



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Licensing Sub-Committee

**Wednesday, 23 July 2014
10.00 am
Council Chamber - Municipal Offices**

Membership	
Councillors:	John Payne, Anne Regan and Roger Whyborn
Reserve Councillor:	Pat Thornton
Officers:	Phil Cooper, Licensing Officer Vikki Fennell, Solicitor

Agenda

1.	ELECTION OF CHAIRMAN	
2.	APOLOGIES	
3.	DECLARATIONS OF INTEREST	
4.	DETERMINATION OF AN APPLICATION FOR A PREMISES LICENCE Cheltenham Town Training Ground, Quat Goose Lane, Cheltenham, Gloucestershire, GL51 9RX	(Pages 1 - 68)

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Cheltenham Borough Council

Licensing Sub Committee – 23 July 2014

Licensing Act 2003 Determination of an Application for a Premises Licence

Cheltenham Town Training Ground, Quat Goose Lane,
Cheltenham
Gloucestershire, GL51 9RX

Report of the Licensing Officer

1. Introduction

1.1 The Licensing Act 2003 (the Act) allows applicants to apply for a premises licence or a variation of a premises licence at any time. In this case, an application for a new premises licence was received on 29 May 2014 from Cheltenham Town Association Football Club Ltd, in respect of the Football Club's training and function facility at Quat Goose Lane, Cheltenham. A copy of the application is included at **Appendix A**. An internal layout plan of the premises is included at **Appendix B** and a plan of the location and surrounding area is included at **Appendix C**.

1.2 The application is for a premises licence to authorise the following licensable activities between the hours of 09:00 and 23:00 hours, every day.

- Sale / supply of alcohol – for consumption on the premises
- Performance of live music – indoors only
- Playing of recorded music – indoors only

1.3 The application was advertised and consulted upon in the manner prescribed in the Regulations. As a result of that consultation no representations were received from Responsible Authorities but representations were received from other people.

1.4 Implications

1.4.1 Financial **Contact officer: Sarah Didcote**
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1.4.2 Legal A sub committee is required to discharge its duty and determine an application with a view to promoting the licensing objectives. These objectives, which are set out in section 4(2) of the Licensing Act 2003, are: (a) the prevention of crime and disorder; (b) public safety; (c) the prevention of public nuisance; and (d) the protection of children from harm.

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2. Application (Ref. 14/01129/PRMA)

2.1 Applicant: Cheltenham Town Association Football Club Ltd

2.2 Premises: Cheltenham Town Training Ground, Quat Goose Lane, Cheltenham, Gloucestershire, GL51 9RX

- 2.3 On the application form the applicants volunteered to take the following steps to promote the four licensing objectives. These will become conditions on the licence if the application is granted.
- (a) Alcohol consumption and entertainment will only be provided at organised events which will be either in-house for employees and relatives, or events held in the function room. The function room will only be used by responsible event organisers and arranged in conjunction with the Designated Premises Supervisor.
 - (b) Event organisers and staff on duty will be required to prevent impact on neighbours, for example by ensuring that people leave the premises quietly and do not congregate unnecessarily.
 - (c) A Challenge 25 (or equivalent) scheme shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 25 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.
- These steps will be included as conditions on the licence if the licence is granted.

3. Responsible Authorities

- 3.1 No objections were received from responsible authorities.
- 3.2 When the application was originally made the applicants applied for licensable activities to end at 01:00 hours every day. The environmental health officer expressed some concerns about this, as did some residents, in response to which the applicants amended their application so that activities being applied for will cease at 23:00 hours every day. In part 7 of this report, under Licensing Comments, Members will find a summary of the changes the applicant volunteered to make to the application in response to the concerns raised.

4. Other People

- 4.1 18 representations were received from other people. Of those, 5 were subsequently withdrawn following the changes made to the application (see paragraph 3.2, above). 13 representations have not been withdrawn and these are summarised as follows.

Jamie Gay, 3 Sumner Court – Mr Gay is objecting to the application on the basis of public nuisance, the protection of children from harm and the prevention of crime and disorder. Following changes made to the application by the applicants, Mr Gay made additional comments but did not withdraw his application. His representation and additional comments are included in the appendices.

Anita Payne – Miss Payne is objecting to the application on the grounds of public safety, the prevention of public nuisance and the protection of children from harm. Following changes made to the application by the applicants, Miss Payne made additional comments but did not withdraw her application. Her representation and additional comments are included in the appendices.

Jean and Dennis Smith have objected to the application on the basis of preventing public nuisance. Following changes made to the application by the applicant Mr and Mrs Smith amended their objection but did not withdraw it. Their representation and additional comments are included in the appendices.

Swindon Village Society (SVS) – The chairman of SVS, Mr Simon, who has also objected separately in his own right as a resident, has submitted a representation on behalf of the society on the basis of public nuisance and potential crime and disorder.

B J Simon, 3 Swindon Hall has objected on the basis of public nuisance and the potential of crime and disorder.

Swindon Village Parish Council have objected to the application on the basis of crime and disorder and public nuisance. Following changes made to the application by the applicants, the Parish Council made additional comments but did not withdraw their application. Their representation and additional comments are included in the appendices.

Dr and Mrs Robinson, The Grange, Quat Goose Lane have objected to the application on the basis of public nuisance.

Robert Davies, Willow Lodge, Brockhampton Lane has objected on the grounds of public nuisance, crime and disorder and public safety.

Mr and Mrs N Perry have objected to the application on the grounds of public nuisance, public safety and crime and disorder.

Nicola Richens has objected on the grounds of public nuisance and the protection of children from harm.

Ian and Pam Martin, 20 Quat Goose Lane have objected on the grounds of public nuisance and the protection of children from harm.

Kevin Boote, 10 Quat Goose Lane has objected on the grounds of public nuisance and the protection of children from harm. Following changes made to the application by the applicants, Mr Boote made additional comments but did not withdraw his application. His representation and additional comments are included in the appendices.

Sumner Court Management Company – The Company Secretary, Claire Peace-Jones, has objected to the application on behalf of herself and other residents (some of whom have also objected separately in their own right and are listed above). The management company's objection and additional comments are included in the appendices and relate to public nuisance, crime and disorder, public safety and the protection of children from harm.

Copies of the representations are attached at **Appendix D**.

5. Local Policy Considerations

- 5.1 The 2003 Act introduces a unified system of regulation through two new types of licences: the premises licence (club premises certificates for qualifying clubs) and the personal licence. The Borough Council, as the licensing authority, is responsible for licensing all outlets in the borough that sell or supply alcohol or carry out any other 'licensable activities': public entertainment, theatre, cinema, or late night refreshment.
- 5.2 The new system is underpinned by four objectives: i) the prevention of crime and disorder; ii) public safety; iii) the prevention of public nuisance; and, iv) the protection of children from harm. The licensing authority must promote these objectives in carrying out its functions.
- 5.3 The Council's adopted licensing policy statement (Council 10th Feb 2012) includes the following:
- 5.4 The main purpose of this policy is to provide clarity to applicants, interested parties and responsible authorities on how the Council will determine applications for the sale/supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment and also to provide a basis for all licensing decisions taken by the Council

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over the next three years. It will also inform elected Members of the parameters within which licensing decisions can be made. (Paragraph 1.3)

