the holding of the preceding Annual General Meeting, or the adoption of this constitution. The Secretary shall give At least 21 days notice to members. The business of each Annual General meeting shall be:

- (i) to consider the Annual Report of the General Committee on the work of the Association and its activities of the preceding year;
- (ii) to approve the Auditors/Independent Examination of the Association;
- (iii) to elect the Officers of the Association in accordance with Clause 8 hereof;
- (iv) to elect five members of the General Committee;
- (v) to invite representatives of individual affiliated groups and statutory authorities to serve on the General Committee, in accordance with Clause 7 (a) (iii) hereof;
- (vi) to appoint an independent auditor or independent auditors for the coming year;
- (vii) to consider and vote on proposals to alter this constitution in accordance with Clause 16 hereof;
- (viii) to consider any other business of which due notice has been given.

(b) Special General Meeting: The Chair of the General committee may at any time at his/her discretion and the Secretary shall within 21 days of receiving a written request so to do signed by not less than 20 members, whether individual or representative, and giving reasons for the request, call a Special General Meeting of the Association to consider the business specified on the notice of meeting and for no other purpose.

11. RULES OF PROCEDURE AT ALL MEETINGS

(a) Voting

Subject to the provisions of Clause 16, all questions arising

at any meeting shall be decided by a simple majority of those present and entitled to vote thereat. No member shall exercise more than one vote notwithstanding that he or she may have been appointed to represent two or more interests, but in case of an equality of votes the Chair shall have a second or casting vote.

(b) Quorum

(i) Committee Meetings: one third of the elected members shall form a quorum at meetings of the General Committee and all other committees.

(ii) General Meetings: twenty five members or one third of the members, whichever is the less, shall form a quorum at General Meetings of the Association. In the event that no quorum is present at an Annual General Meeting of the Association, the meeting shall stand adjourned and be reconvened 14 days later, and those members present at that meeting shall be deemed to form a quorum.

(c) Minutes

Minute books shall be kept by the Association, the General Committee and all other committees and the appropriate Secretary shall enter therein a record of all proceedings and resolutions.

12. STANDING ORDERS AND RULES FOR THE USE OF THE CENTRE

The General Committee shall have power to adopt and issue Standing Orders and/or Rules for the use of the Centre. Such Standing Orders and Rules shall come into operation immediately, provided always that they shall be subject to review by the Association in General Meeting and shall not be inconsistent with the provisions of this constitution.

13. FINANCE

(a) All money raised by or on behalf of the Association shall be applied to further the objects of the Association and for no other purpose, provided that nothing herein contained shall prevent the payment in good faith of reasonable and proper remuneration to any employee of the Association or the repayment of reasonable out-of-pocket expenses.

(b) The Hon. Treasurer shall keep proper accounts of the finances of the Association.

(c) The accounts shall be examined so as to satisfy the charity commission accountancy regulations in force at the time and as

recommended by the Trustees.

- (d) The General Committee to the Annual General Meeting as aforesaid shall submit an audited statement of accounts for the last financial year
- (e) An account shall be opened in the name of the Association with the GLOUCESTER branch of the HBCS PLC, or with such other financial institution as the General Committee shall from time to time decide. The General Committee shall authorise in writing the Treasurer, the Secretary of the Association and two members of the General Committee to sign cheques on behalf of the Association. All cheques must be signed by not less than two of the four authorised signatories.

14. TRUST PROPERTY

The General Committee may appoint a custodian trustee, or a trust corporation of not less than three or more than four named individuals (not being members of the General Committee) to hold any real or personal property held by or in trust for the Association, or may, with the agreement of the Official Custodian for Charities, vest in him any property so held. In the event of the resignation, death or disqualification of an individual trustee, the General Committee shall be empowered to appoint a replacement.

15. DISSOLUTION

If the General Committee by a simple majority decides at any time that on the ground of expense or otherwise it is necessary or advisable to dissolve the Association, it shall call a meeting of all members of the Association who have the power to vote and of the inhabitants of the area of benefit of the age of eighteen years and upwards of which meeting not less than 21 days notice (stating the terms of the resolution to be proposed thereat) shall be posted in a conspicuous place or places in the area of benefit and advertised in a newspaper circulating in the area of benefit and given in writing to the Charity Commissioners for England and Wales and the Director of the National Federation of Community Organisations. If such decision shall be confirmed by a simple majority of those present and voting at such meeting the General Committee shall have the power to dispose of any assets held by or in the name of the Association. Any assets remaining after the satisfaction of any proper debts and liabilities shall

be applied towards such charitable purposes for the benefit of the inhabitants of the area of benefit as the General Committee may decide and as may be approved by the Charity Commissioners for England and Wales, or other authority having charitable jurisdiction.

