

CITY OF GLOUCESTER
LICENSING SUB-COMMITTEE

Meeting: Monday, 1st November 2010 at 18:00
Committee Room 1, North Warehouse, The Docks, Gloucester, GL1 2EP

Membership: Cllrs. C. Witts, Noakes and Brown

AGENDA

- 1. ELECTION OF CHAIR**
- 2. INTRODUCTIONS AND PROCEDURES**
- 3. DECLARATIONS OF INTEREST**

To receive from Members, declarations as to personal and/or prejudicial interests and the nature of those interests in relation to any agenda item. Please see Notes 1 and 2 overleaf.

- 4. APPLICATION TO VARY CLUB PREMISES CERTIFICATE UNDER SECTION 84 OF THE LICENSING ACT 2003 - QUEDGELEY SOCIAL CLUB, SCHOOL LANE, QUEDGELEY, GLOUCESTER (Pages 1 - 58)**

Report by Group Manager, Environmental Health and Regulatory Services



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Amanda Wadsley
Corporate Director of Strategy and Development

Notes

1. A personal interest exists where a decision on a matter would affect to a greater extent than other people in the District:-
 - (a) the well being, financial position, employment or business of the Councillor, their family or any person with whom they had a close association;
 - (b) a body employing those persons, any firm in which they are a partner and any company of which they are directors;
 - (c) any corporate body in which those persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or

(d) the Councillor's registrable financial and other interests.

2. A personal interest becomes a prejudicial interest where a member of the public (who has knowledge of the circumstances) would reasonably regard the Member's personal interest as being so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Please contact Adam Chalmers, Democratic and Electoral Services Manager, Tel. No. 01452 396125/e-mail: committeesection@gloucester.gov.uk if you have a general query on any agenda item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Council.

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Gloucester City Council

COMMITTEE	: LICENSING SUB-COMMITTEE
DATE	: 01 NOVEMBER 2010
SUBJECT	: APPLICATION TO VARY CLUB PREMISES CERTIFICATE UNDER SECTION 84 OF THE LICENSING ACT 2003 IN RESPECT OF QUEDGELEY SOCIAL CLUB, SCHOOL LANE, QUEDGELEY, GLOUCESTER GL2 4PJ
WARD	: QUEDGELEY FIELDCOURT
REPORT BY	: GROUP MANAGER ENVIRONMENTAL HEALTH AND REGULATORY SERVICES
NO. OF APPENDICES	: A: COPY OF APPLICATION AND PLAN ILLUSTRATING THE LAYOUT OF THE PREMISES AND THE AREA TO BE LICENSED B: AGREED CONDITIONS – GLOUCESTERSHIRE CONSTABULARY C: AGREED CONDITIONS – ENVIRONMENTAL PROTECTION TEAM D: REPRESENTATIONS RECEIVED FROM LOCAL RESIDENTS E: MAP SHOWING LOCATION OF PREMISES IN RELATION TO PROPERTIES OF RESIDENTS F: EXISTING CLUB PREMISES CERTIFICATE G: AMENDED CLUB RULES H: PROCEDURE FOR LICENSING SUB-COMMITTEES I: MANDATORY CONDITIONS
REFERENCE NO.	: ES21013

1.0 PURPOSE OF REPORT

- 1.1 To outline to Members an application to vary a club premises certificate under Section 84 of the Licensing Act 2003 received from Quedgeley Social Club in respect of Quedgeley Community Centre, School Lane, Quedgeley, Gloucester GL2 4PJ.

2.0 RECOMMENDATIONS

- 2.1 Having considered the application, any relevant representations, the legislative provisions, the Council's Statement of Licensing Policy and the Secretary of State's Guidance, Members have the following options as considered necessary to promote the Licensing Objectives:
- a) To grant the application as submitted.
 - b) To modify the conditions of the certificate.
 - c) To reject the whole or part of the application.

3.0 BACKGROUND

3.1 Members are advised that when considering an application to vary a club premises certificate the following options are available to them by virtue of the Licensing Act 2003, Part 4, section 85, paragraphs 3 and 4:

(3) *'Where relevant representations are made, the authority must –*

- (a) *Hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and*
- (b) *Having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.*

(4) *The steps are –*

- (a) *to modify the conditions of the certificate;*
- (b) *to reject the whole or part of the application;*

and for this purpose the conditions of the certificate are modified if any of them is altered or omitted or any new condition is added.'

If none of these steps are required the application must be granted.

3.2 Members should note that this application has policy implications as detailed in section 5 of this report.

3.3 Members are reminded that all applications must be considered on their own merits and that findings on issues of fact should be on the balance of probability.

4.0 THE APPLICATION AND REPRESENTATIONS

4.1 This is an application to vary an existing club premises certificate in accordance with Section 84 of the Licensing Act 2003. The variation relates to the extension of the licensed area to include the amenity land enclosed on three sides by the Community Centre buildings (with the introduction of polycarbonate screening parallel to the clubhouse doors and a brick boundary wall incorporating timber panels), a variation of the licensed hours and the removal of out of date conditions carried across from the 1964 Act. The application and a plan illustrating the layout of the premises and the area to be licensed is attached as Appendix A.