- 5.5 Through this policy the Council hopes that residents of and visitors to Cheltenham will be able to enjoy their leisure time safely and without fear of violence, intimidation or disorder while at licensed premises. (Paragraph 1.4)
- 5.6 An effective licensing policy, alongside other initiatives, will work towards promoting the positive aspects of deregulation under the Act, such as promoting tourism, increasing leisure provision and encouraging the regeneration of the town centre as well as controlling the negative impacts such as increase in noise, nuisance, anti-social behaviour and crime and disorder. (Paragraph 1.5)
- 5.7 It should be understood that this policy and the section 182 Guidance cannot anticipate every scenario or set of circumstances that may arise and as such there may be circumstances where the policy or guidance may be departed from in the interests of the promotion of the licensing objectives and where it is deemed appropriate to do so. In such cases the Council will give full reasons for departing from this policy. (Paragraph 1.6)
- 5.8 The Council will carry out its licensing functions under the Act with a view to promoting the four licensing objectives, which are:-
 - (a) The prevention of crime and disorder;
 - (b) Public safety;
 - (c) The prevention of public nuisance; and
 - (d) The protection of children from harm. (Paragraph 4.1)
- 5.9 The aim of the licensing process is to regulate licensable activities so as to promote the licensing objectives. (Paragraph 4.2)
- 5.10 In determining a licensing application, the overriding principle adopted by the Council will be that each application is determined on its merits. Licence conditions will be tailored to the individual application and only those appropriate to promote the licensing objectives will be imposed. (Paragraph 4.3)
- 5.11 Each of the four objectives is of equal importance and will be considered in relation to matters centred on the premises or within the control of the licensee and the effect which the operation of that business has on the vicinity. (Paragraph 4.5)
- 5.12 Through their operating schedule, applicants will be expected, where necessary, to demonstrate the positive steps taken to promote the licensing objectives. (Paragraph 5.3)
- 5.13 The operating schedule is a key document and, if prepared comprehensively, will form the basis on which premises can be licensed without the need for additional extensive conditions. The Council expects an operating schedule to indicate the steps that the applicant proposes to take to promote the licensing objectives. (Paragraph 5.4)
- 5.14 Applicants will be expected to propose practical measures to prevent disturbance to local residents and to indicate what action will be taken to prevent or reduce noise emanating from the premises. (Paragraph 5.6)
- 5.15 The complexity and detail required in the operating schedule will depend upon the nature and use of the premises. For premises such as a public house where public entertainment is not provided, only a relatively simple document will be required. For a major public entertainment venue it will be expected that issues such as public safety and crime and disorder will be addressed in detail. (Paragraph 5.7)

5.16 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events. (Paragraph 5.12)

Crime and Disorder

5.17 The promotion of the licensing objective, to prevent crime and disorder, places a responsibility on licence holders to become key partners in promoting this objective. (5.11)

5.18 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events. (5.12)

5.19 When addressing the issue of crime and disorder, the applicant should demonstrate that those factors that impact on crime and disorder have been considered. These factors may include:-

- (a) Underage drinking;
- (b) Drunkenness on premises;
- (c) Public drunkenness;
- (d) Drugs;
- (e) Violent behaviour; and
- (f) Anti-social behaviour. (5.13)

5.20 In making their decision, regard should be given to the levels of crime and disorder in and around the venue; the level of compliance with conditions on existing licences; and any available evidence on crime and disorder issues. (5.14)

5.21 Annex D part 1 of the Secretary of State's revised Guidance sets out matters that may be relevant to the imposition of conditions relating to crime and disorder on licensed premises. Where relevant representations are received the Council may impose appropriate conditions on premises licences and club premises certificates in accordance with this guidance. (5.15)

5.22 Appropriate conditions include:-

- (a) adoption of a 'Challenge 21 or Challenge 25' policy;
- (b) adoption of best practice guidance including our voluntary code of practice for Reducing Alcohol Related Violence (RARV);
- (c) agreeing a prescribed capacity for the premises;
- (d) requirements for an appropriate ratio of tables and chairs to customers, based on capacity, and for areas to be allocated permanently for seated customers in order to prevent overcrowding, which can lead to disorder and violence;
- (e) a requirement for Security Industry Authority registered door supervisors to control numbers of persons entering the premises and to deny entry to individuals who appear drunk, disorderly or intent on crime;
- (f) requirements that drinking vessels be made of toughened glass or plastic or other materials that do not form a sharp edge when broken, and that glass bottles are not passed to customers. This may be a particular concern if drinks are to be consumed outside premises;
- (g) restrictions on drinking in areas within and outside the premises;
- (h) limitations on the types of promotions of alcoholic drinks, so as not to encourage excessive drinking, or drunkenness;
- (i) the maintenance of good order by the management, particularly where alcohol is supplied for consumption and where large numbers of people are admitted;
- (j) dedicated communications networks between management teams, local police and other licensed premises to provide early warning of disorder;
- (k) warning signs about crime prevention measures;

(l) clear policies and measures to prevent weapons or illegal drugs being brought onto the premises and measures to discourage the use of illegal drugs; and/or

(m) the installation and maintenance of appropriately sited closed circuit television cameras (CCTV) to be operational during the period of the licence, and other appropriate times both inside and immediately outside the premises which can provide images of a suitable quality for use as evidence. (5.16)

- 5.23 Capacity limits are commonly made a condition of a licence on public safety grounds but should also be considered for licensed pubs and clubs where overcrowding may lead to disorder and violence. If such a condition is necessary, door supervisors may be needed to ensure the numbers are appropriately controlled. (5.17)

Public Safety

- 5.24 The Council in its role as Licensing Authority must try to ensure the safety of people visiting and working in licensed premises. The Council will need to be satisfied that measures to promote public safety including risk assessments, setting safe capacities and adequate means of escape are put in place and maintained, if not adequately provided for by other regulatory regimes. (5.17)

- 5.25 Consideration should be given to whether:

(a) appropriate and satisfactory general and technical risk assessments, management procedures and certificates have been made available to the relevant responsible authority and to the Licensing Authority, that demonstrate that the public will be safe within and in the vicinity of the premises;

(b) the premises already has a licence or a fire certificate that specifies the maximum number of people that can attend it or be present and, if not, whether a risk assessment has been undertaken to assess the maximum number of people in terms of capacity in various parts of the premises, so that they can be operated safely and can be evacuated safely in the event of an emergency;

(c) there are procedures proposed to record and limit the number of people on the premises with opportunities for going outside and readmission;

(d) patrons can arrive at and depart from the premises safely;

(e) music, dance and performance venues will use equipment or special effects that may affect public safety (i.e. moving equipment, pyrotechnics, strobe lights, smoke machines);

(f) there are defined responsibilities and procedures for medical and other emergencies and for calling the emergency services, and/or

(g) the levels of compliance with conditions on existing licences relating to public safety.

- 5.26 The Council seeks to encourage the use of toughened glassware and polycarbonate where appropriate in licensed premises. Where a relevant representation is received the Council will consider imposing a condition prohibiting the sale of alcohol in annealed glass containers and require the use of polycarbonate or other safer alternatives in order to promote public safety in licensed venues. (5.19)

- 5.27 The Borough-wide Nightsafe network encourages its members to work together to promote the licensing objectives in their premises by providing a forum for sharing information, disseminating best practice and meeting with representatives of the Council, the police and other responsible authorities. The Council actively supports the scheme and is keen to support the development of more schemes where there is a demand. (5.20)

- 5.26 Best Bar None (BBN) is a national award scheme supported by the Home Office and aimed at promoting responsible management and operation of alcohol licensed premises. It was piloted in Manchester in 2003 and found to improve standards in the night time economy, with premises now competing to participate. The aim of BBN is to reduce alcohol related crime and disorder in a town centre by building a positive relationship between the licensed trade, police and local authorities. The Council will actively encourage licensed premises to sign up to the BBN scheme. (5.21)

Public Nuisance

- 5.27 The Council will expect applicants to set out in their operating schedules the steps taken, or proposed to be taken, to deal with the potential for public nuisance arising from the operation of the premises. (5.22)
- 5.28 Applicants should identify and describe through a risk assessment how these risks will be managed. Public nuisance could include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (5.23)
- 5.29 The role of the Council is to maintain an appropriate balance between the legitimate aspirations of the entertainment industry and the needs of residents and other users of the town including businesses, workers, shoppers and visitors. (5.24)
- 5.30 Playing of music can cause nuisance both through noise breakout and by its effect on patrons, who become accustomed to high sound levels and to shouting to make themselves heard, which can lead to them being noisier when leaving premises. Other major sources of noise nuisance are vehicles collecting customers, the slamming of car doors and the sounding of horns. These noises can be particularly intrusive at night when ambient noise levels are lower. (5.25)
- 5.31 Where relevant representations are received, the Council may attach appropriate conditions to licences, necessary to support the prevention of undue noise disturbance from licensed premises. Where premises remain open after midnight the licence holder, will be expected to provide facilities which are relevant to controlling noise and the patrons of those premises late at night. The Council also expects that premises which produce noise generating licensable activities are acoustically controlled and engineered to a degree where the noise from the premises when compared to the ambient noise level will not cause undue disturbance. (5.26)
- 5.32 The provision of tables and chairs outside the premises, either on the highway or on private land, and the provision of beer gardens, can enhance the attractiveness of the venue. It can have the benefit of encouraging a continental style café culture and family friendly venues. However, late at night, tables and chairs and beer gardens can cause significant public nuisance to residents whose homes overlook these areas. (5.27)
- 5.33 More recently the introduction of the new 'smoke free public places' legislation in July 2007 has led to an increase in the number of people outside licensed venues. Where outside facilities are provided the licensing authority expects applicants to provide details in their application of:-
(a) the location of open air areas;
(b) how the outside areas will be managed to prevent noise, smell, or obstruction and nuisance to neighbours and the public. (5.28)
- 5.34 Licensees and their staff are expected to have sufficient measures in place to prevent such problems arising including a suitable litter and waste management program to ensure that the area outside the premises is kept free of litter at all times. (5.29)
- 5.35 Where the Council receives relevant representations, or where a responsible authority or an interested party seeks a review, the Council may consider imposing conditions to improve the management of the outside area or prohibiting or restricting the use of these areas in order to promote the public nuisance objective. (5.30)
- 5.36 Conditions may include maximum noise levels over particular time periods, the installation of acoustic lobbies; provision of signs, publicity and dispersal policies. (5.31)