16. ALTERATIONS TO THE CONSTITUTION

Any proposal to alter this constitution must be delivered in writing to the Secretary of the Association not less than 28 days

before the date of the meeting at which it is first to be considered. Any alteration will require the approval of both:

(a) a simple majority of members of the General Committee present

and voting at a General Committee meeting;

(b) a two-thirds majority of individual members and representatives of the Affiliated Groups and Sections of the Association present and voting at a General Meeting. Notice of each such meeting must have been given in accordance with normal procedure but not less than 14 clear days prior to the meeting in question and giving the wording of the proposed alteration. No alteration to Clause 2 (Objects), Clause 15 (Dissolution) or to this Clause shall take effect until the approval in writing of the Charity Commissioners or other authority having charitable jurisdiction shall have been obtained, and no alteration shall be made to this constitution which would cause the Association to cease to be a charity at law.

This Constitution was adopted as the Constitution of the Hillview Community Association at the Annual General Meeting duly convened at the Hillview Community Centre, duly convened on 20 May 2011

Signed

Premises : 11/00134/PRMR

Club : 11/00139/CWBR

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
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Number of premises licence or club premises certificate (if known) 10/00837/PRMVPS & 07/01023/CLUBV
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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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

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

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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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CHEL TENHAM
BOROUGH COUNCIL

**Licensing Act 2003
Club Premises Certificate**

Club Premises Licence Number	11/00139/CLUBR
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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

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.			
Performance of Dance	Sunday	09:30 - 00:00	Indoors
Performance of Dance	Monday to Saturday	09:00 - 00:00	Indoors
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	Indoors
Performance of Live Music	Monday to Saturday	09:00 - 00:00	Indoors
Performance of Recorded Music	Sunday	09:00 - 00:00	Indoors
Performance of Recorded Music	Monday to Saturday	09:00 - 00:00	Indoors
Other/Similar Entertainment	Sunday	09:30 - 00:00	Indoors
Other/Similar Entertainment	Monday to Saturday	09:00 - 00:00	Indoors
Prov'n of Facilities for Dancing	Sunday	09:30 - 00:00	Indoors
Prov'n of Facilities for Dancing	Monday to Saturday	09:00 - 00:00	Indoors
Performance of a Play	Sunday	09:30 - 00:00	Indoors
Performance of a Play	Monday to Saturday	09:00 - 00:00	Indoors

Non-standard timings:
A) The approved non standard hours for permitted qualifying club activities are 10.00 (or earlier where standard times permit) - 01.00 on Christmas Eve and on all race days of the Cheltenham Gold Cup National Hunt Festival meeting, and until 02.00hrs on New Years Eve.

Annex 1 – Mandatory conditions

1 Not Applicable

Annex 2 – Conditions consistent with the Club Operating Schedule

1 a) 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:

b) From the Public Entertainment Licence (05/01041/PELINA)

The Licence is subject to the Council's Standard Conditions for Public Entertainment
Maximum number of persons permitted: Ground Floor 150, Total for Premises 150
All windows in areas where any live or recorded entertainment (other than incidental background music) occurs shall be kept shut during these activities.

c) 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.

d) 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.

e) 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.

f) 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.

g) 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

1 See Attached



CHELtenham
BOROUGH COUNCIL

Licensing Act 2003
Cheltenham Borough Council

Premises Licence Number

11/00134/PRMR

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

Performance of Dance	Sunday	09:30 - 00:00	Indoors
Performance of Dance	Monday to Saturday	09:00 - 00:00	Indoors
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	Indoors
Performance of Live Music	Monday to Saturday	09:00 - 00:00	Indoors
Performance of Recorded Music	Every Day	09:00 - 00:00	Indoors
Other/Similar Entertainment	Sunday	09:30 - 00:00	Indoors
Other/Similar Entertainment	Monday to Saturday	09:00 - 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

The opening hours of the premises

Opening Hours	Friday to Saturday	09:00 - 01:30
Opening Hours	Sunday to Thursday	09:00 - 00:30

Non Standard Timings

a) The approved non standard hours for permitted on all race days of the Cheltenham Gold Cup (March) and National Hunt Festival (November) meetings are from 0900 to 0200 Monday to Saturday inclusive and from the end of permitted licensable hours on New Years Eve to the commencement of permitted hours on New Year's Day. Christmas Eve until 0100 hours. 30 minutes drinking up time being permitted in each instance.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Not Applicable

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Hillview Social Club
Hillview Community Centre
Hulbert Crescent
Up Hatherley
Cheltenham
Gloucestershire
GL51 5FZ
Business Phone Number 01242 863635

Registered number of holder, for example company number, charity number (where applicable)**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Mrs Sally Ann Curry
11 Lilac Close
Up Hatherley
Cheltenham
Gloucestershire
GL51 3BP
Business Phone Number 01242 863635