Protection of children from harm

- 5.37 The Council needs to satisfy itself that there are appropriate measures in place to protect children from harm. (5.32)

- 5.38 The Council will expect applicants, where necessary to consider the measures necessary to promote the licensing objective of protecting children from harm when on the premises. (5.33)
- 5.39 These measures may include staff training on how to control the entry of children and young people under 18 and the vetting of staff who will supervise them. Applicants will have to give particular regard to these measures in applications for licences involving:-
(a) the sale of alcohol;
(b) children's performances;
(c) attractions or performances likely to attract children. (5.34)
- 5.40 It is an offence to sell alcohol to children. In this context, children are defined as individuals under 18. The provisions of the Act are that unaccompanied children under 16 should not be on "premises being used exclusively or primarily for the supply of alcohol" (eg "alcohol led" premises such as pubs, bars and nightclubs). In addition, it is an offence to allow unaccompanied children under 16 on premises licensed to sell alcohol for consumption on the premises after midnight but before 05:00. (5.35)
- 5.41 Issues for consideration include:-
(a) installing effective measures to check the age of those young people who appear under 21 to ensure that alcohol is not sold to those under 18 and those under 16 are accompanied in alcohol led premises;
(b) the supply of alcohol for consumption on the premises is the;
(c) exclusive or primary purpose of the services provided at the premises;
(d) accompanied children under 16 on the premises of which the primary purpose is supply of alcohol for consumption on the premises are taking a table meal or are being entertained by a live performance;
(e) the hour to which accompanied children under 16 are proposed to be on the premises where the exclusive or primary purpose of the services provided at the premises is the supply of alcohol for consumption on the premises;
(f) due regard is paid to industry codes of good practice on the labelling and display of alcoholic drinks;
(g) there are adequate procedures for identifying unaccompanied or lost children and ensuring that they are kept safe and adequately supervised until they can be handed over to a responsible adult;
(h) the likelihood of children being attracted to the premises; eg by the nature of activities or facilities provided whether or not these are licensed;
(i) there is evidence of heavy, binge or underage drinking on the premises;
(j) the premises commonly provides entertainment or services of an adult or sexual nature;
(k) there is a strong element of gambling on the premises;
(l) age restricted films are to be shown classified in accordance with the recommendations of the British Board of Film Classification;
(m) the number of adults required for the supervision of children and the suitability and vetting of those adults to ensure they pose no risk to children. Obtaining Enhanced Disclosure from the Criminal Records Bureau may be appropriate in some cases. (5.36)

6. National Guidance

- 6.1 Statutory guidance has been issued under Section 182 of the Licensing Act 2003. The committee must have regard to the guidance when determining this application. Below are relevant extracts for the benefit of the committee. Emphasis added.

Licensing objectives and aims

6.2 The legislation provides a clear focus on the promotion of four statutory objectives *which must be addressed when licensing functions are undertaken*. (1.2)

6.3 The licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm. (1.3)

6.4 *Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times*. (1.4)

6.5 However, 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:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them. (1.5)

Legal status

6.6 *Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. This Guidance is therefore binding on all licensing authorities to that extent. However, this Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken*. (1.9)

Licence conditions – general principles

6.7 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;

- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format. (1.16)

Each application on its own merits

- 6.8 *Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned.* This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case. (1.17)

Public nuisance

- 6.9 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter. (2.18)
- 6.10 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. It may also include, in appropriate circumstances, the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health. (2.19)
- 6.11 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.20)

- 6.12 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate. (2.21)
- 6.13 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late-evening or early-morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave. (2.22)
- 6.14 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night. (2.24)

Crime and disorder

- 6.15 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP). (2.1)
- 6.16 Conditions should be targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition. (2.3)
- 6.17 In the context of crime and disorder and public safety, the preservation of order on premises may give rise to genuine concerns about the ability of the management team with responsibility for 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. (2.5)
- 6.18 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can 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. (2.6)

- 6.19 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. However, 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 and to ensure, for example, that the prevention of disorder is in sharp focus for all managers, licence holders and clubs. (2.7)

Public safety

- 6.20 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene. (2.8)
- 6.21 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
 - Ensuring appropriate access for emergency services such as ambulances;
 - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
 - Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
 - Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
 - Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
 - Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.13-2.15, and Chapter 10; and
 - Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective). (2.9)
- 6.22 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.34-8.42), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that. (2.10)
- 6.23 **Ensuring safe departure of those using the premises**
Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:
- Providing information on the premises of local taxi companies who can provide safe transportation home; and
 - Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.
- 6.24 "Safe capacities" should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be

attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile. (2.13)

- 6.25 It should also be noted in this context that it remains an offence under the 2003 Act to sell or supply alcohol to a person who is drunk. This is particularly important because of the nuisance and anti-social behaviour which can be provoked after leaving licensed premises. (2.14)

Protection of Children from Harm

- 6.26 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated with alcohol but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). (2.25)
- 6.27 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises. (2.29)
- 6.28 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
 - full exclusion of people under 18 from the premises when any licensable activities are taking place. (2.30)
- 6.29 Licensing authorities should give considerable weight to representations about child protection matters. (2.32)

7. Licensing Comments

- 7.1 The committee must have regard to the statutory guidance issued by the Secretary of State, the Council’s adopted policy statement, the representations made and the evidence it hears when determining this application. In particular, the committee must seek to promote the four licensing objectives when determining the application.
- 7.2 Members should be aware that when the application was first made, it was for later hours and different activities from those now being applied for. The applicants volunteered to make changes to their application following concerns voiced by residents and the environmental health officer. The changes made to the application are as follows.

	Original application	Revised application
Sale / supply of alcohol for	09:00 – 01:00 every day	09:00 – 23:00 every day

consumption on the premises		
Performance of live music	09:00 – 01:00 every day indoors and outdoors	09:00 – 23:00 every day indoors only
Performance of recorded music	09:00 – 01:00 every day indoors and outdoors	09:00 – 23:00 every day indoors only
Provision of late night refreshment	23:00 – 01:00 every day	None

7.3 An internal layout plan of the premises is shown at **Appendix B**. A plan showing the location of the premises and surrounding area is attached at **Appendix C**.

7.4 Copies of the representations are attached at **Appendix D**.

7.5 **Appendix E** contains an email written by the applicants in which they have attempted to address residents' concerns.

7.6 Members should take into consideration only those objections which relate to one or more of the licensing objectives, which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Members should disregard objections which do not relate to the licensing objectives.

7.7 Members should disregard representations relating to problems caused at the premises when under **previous ownership**. This application must be determined entirely on its own merits and the present applicants are not responsible for the way in which the premises was operated by other people in the past. Other factors which have been raised by residents, but which should not be taken into consideration by the sub committee, are as follows:

- **Litter** is not a relevant consideration unless the Members are satisfied that the potential problems are a direct result of the licensable activities applied for in the application, and that they will adversely impact one or more of the licensing objectives.
- Whether or not the area **needs** such premises, and whether or not premises are **suitable** for the location, are not relevant considerations for the sub committee, which should determine the application based only on considerations relating to the four licensing objectives, not on whether the premises is necessary or suitable.
- Members should not take **supposition** into account. At least one resident has suggested that granting the licence could increase traffic in the area or open up the area to antisocial behaviour such as the use of drugs. Members should only take such considerations into account if they are satisfied that such issues would be a result of the licensable activities applied for, and that those issues would adversely affect the licensing objectives.
- Some residents have objected to the way in which the application was **publicised**. Members should note that the Regulations prescribe the steps applicants must take to publicise such applications and officers carried out checks to ensure those steps had been taken. Residents may feel that the applicants should have engaged more directly with them, such as leafleting the area, but the law does not require them to do so.

7.8 The committee, having regard to the all of the above, must take such steps as it considers appropriate for the promotion of the licensing objectives which can include:

- Granting the application as requested;
- Modifying the conditions of the licence; or
- Rejecting all or part of the application.

Background Papers**Service Records****Report Author**

Contact officer: Mr Philip Cooper
E-mail: licensing@cheltenham.gov.uk
Tel no: 01242 775200

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pls email sent 2/6/14

Page 174/2129/PREMA

LDQ = 25/6/14



CHEL TENHAM

BOROUGH COUNCIL

Application for a premises licence to be granted 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/We Cheltenham Town Association Football Club Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Cheltenham Town Training Ground (formerly Seasons Business and Leisure Complex) Quat Goose Lane Swindon Village			
Post town	Cheltenham	Postcode	GL51 9RX

Telephone number at premises (if any)	01242 254444
Non-domestic rateable value of premises	£ 25,750

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)

- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
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- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
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- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Cheltenham Town Association Football Club Limited
Address The Victory Sports Ground Whaddon Road Cheltenham Glos GL52 5NA
Registered number (where applicable) 00324807
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited company
Telephone number (if any) 01242 573558
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	1	052014

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
Sports ground with function rooms situated between a car park and playing field

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for performing plays (please read guidance note 4)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3) <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) <u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	09:00	01:00	<u>Please give further details here</u> (please read guidance note 3) The premises will not generally be used for entertainment as it is the training ground for our players. However, there is a function room so we would like the opportunity to hold our own in-house social events and hire the room out for birthday parties etc on an ad hoc basis. Certain event organisers may wish to book live musicians. We would like to have live music available until 1am indoors and 9pm outdoors		
Tue	09:00	01:00			
Wed	09:00	01:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur	09:00	01:00			
Fri	09:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	09:00	01:00			
Sun	09:00	01:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	09:00	01:00	Please give further details here (please read guidance note 3) As with 'E' above, we would like event organisers to be able to play recorded music indoors until 1am and outdoors until 9pm		
Tue	09:00	01:00			
Wed	09:00	01:00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	09:00	01:00			
Fri	09:00	01:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	01:00			
Sun	09:00	01:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	09:00	01:00	Please give further details here (please read guidance note 3) We would like the opportunity to stage events or hire our function room out to event organisers with alcohol on sale until 1am		
Tue	09:00	01:00			
Wed	09:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	09:00	01:00			
Fri	09:00	01:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	01:00			
Sun	09:00	01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	09:00	01:00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) Alcohol will only be available for consumption at events held at the premises (e.g. in-house social events or room hire). Events will be organised on an ad hoc basis		
Tue	09:00	01:00			
Wed	09:00	01:00			
Thur	09:00	01:00			
			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	09:00	01:00			
Sat	09:00	01:00			
Sun	09:00	01:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Ernest Jeffrey Watson

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	09.00	01.00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue	09.00	01.00	
Wed	09.00	01.00	
Thur	09.00	01.00	
Fri	09.00	01.00	
Sat	09.00	01.00	
Sun	09.00	01.00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

The venue will not be open to the general public on a regular basis but will be used purely for the organisation of social events, such as birthday parties, end-of-season presentation nights etc. We have a highly experienced Designated Premises Supervisor in Jeffrey Watson, whose staff are employed on a regular basis at the football club stadium in Whaddon Road and have extensive experience in dealing with these types of events.

b) The prevention of crime and disorder

Alcohol consumption and entertainments will only be provided at organised events. The events in question will be either in-house for employees and relatives or events held in the function room. We will only hire the function room to responsible event organisers. Room hire will be arranged in conjunction with the Designated Premises Supervisor.

c) Public safety

The site is managed by our in-house facilities manager, who is required to ensure that the facility is maintained to the appropriate standard and that all reasonable health and safety measures, risk assessments etc. are in place

d) The prevention of public nuisance

Event organisers and the staff on duty will be required to prevent impact on neighbours, for example by ensuring that people leave the premises quietly and do not congregate unnecessarily

e) The protection of children from harm

The Challenge 25 scheme will be in operation

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	22 May 2014
Capacity	Director/Club Secretary

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

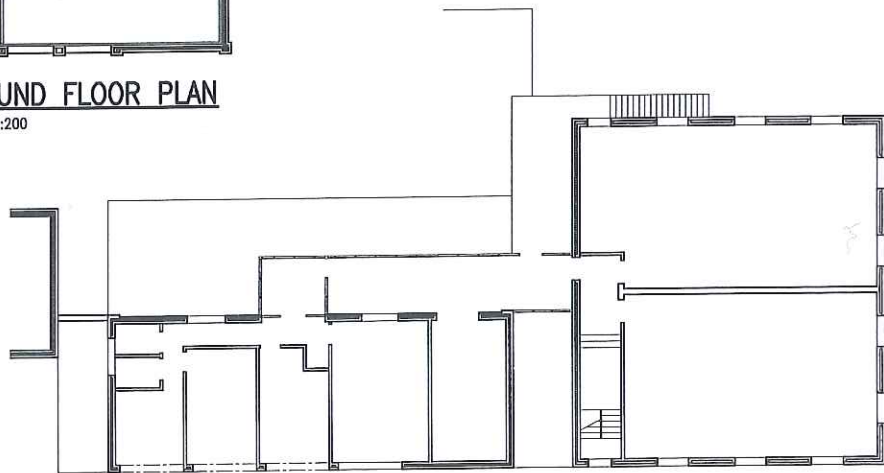
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Paul Godfrey Director/Club Secretary Cheltenham Town AFC Ltd Whaddon Road			
Post town	Cheltenham	Postcode	GL52 5NA
Telephone number (if any)	01242 588118		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance



GROUND FLOOR PLAN

SCALE 1:200



FIRST FLOOR PLAN

SCALE 1:200

FLOOR PLANS
SEASONS, QUAT GOOSE LANE
SWINDON VILLAGE, CHELTENHAM

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Cheltenham Town
AFC training facility

Sumner Court, location of
several objectors' premises

Quat Goose Lane,
location of several
objectors' premises

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From: Mr and Mrs Gay **Sent:** 25 June 2014 19:30
To: Internet – Licensing **Subject:** Licensing reference 14/01129/PRMA

Please find attached my amended response in objection to the below application.

Re Licensing reference 14/01129/PRMA

I wish to formally object to the above licensing application in its entirety.

I believe the following licensing objectives will not be complied with;

1 - the prevention of public nuisance

2 - the protection of children from harm

3 - the prevention of crime and disorder

The area directly bordering the premises is a residential area in a small village on the outskirts of Cheltenham. My garden and many other peoples gardens boarder the premises and are directly over the fence from the property.

1 and 2 - The prevention of public nuisance and protection of children from harm

Music played inside the premises can be heard clearly even with closed windows. This noise pollution will adversely affect my children's health through lack of sleep. It will also affect their performance at school and negatively affect their progress and achievement in life. We have experience already of the harmful affect that noise pollution has on our family from prior owners of the property.

The noise at closing time and from smokers throughout the night could wake my children. Alcohol may also cause fights and offensive language.

The offensive language used by intoxicated people would have a moral and psychological affect on my children. As our neighbours and ourselves live directly over the fence from the premises we as a community are also potentially at physical risk. We have had rubbish thrown into the garden by users of the current occupants premises. Having rubbish thrown into my garden is a pollution issue and further concerns the safety of my children from the protection of harm. Objects being thrown over my fence could harm my children.

Our neighbors and ourselves as a community already suffer from pollution caused by the volumes of cars that attend the property which causes a public nuisance, as well as the noise pollution caused by both the cars and the volumes of people. We suffer this during the day and it would be unthinkable that we would have to suffer this during the night as well.

Litter would also affect the community as a whole, with increased volumes of people and when drinking is involved litter becomes a problem. You only have to go into town after a Friday or Saturday night to see evidence of this. A small village on the outskirts of town should not be subjected to the same conditions as inner towns. Litter could be eaten by the communities dogs and harm them as a public footpath runs through the premises. Broken glass and litter could be dangerous to the communities children and pets as the footpath is used regularly which further causes a public nuisance.

3 - The prevention of crime and disorder specifically the Anti-Social behaviour Act 2003

The sale of alcohol increases the risk of anti-social behaviour and dramatically increases the noise especially from smokers who like to stand behind my garden fence. Even an employed bouncer could not prevent the screaming and antisocial behaviour that comes with drinking and late night opening. This would affect the community negatively and the children within the community.