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference: 08/00261/PERA

Licensing Authority: Cheltenham Borough Council

Signature of Issuing Officer



Assistant Director – Operations

Date of issue

21 March 2011

Annex 1 – Mandatory conditions

1 Not Applicable

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.
- h) 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).
- i) Contact telephone numbers for Taxi/Private Hire services shall be displayed and a telephone provided for ordering such services.
- j) 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

1 Not Applicable

Annex 4 – Plans

1 Plan scale 1:100 dated 4.7.2005 drawing 001.

Hillview Social Club

Hulbert Crescent



Legend



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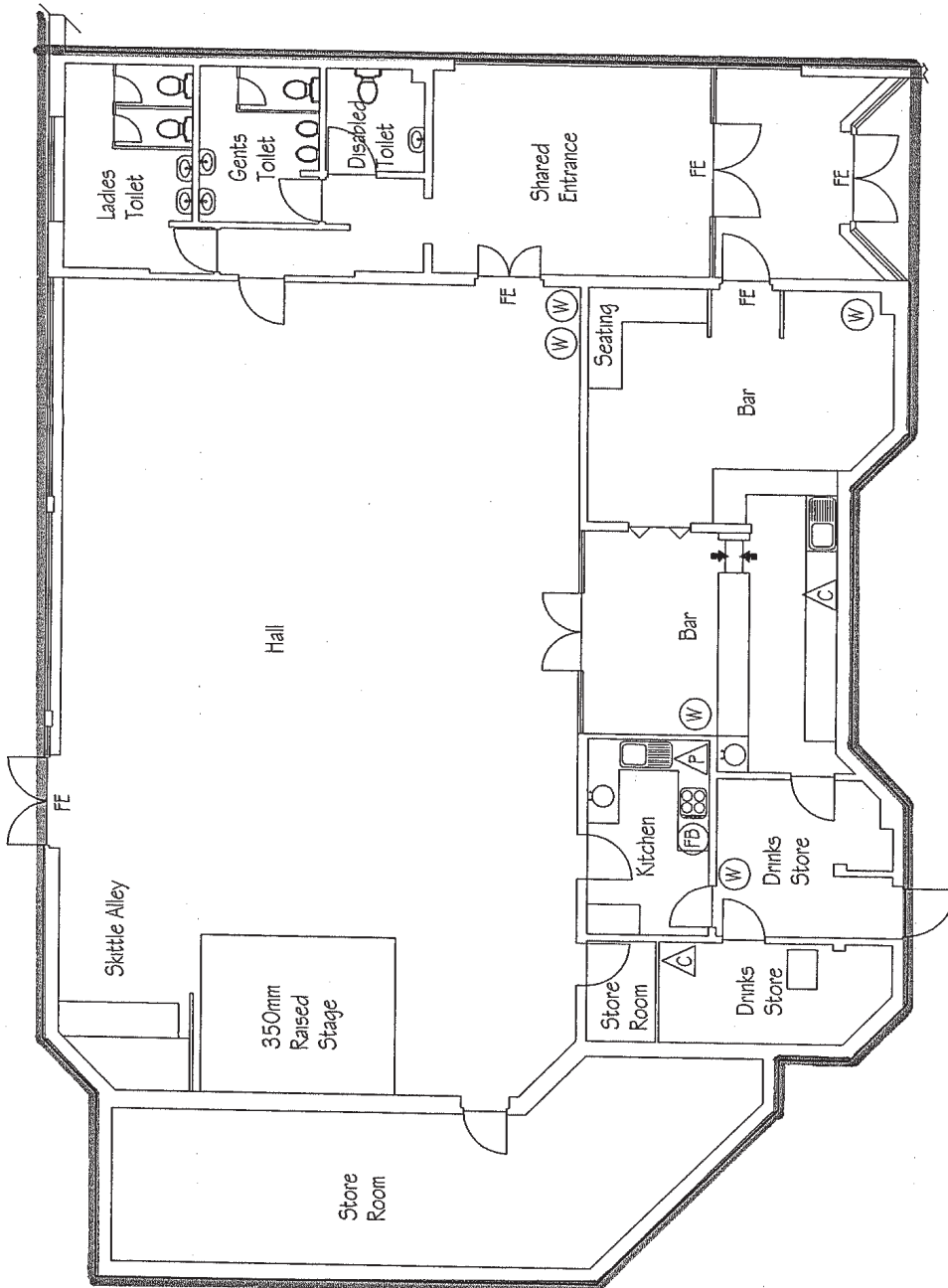
Organisation	Cheltenham Borough Council
Department	Licensing
Comments	Licensing Sub-Committee
Date	16 June 2011
SLA Number	100024384 2009

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

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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