In short, I object to the entirety of the license request in an effort to preserve the village way of life, to prevent my own and my families health from being adversely affected through lack of sleep and stress, and to protect the community from the public nuisance that would be caused by the premises in question being licensed.

Kind regards,

Jaime Gay

From: Mr and Mrs Gay []

Sent: 28 June 2014 19:57

To: Cooper, Phil

Subject: Re: Cheltenham Town Training Ground, Quat Goose Lane, Cheltenham, Gloucestershire, GL51 9RX
Dear Mr Cooper,

Thank you for this information. I would like to confirm that my representation still stands in full. I would not like to withdraw it.

I would also further like to add that as far as I am aware the premises does not have sound-proofing or noise-limiting devices. It is an old building, and it was not designed to contain modern levels of sound and vibration, the noise will inevitably escape from the premises and effect the surrounding residents.

The community has changed since Seasons license was granted. Due the the lack of land left to build on in our country, our courtyard, and several other properties alongside us have been built on the land directly bordering the Cheltenham Town Training Ground. Most of the adjoining properties now have children within them, therefore the effects of the noise pollution will have far worse consequences on the community than it would have previously. My children are 2 and 4 and could not cope with the noise pollution that will inevitably escape from the building due to its age and lack of sound proofing. There are 5 children in my courtyard alone. They are between 1 and 7 years old and could not cope with music until 11pm without it adversely effecting their health and education through lack of sleep and stress.

I would also like to point out that a recent rally car event that was held by Cheltenham Town Training Ground was extremely loud and the engines were constantly revving into the night. There was a blatant disregard for the community and how the children within it were effected by their actions. This attitude and ethos does not match the representation put forward in the letter Cheltenham Town Training Ground have produced to manage our concerns.

If the details in Mr Murphy's letter give a true representation of the frequency, number and nature of events that Cheltenham Town Training Ground plan to host at the venue, I would question whether a license is even necessary. Surely individual events notices (with restrictions on the sale of alcohol until 11 p.m. and music, inside only, until 11 p.m.) would be far more appropriate and would allow Cheltenham Town Training Ground scope to host events of the nature and frequency they intend in order to utilise the facility in a cost effective manner. A full license is unnecessary.

To reiterate, my representation still stands.

Kind regards

Jaime Gay

From: Anita Payne
Sent: 24 June 2014 21:55
To: Internet - Licensing
Subject: Cheltenham Town training ground, Quat Goose Lane, Swindon Village

Dear Sir/Madam

I would like to make an objection to a licensing application for the above premises.

Swindon village is a sleepy village with young families and old couples, that have left the hustle and bustle of Cheltenham for a quieter life.

Do you really think that this village needs a licensed premises until 1 o'clock in the morning.
How are the young children going to get a good nights sleep before school when there bedrooms are so close?
How is this going to make vulnerable pensioners feel, how is anyone who wants a good nights sleep after a hard day at work feel..
Its bad enough listening to coaches leaving there engines running polluting the air for a long time.

Licensing objectives are:-

- 2, Public safety
3. prevention of public nuisance
4. Protection of children from harm

This could become a hazard for people using the premises and others that have to listen to the noise.

I look forward to hearing from you really soon.

Thanks for your help with this matter. Please can you direct me or forward this on to the correct department.

Regards

Anita Payne

From: Anita Payne
Sent: 01 July 2014 22:23
To: Cooper, Phil
Subject: Re: Cheltenham Town Training Ground, Quat Goose Lane
Dear Phil Cooper

Ref premises licence application ref 14/01129/PRMA

I would like to strongly object to the above premises being granted a Licence from 09.00 to 23.00 for sale/supply of alcohol every day.

Performance of Live music every day from 09.00 to 23.00 indoors and outdoors.

Performance of Recorded music every day from 09.00 to 23.00 indoors and outdoors.

I would like to object fully that they are not granted a permanent Licence.

Licensing objectives are:-

1. The prevention of crime and disorder

With longer hours to consume alcohol, it is more likely that crimes will be committed or some sort of disorder. Urinating against fences, swearing, loud music from the cars, screaming and shouting.

Is this going to be Policed on a regular basis?

2. Public safety

The car park is used as an over flow for parents collecting school children.

Increase of traffic using this area if Licence is given.

Elderly pedestrians and Children put at risk.

If an incident occurs, how quick will the police attend?

There isn't much street lighting , so at night this could become a hazard, as paths are not great.

People waiting for taxis could be put at risk as the road is narrow for two way traffic and vehicles turning.

3. Prevention of public nuisance

Noise levels would increase through out the day and evening. After a recent event involving cars there was no consideration for any of the local residents. The noise levels were unacceptable.

Is this building going to be sound proofed?

What about people who work shifts and sleep through the day.

How are the elderly residents going to cope.

4. protection of children from harm

As mentioned before the car park is used for parents to collect school children.

Should events and alcohol be in such a place that backs onto a school.

This could open up anti social behaviour so close to the school involving drugs and alcohol etc...

Yours sincerely

Miss Anita Payne

From:

Sent: 22 June 2014 11:51

To: Fox, Andrew

Subject: Re: Cheltenham Town Assn F.C. Ltd Swindon Village Licensing reference 14/01129/PRMA

Dear Mr Fox, Thank you for your prompt reply and your information regarding the correct procedure for licensing objections. We are basing our objections on our experience with the previous owners Seasons. They introduced a keep fit activity with the accompanying music. The noise was horrendous. Fortunately this activity took place during the day and was soon discontinued, but it gave us some idea how intolerable it would be to have music playing at this venue, late at night. The car park for Seasons is very near to our property. When people have enjoyed themselves eating and having too much alcohol to drink they are not very considerate towards residents in the area. They bang car doors, have shouting matches which often lead to arguments. The functions at Seasons did not take place on a regular basis, but the disturbance and inconvenience would have been intolerable if they had occurred every day of the week. We now put forward our objections to this licensing application on the basis that live and recorded music, the sale of alcohol and refreshments on every day of the week until late at night would result in a "public nuisance". We trust that you will give our objection serious consideration and that the licensing application will be rejected. Jean and Dennis Smith, 6, Quat Goose Lane, Swindon Village.

Subject: Re: Cheltenham Town Training Ground, Quat Goose Lane, Cheltenham, Gloucestershire, GL51 9RX

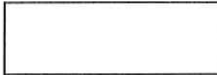
Dear Mr Cooper, Thank you for your up-date on the above application. This does seem slightly more reasonable but there are still some issues which cause us some concern. As stated in our earlier e-mail, we have already had experience of loud music from within this building, and we would request that a limit is put on the volume of any music played. The previous owners "Seasons" put a ban on 18th and 21st birthday parties, because of the unruly behaviour of the young people when leaving the premises. It would be helpful towards the peace of mind to the local residents, if a similar ban could be placed on the above applicants. Your attention to the concerns of residents is very much appreciated. Jean and Dennis Smith

Swindon Village Society

Your ref:
14/01129/PRMA

3 Swindon Hall
Swindon Village
CHELTENHAM
GL51 9QR

Mr A Fox
License Applications
Cheltenham Borough Council
Municipal Offices
Promenade
CHELTENHAM
GL50 9SA


23 June 2014

Dear Mr Fox

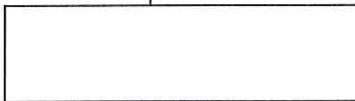
License Application 14/01129/PRMA – Cheltenham Town F C

I am writing about the above application on behalf of the Swindon Village Society. We are a society of some 100 members who act as a Civic Society for Swindon Village.

We believe that the above application is not suitable for the location. The setting is a quiet residential area far from the centre of town in a village setting without street lights. To impose regular loud music, vehicular traffic and the movement of pedestrians who may exhibit the behaviour which sometimes accompanies alcohol consumption would be iniquitous. Apart from the direct effects of sound on nearby residential properties the sound of vehicles leaving the venue late at night would be heard by many other properties on the way to and from the venue. Pedestrian traffic would likewise almost certainly generate noise disturbing those who live on the access roads and is liable also to generate disturbance on the large unlit playing field area which constitutes the shortest pedestrian access to the venue from the South.

This society, therefore, strongly opposes the licence application on the grounds of public nuisance and the likelihood that it will lead to crime and disorder.

Yours sincerely



D/S Simon
Chairman SVS

Your ref:
14/01129/PRMA

3 Swindon Hall
Swindon Village
CHELTENHAM
GL51 9QR

Mr A Fox
License Applications
Cheltenham borough Council
Municipal Offices
Promenade
CHELTENHAM
GL50 9SA



23 June 2014

Dear Mr Fox

License Application 14/01129/PRMA – Cheltenham Town F C

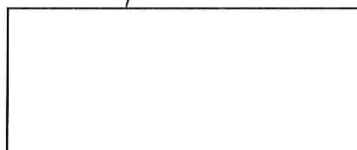
I am writing about the above application as a local resident.

I believe that the above application is not suitable for the location. The setting is a quiet residential area far from the centre of town in a village setting without street lights. To impose regular loud music, vehicular traffic and the movement of pedestrians who may exhibit the behaviour which sometimes accompanies alcohol consumption would be iniquitous.

I live about 150 yards from the junction of Church Road and Quat Goose Lane which is the route that will be taken by all traffic to and from the venue. As such I would expect to be disturbed by both vehicular traffic and pedestrians who, given that alcohol is involved, are likely to be noisy. I live even closer to the large unlit playing field area which will be used as a pedestrian route from the venue and which will act as a magnet for any who wish to cause trouble and annoyance, and there are bound to be some given the combination of late nights and alcohol.

I, therefore, strongly opposes the licence application on the grounds of public nuisance and the likelihood that it will lead to crime and disorder.

Yours sincerely



B J Simon.

SWINDON PARISH COUNCIL

"Morris Hill Crossing"
Swindon Lane
Cheltenham
Glos GL50 4PE

Phil Cooper
Licensing Officer
Public Protection
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham

23rd June 2014

Objection to Licence Application 14/01129/PRMA

Dear Mr. Cooper,

Swindon Parish Council objects to this application on behalf of local residents on the basis that it fails to meet the licensing objectives "the prevention of crime and disorder" and "the prevention of public nuisance". A number of musical events have been held at the premises in the past which have given rise to complaints about noise and anti-social behaviour. The premises are in a residential area and next door to a school.

The proposal would allow musical events:

- 7 days a week between the hours of 9:00am and 1:00am (15 hours per day)
- not only within the buildings on the premises but also in the grounds

We believe that the licence, if permitted, would have a negative impact on the neighbours of the premises and the wider village community by virtue of:

- the generation of significant noise
- anti-social behaviour of party goers particularly when leaving the premises
- increased traffic in a quiet residential area

Musical nightlife is generally concentrated in the town or in locations that are not in close proximity to residential areas.

We hope that the committee shares our concerns. However, should a license be granted there should be restrictions placed on the activities including:

- a limit on the number of events that can be hosted
- no musical event should be permitted to continue beyond 11.30pm
- events should only be held indoors with strict control on the level of noise; if outside events are permitted they should cease no later than 9.30pm
- musical events should not be permitted when the school is in session

Prior to this application being progressed we would like to know what steps the applicant intends to take to address the impact of the proposed activities upon nearby residents and the school.

From: Shaun Cullimore [parish.clerk@swindonparish.org.uk]

Sent: 01 July 2014 10:23

To: Internet - Licensing

Subject: Re: Cheltenham Town Training Ground, Quat Goose Lane, Cheltenham, Gloucestershire, GL51 9RX

The Parish Council appreciates the concern for local residents that Cheltenham Town AFC have expressed. Their desire to engage and co-operate with the community is to be applauded. Granting parents of school children access to the Seasons car park on school days is an example of this. For its part the Parish Council would like to establish and maintain a positive relationship with the football club as operators of the Seasons complex, an important venue in the heart of the parish.

The Council appreciate the personal assurances that have been made regarding the intended operation of Seasons. However, an earlier finish time of 11:00pm rather than 11:30pm and the deletion of outdoor music are the only changes to the terms of the licence that are being proposed. In the future there may be changes to personnel and/or policies at Seasons and the only protection available to the residents will be the formal terms of the licence. It would appear to be possible to incorporate additional conditions into the licence without any major impact on the way in which Cheltenham Town AFC propose to run the facility (as described in Mr. Murphy's letter). This would provide local residents with the protection they seek without impacting the business.

The licence application has not been well publicised in the locality. Parish councillors have consulted a number of local residents who were unaware of the proposals and deeply concerned about the potential impact. We believe that consideration should be given to incorporating into the terms of the licence a limit on the number of events and the days of the week on which events can take place. If the football club wish to hold specific events in addition to those allowed a specific licence application could be made on a case by case basis. Perhaps it would also be possible to state acceptable noise limits in the licence so that they can be monitored and, if necessary, enforced. If this matter is progressed in a responsible and incremental way we are sure it will be possible to build a relationship of trust and co-operation between the football club and the local residents.

Best regards,

Shaun Cullimore
Clerk to Swindon Parish Council

The Grange
Quat Goose Lane
Swindon Village.
Cheltenham.

20/6/14

Dear Mr Fox,

re Licence Reference 14/01129/PAMA

We would like to object most forcibly to the licence application submitted by Cheltenham Town Assoc. Football Club in their training ground building (formerly seasons).

This is a quiet residential area and it would be most inappropriate for live music (particularly outdoors) and liquor sales to be available EVERY day of the week and until 1am.

Occasional functions (say on Friday or Saturday

nights) could be tolerable (— although still
an irritant)
Please do not underestimate the effect
this would have on the neighbouring homes
in Swindon Village.

Yours sincerely



(Dr F.M. Robinson & Mrs M.A. Robinson)

-----Original Message-----

Sent: 25 June 2014 23:22

To: Internet - Licensing

Subject: Licensing reference: 14/01129/PRMA Cheltenham Town Football Club

I would like to comment on the license application that has been submitted by Cheltenham Town Association Football Club.

The applicant has applied for the performance of live music every day from 09.00- 01.00 indoors and outdoors, the performance of recorded music every day 09.00 -01.00 indoors and outdoors, The premises are situated in quiet residential area without any commercial trading premises nearby. The premises are also located directly behind a primary school. I feel this would be inconsistent with the licensing objective of securing public safety and preventing public nuisance. This would potentially have a detrimental affect to the school children on a daily basis by causing a nuisance due to sound of music. It would also cause a nuisance to local residents due to the all day and late operating times of 01.00.

The applicant has also applied for late night refreshment every day from 23.00 -01.00 indoors and sale supply of alcohol every day 09.00-01.00. I feel this would again be inconsistent with the licensing objective of securing public safety and preventing public nuisance as it would have a detrimental affect to local residents given the extended hours and late finish. It would also be inconsistent with the licensing objective of preventing crime and disorder encouraging gathering and consuming alcohol in a residential area. It is also inconsistent with the licensing objective of protecting and improving public health given the long opening and late hours selling alcohol given the huge cost to the nhs of alcohol related problems.

I feel a revised application for evening opening up to 22.00 and no outdoor music would be more fitting given the premises location in the centre of a residential and primary school area.

ROBERT davies
Willow lodge
Brockhampton lane
Swindon village
Cheltenham
GL51 9RS

Sent from my iPad

From: Gemma Perry [mailto:co.uk]

Sent: 24 June 2014 20:12

To: Internet - Licensing

Subject: F.A.O Andy Fox - Objection to License Application, Seasons

Dear Mr Andy Fox,

We write to object to the recent licensing application for late night entertainment, food and alcohol (until 1.00am) at Seasons / Cheltenham Town Football Club Training Ground, Quat Goose Lane, Swindon Village.

As residents of 2 Sumner Court, Quat Goose Lane, our garden backs directly onto the car park of Seasons. After four years of living at this address, we have been subjected to much in the way of un-wanted noise from Seasons. In the past, when Seasons was used as a venue for weddings, parties and corporate events, we were awoken in the night by music, drunken antics, laughter and chatter from visitors leaving the venue; as well as car engines, doors being slammed and horns being honked. On one occasion we even had to phone the fire brigade after the large recycling bins, belonging to Seasons, were set alight. As parents of a toddler, we find this simply unacceptable. We are, we should add, one of three houses in a row with young children.

We particularly object to the fact that this license allows Seasons to be open until 1.00am every day of the week, with the opportunity for music to be played outside.

We are sure that you will understand our concerns about this proposal, and will take our views into account.

Yours Sincerely,

Mr and Mrs N Perry

From: nicky r [mailto:]
Sent: 24 June 2014 08:03
To: Internet - Licensing
Subject: Seasons Licence Application

I am a resident in Quat Goose Lane living almost opposite the Seasons Business Complex. I have two children aged 6 and 4 and am appalled that the above application is seeking to obtain an open licence for seven days a week to provide music and sell alcohol through to 1am each morning..

Not only is the application to provide music indoors but outdoors as well. How will my children be expected to sleep and be expected to be up for school if we have music blaring out in an outside marquee when the weather is hot and we sleep with our bedroom windows open.

Quite simply the granting of this licence in the middle of Swindon Village will ruin the ambiance of the village estate and change the character of the area more than we could imagine.

A further factor would be the extra traffic which would be created in the early hours of the morning along with the associated noise levels from people leaving and slamming car doors as they made their early morning exits.

In its present form I must object in the strongest possible terms to the granting of such an open licence. However I would not object to a weekday licence to follow the normal licensing hours with the occasional extension for special events at weekends.

Yours sincerely,

Nicola Richens.

From: Pam Martin [mailto:]
Sent: 21 June 2014 19:51
To: Internet - Licensing
Subject: licensing application CTFC

20, Quat Goose Lane
Swindon Village
Cheltenham
Glos
GL51 9RX

21/06/2014

Mr A FOX

CHELTENHAM BOROUGH COUNCIL LICENSING OFFICER APPLICATION
14/01129/PRMA
CHELTENHAM TOWN A.F.C.LTD

I have resided at my above address for the past 32 years and seen the club known as Eagle Star, Zurich, Seasons and to its emergence as Robins Training Ground. During its early years the premises all have been licensed for music singing and dancing plus the sale of alcohol on a "On" basis.

The early premises successfully worked around the then permitted hours usually closing circa 2330 hours, with a very exceptional "after midnight function.

I find that hours in question on the current application are excessively "late" and to keep in line should be trimmed/reduced to 2330 hours with any later functions covered by an occasional licence where appropriate.

My reasons being, that the area is residential with many of the families having young children. Unfortunately noise created by any source seems more noticeable due to the natural silence of the area, especially during evenings and night time. I have heard various altercations and disagreements take place under its previous guises and together with departing guests bad/loud language.

Loud music and departing car horns will only add to the local bad feeling. Hopefully common sense will prevail and the lesser suggested opening hours be accepted by the applicoint/communittee.

Yours faithfully

Ian and Pam Martin

Sent: 19 June 2014 19:30
To: Internet - Licensing
Subject: Application Ref 14/01129/prma
Importance: High

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Mr Andy Fox

Sir my name is Kevin Boote and i live at 10 Quat Goose Lane Swindon Village Cheltenham GL51 9RX . I have been given your name and e-mail address by a neighbour , I am lead to believe that a licenses application has been made by Cheltenham Town A.F.C with regards to there Training Ground Quat Goose Lane Cheltenham GL51 9RX.

I Have not been given any official information in regards to this matter and was totally unaware of any application until 5.45 pm 19/06/2014, i have seen a copy of an application that i have been told is the one that has been submitted to yourselves.

My property is next to the main entrance to Cheltenham Training Ground so i have first hand experience of the noise and disruption that was a regular occurrence when the premises were owned by Seasons Business Complex.

Load music , Shouting and disruption, was a constant problem on a Friday and Saturday night ,

I see the application 14/01129/PRMA calls for Performance of live Music, indoors and out Every Day 0900-01.00

Every Day 0900-01.00 Performance of Recorded Music, indoors and out

Day 23.00-01.00 indoors Late night Refreshment Every

Day 09.00-01.00 ON Sale/Supply of Alcohol Every

I feel the application is very open and would give The Applicant a totally free rain to play load

music and serve alcohol from 09.00-01.00 Every day , this is a mainly residential area with Sumner Court being built next to the Training Ground a few years ago, My property would be on the way out and i fear i would go back to picking up empty bottles and rubbish throw in my garden again as i did before . As for the noise of people leaving late at night it was very disturbing for myself and my family and as you can imagine in the modern world it is not a good idea to ask a bunch of drunks to please keep the noise down , We also found the music very disturbing and often sat with windows closed on a hot evening my family and i have no wish to go back to those days. Bearing in mind Sumner Court is closer to the venue than my home the music must of been very load for the people living there most of which have small children. I feel to grant this application would put a undue burden on the local community . I also feel that this is not a suitable location for such a entertainments venue also keeping in mind the proximity of Swindon village school . I would also like to ask why all the residents in the area have not been given this information like myself ? and i share the same post code with the applicant .

I will be ringing you tomorrow to see if the information i have been given is correct , if not i would like to apologies for wasting your time , if it is i would like to object to the proposed application on the grounds i have given above.

Yours a Concerned resident .

Mr Kevin Boote and family
10 Quat Goose Lane
Swindon Village
Cheltenham GL51 9RX

From: kevin Boote []

Sent: 28 June 2014 21:26

To: Cooper, Phil

Subject: Re: Cheltenham Town Training Ground, Quat Goose Lane, Cheltenham, Gloucestershire, GL51 9RX

Thank you Phil for your e-mail

The alterations made by the applicant are very much appreciated but we are still very concerned about the noise levels , with ref to Music, and unsociable behaviour, we also feel a 14 hour bar is a long time to provide alcohol for people.

After many problems and police involvement the holder of the last licence on the premises put a self imposed ban on 18 / 21st birthday parties which stopped a lot of the unsociable behaviour.

If the applicant would consider our concerns and address them we would no longer feel the need to object to the application .

- 1) The music to be kept at a sensible level
- 2) A shorter opening time
- 3) No 18 / 21 birthday parties

Thank you for your time

kevin boote

Sent: Tuesday, 24 June 2014, 22:50

Subject: Representation on behalf of Sumner Court residents re. 14/01129/PRMA

Dear Mr Bowen

I am writing to make a formal representation on behalf of Sumner Court residents, objecting to the proposed terms of the licensing application made by Cheltenham Town Football Association Football Club Ltd (Licensing reference: 14/01129/PRMA) in relation to Cheltenham Town Training Ground (formerly Seasons Business Centre).

First, I would point out how poorly this licence application has been communicated to the interested parties on Quat Goose Lane:

- a) the notice has been posted up on the reverse of the signage on the perimeter of the site where it is very unlikely to be seen;
- b) a very unofficial-looking notice was posted through some, but not all, local residents' doors on Wednesday 18th June, only a week before the consultation period for this application is due to end (see next point);
- c) your website does not even give a closing date, stating 'Expiry Date for Consultation: Not Available';
- d) your staff have been most unhelpful in explaining to all who have contacted the Licensing Department how to make an official objection that will be recorded.

Such lack of transparency does nothing to increase the goodwill of the residents who live in close proximity to the site.

Having become aware of this licence application and studied the details of the licensable activities that are being applied for, residents in Sumner Court and Quat Goose Lane whose homes are in close proximity to the site are extremely concerned about the likely detrimental effects that events taking place under these terms, should the licence be granted, would have. We are therefore objecting to this proposal on the grounds of the likely effects such a licence would have upon the following licensing objectives:

3. prevention of public nuisance

- Swindon Village is a quiet, sparsely populated residential area; frequent events with loud music and large numbers of revelers, possibly every week day and during weekends will cause unacceptable light and noise pollution from the events themselves and from people making their way to and from the events.
- The building is a 1960s construction with single glazing so has no sound-proofing and is situated very close to many residential properties. Many of the residents whose properties are close to the site have very young or disabled children, or are elderly. Performance of live or recorded music indoors and especially outdoors until 1 a.m. will carry and cause considerable disturbance to these residents. (My own property is only 200 metres from the buildings and in the past it has been easy to hear music from discos held inside, disturbing my daughter late at night.)
- After events, the organisers will be disposing of their rubbish and recycling into large skips in close proximity to our garden fences. This will cause considerable noise even later into the early hours of the morning. Also, frequent large events on the site will increase the volumes of refuse and recycling that needs to be removed, therefore potentially increasing the number of early morning pick-ups. (We are already disturbed on a fortnightly basis by the collection at 4.45 - 5 a.m on a Friday.)

1. the prevention of crime and disorder

- Such long hours for the sale of alcohol will only exacerbate the problem of antisocial behaviour (which we experienced when Seasons held events here) taking place in the carpark during events and also when the venue closes (e.g. consumption of alcohol, fighting, shouting and swearing, revving of car engines, urinating against neighbours' fences, arson etc.) and when revelers make their way home on foot or to the bus stop on Quat Goose Lane.

2. public safety

- Swindon Village has no street lighting. Therefore, increasing the number of pedestrians and vehicles in the village, especially during the winter months, cannot be in the interests of public safety.
- Event goers often congregate at the gate on Quat Goose Lane, where the road is very narrow, to wait for taxis. This is very dangerous as vehicles picking up and dropping off here causes an obstruction.

4. the protection of children from harm

- Cheltenham Town Training Ground actually has a boundary with Swindon Village Primary School and currently allows parents to use the car park at drop-off and pick-up. Loud music and events where alcohol can

Page 64
be consumed during week days would not only be likely to disrupt the children's education but potentially expose them to the very sort of anti-social behaviour we moved to this quiet suburb to avoid.

We would therefore request that if a licence is to be granted at all, it is restricted to the following terms:

1. Performance of live/recorded music inside only, midday - 11 p.m., Friday and Saturday.
2. Sale and consumption of alcohol inside only, midday - 11 p.m., Friday and Saturday.
3. The use of temporary event notices for any additional events outside these times.
4. The area of the car park on the left of the driveway, closest to houses is not used for evening events.
5. A caveat be placed on the licence to ensure that all taxis collect event goers from the front door.
6. Rubbish/recycling be kept inside the building after events and only placed into bins/skips after 10 a.m. on the following day.

We feel that a licence under these terms would be far more fitting for a premises in this location and we could tolerate such a level of usage which would show due consideration to local residents. We understand, from Cheltenham Town AFC's response to our earlier email, that these terms will be acceptable to the applicant.

We look forward to receiving an acknowledgement of receipt of this representation and confirmation that is has been recorded by you as a recognisable objection at your earliest convenience and to discussing our objections in more detail with you should a sub committee meeting prove necessary.

Yours sincerely,

Claire Pearce-Jones
Secretary, Sumner Court Management Company Ltd
on behalf of

Mr and Mrs I Jones, 1 Sumner Court
Mr and Mrs N Perry, 2 Sumner Court
Ms A Payne, 4 Sumner Court
Mr and Mrs I Martin, 20 Quat Goose Lane

From: CLAIRE PEARCEJONES

Sent: 01 July 2014 20:57

To: Cooper, Phil

Subject: Re: Cheltenham Town Training Ground, Quat Goose Lane, Cheltenham, Gloucestershire, GL51 9RX
Dear Phil Cooper

Further to your recent emails, I can confirm that we would like to amend our representation.

Given the information from CTAFC and having had the opportunity to discuss the matter properly as a group of interested parties, I am writing to make a formal representation on behalf of Sumner Court residents, objecting in full to the licensing application made by Cheltenham Town Football Association Football Club Ltd (Licensing reference: 14/01129/PRMA) in relation to Cheltenham Town Training Ground (formerly Seasons Business Centre). To clarify, we object to any permanent, full-time licence being granted for this venue.

Having become aware of this licence application and studied the details of the licensable activities that are being applied for, residents in Sumner Court and Quat Goose Lane whose homes are in close proximity to the site are extremely concerned about the likely detrimental effects that events taking place under such a licence would have. We are therefore objecting on the following licensing objectives:

3. prevention of public nuisance

- Swindon Village is a quiet, sparsely populated residential area; frequent events with loud music and large numbers of revelers, possibly every week day and during weekends will cause unacceptable light and noise pollution from the events themselves and from people making their way to and from the events.
- The building is a 1960s construction with single glazing so has no sound-proofing and is situated very close to many residential properties. Performance of live or recorded music using modern sound equipment inside such a poorly sound-proofed building will inevitably carry and cause considerable disturbance to residents. Many residents in closest proximity to the venue have young/disabled children who would be disturbed by this noise pollution, especially late at night. I myself am a freelance editor (educational materials) working from home. Editing and proof reading

requires considerable concentration, and therefore a quiet environment, which would be impossible with music playing during the day. My business would be negatively impacted if music is played during the day.

- After events, the organisers will be disposing of their rubbish and recycling into large skips in close proximity to our garden fences. This will cause considerable noise even later into the early hours of the morning. Also, frequent large events on the site will increase the volumes of refuse and recycling that needs to be removed, therefore potentially increasing the number of early morning pick-ups. (We are already disturbed on a fortnightly basis by the collection at 4.45 - 5 a.m on a Friday.)

1. the prevention of crime and disorder

- Such long hours for the sale of alcohol will only exacerbate the problem of antisocial behaviour (which we experienced when Seasons held events here) taking place in the carpark during events and also when the venue closes (e.g. consumption of alcohol, fighting, shouting and swearing, revving of car engines, urinating against neighbours' fences, arson etc.) and when revelers make their way home on foot or to the bus stop on Quat Goose Lane.

2. public safety

- Swindon Village has no street lighting. Therefore, increasing the number of pedestrians and vehicles in the village, especially during the winter months, cannot be in the interests of public safety.
- Event goers often congregate at the gate on Quat Goose Lane, where the road is very narrow, to wait for taxis. This is very dangerous as vehicles picking up and dropping off here causes an obstruction.

4. the protection of children from harm

- Cheltenham Town Training Ground actually has a boundary with Swindon Village Primary School and currently allows parents to use the car park at drop-off and pick-up. Loud music and events where alcohol can be consumed during week days would not only be likely to disrupt the children's education but potentially expose them to the very sort of anti-social behaviour we moved to this quiet suburb to avoid.

Therefore, we feel that no permanent, full-time licence is appropriate for the venue.

If the details in Mr Murphy's letter give a true representation of the frequency, number and nature of events that CT AFC plan to host at the venue, we question whether a licence is even necessary. Surely individual events notices (with restrictions on the sale of alcohol until 11 p.m. and music, inside only, until 11 p.m.) would be far more appropriate and would allow Cheltenham Town AFC scope to host events of the nature and frequency they intend in order to utilise the facility in a cost effective manner. A full licence is unnecessary.

To reiterate, our objection still stands.

We look forward to being able to represent ourselves at the sub committee meeting. Please keep us informed of when and where this will take place and the format of the meeting so we can prepare adequately to make our representation effectively.

Yours sincerely,

Claire Pearce-Jones
Secretary, Sumner Court Management Company Ltd
on behalf of

Mr and Mrs I Jones, 1 Sumner Court
Mr and Mrs N Perry, 2 Sumner Court
Ms A Payne, 4 Sumner Court

From: john murphy
Sent: 20 June 2014 20:44
Subject: Reference: Application 14/01129/pvma

Dear Sirs,

Further to the Cheltenham Town Football Club licence application for the Seasons complex at reference above:

Thank you for the opportunity to respond to the comments made to date on the CTAFC Licence application. As a club we are very conscious of our position within the community and work hard with the desire to be good neighbours in the both the Swindon Village and Whaddon Road communities.

Since taking over the Seasons complex we have spent £30,000.00 on improving the facility, we have paid for and pruned all the trees of the local residents that we over-hanging our areas and allowed the car parks to be used on a daily basis by the local school and as an over-flow for the village hall.

We have a full-time person who cleans the area including the adjacent road on a daily basis and we have taken away six large rubbish bins that were an eyesore and totally tidied up the facility.

I can assure local residents that we have absolutely no intention to change the facility into a frequent social venue. To date we are only looking to host Christenings, Birthday functions at young or elderly range (certainly not 18 or 21 years of age events) and charity events. To date we have only had seven requests for the entire Summer period and each one of those is vetted personally by myself.

We do not intend to go beyond 2300 hours for any event so would be happy with a restriction there, we only intend to use the outside areas for an end of season barbeque for the football club and have no intention of hiring out this area. For each and every event we will have a professional security person in attendance who will monitor internal and external areas to ensure that there is no anti-social behaviour, a full-time club official and two professional bar staff. I can assure residents that there will be no bad behaviour or noise.

We will use the car park to the right as you drive into the facility and will close the car park to the left which is where the residents houses are adjacent. We will monitor these areas during each and every event to ensure that there are no anti-social issues of any note.

This venture will not raise large amounts of money for the club but will allow us to utilise the facility in a more cost effective manner, we can certainly do without associated problems or adverse publicity and certainly intend to do our utmost to protect the integrity of the facility and the surrounding areas. We will be more than happy to receive advice from our neighbours and I can guarantee it is of paramount concern to us that the facility does not become a problem within the local area.

I am more than happy to represent the club on residents focus group and can discuss forthcoming events and how we can improve. I have been associated with Cheltenham Town since 1975, I was employed at GCHQ for 41 years and I am currently Director of the CTAFC Academy and Seasons.

Please contact me if I can be of further assistance.

Yours Sincerely

John Murphy
Director CTAFC

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