4.2 The application was received by the licensing team on 9 September 2010 from the Berkeley Domecq Consultancy on behalf of Quedgeley Social Club Limited of Quedgeley Community Centre, School Lane, Quedgeley, Gloucester GL2 4PJ. The application was advertised in accordance with the regulations and a public notice was published in the Citizen newspaper on 9 September 2010.

- 4.3 During the 28 day representation period Gloucestershire Constabulary made a representation proposing conditions to be attached to the certificate. These conditions were agreed by the applicant and the representation was subsequently withdrawn. The agreed conditions are attached at Appendix B.
- 4.4 Representations were also received from the Environmental Protection Team proposing conditions to be attached to the certificate. These conditions were agreed by the applicant and the representation was subsequently withdrawn. The agreed conditions are attached at Appendix C.
- 4.5 No other representations were received from Responsible Authorities.
- 4.6 Two representations have been received from local residents and refer to public nuisance. These representations are attached as Appendix D.
- 4.7 The map attached as Appendix E shows the location of the premises in relation to the properties of residents who submitted representations.

4.8 The existing club premises certificate permits:

Sale of Alcohol	Monday to Saturday (inc)	11:00 – 23:00
Sale of Alcohol	Sunday	11:00 – 22:30
Live Music	Monday to Saturday (inc)	11:00 – 23:00
Live Music	Sunday	12:00 – 22:30
Recorded Music	Monday to Saturday (inc)	11:00 – 23:00
Recorded Music	Sunday	12:00 – 22:30

Sale of alcohol on New Year’s Eve from the start of permitted hours on New Year’s Eve to the end of permitted hours on New Year’s Day.

Alcohol is supplied for consumption on the premise.

- 4.9 A copy of the existing club premises certificate is attached as Appendix F.
- 4.10 The variation application is for:

Supply of alcohol	Monday to Sunday (inc)	11:00 – 23:30
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Seasonal variations

Christmas Eve	11:00 – 00:30
Boxing Day	11:00 – 00:30
New Year’s Eve	11:00 – 02:00

To incorporate the courtyard within the licensed area as shown on the map attached with the application as Appendix A.

- 4.11 The applicant has identified that those conditions relating to licensing hours currently imposed on their club premises certificate could be removed as a consequence of the proposed variation they are seeking.

- 4.12 The applicant has set out in the operating schedule the measures proposed to be taken to promote the four licensing objectives:

General

No glasses or glass bottles to be permitted in the open courtyard.

The prevention of crime and disorder

The club has a CCTV system in operation. The club committee and bar staff are aware of and vigilant in respect of alcohol and drug abuse, and regular inspection of the buildings and outside areas are maintained during opening hours.

Public Safety

The club committee and staff are aware of health and safety issues and no activities are undertaken at the club that would be likely to affect public safety.

The prevention of public nuisance

The club committee and staff advise members to respect that the premises are near to residential properties and to avoid making undue noise, particularly in the late hours. Screens are to be constructed to tenor noise levels generally.

The protection of children from harm

Children are to be accompanied by an adult at all times and the club has adopted the Community Premises – Alcohol and Children Policy and Challenge 21.

- 4.13 Members are advised that the rules of the club have been amended to reflect the Licensing Act 2003 and have been included with the application and are attached as Appendix G.
- 4.14 The applicant and those that have made representations have been given Notice of this hearing in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

5.0 THE LICENSING POLICY STATEMENT AND GUIDANCE

- 5.1 Section 5 of Gloucester City Council's Licensing Policy Statement outlines the policy with regard to Prevention of Nuisance referred to in the representations. Section 7 refers specifically to licensing hours. Members attention is drawn to these sections.
- 5.2 The relevant parts of the Secretary of State's Guidance for this application are Chapter 6 Club Premises Certificates and Chapter 10 Conditions attached to Premises Licences and Club Premises Certificates.

- 5.3 Chapter 10 states that only conditions which are necessary and proportionate for the promotion of the licensing objectives should be attached to a premises licence or club premises certificate if it is granted. The licensing authority may then only impose such conditions as are necessary to promote the licensing objectives arising out of the consideration of the representations. It also states that the pools of conditions that are supplied by the Secretary of State should not be applied universally, irrespective of particular circumstances, but may be used as examples that can be tailored to suit individual premises and particular situations. It is also advised that any conditions the Licensing Authority see fit to attach to the licence/certificate should not replicate any other legislation, such as the Licensing act 2003 itself or the Disability Discrimination Act 1995.
- 5.4 Members are referred to section 3,4,5 and 6 of the Licensing Policy Statement for Factors for Consideration relating to the four licensing objective(s) referred to in section 4.12 of this report.

6.0 CONCLUSIONS

- 6.1 Members should also be aware of a recently decided case heard in the Court of Appeal. Daniel Thwaites v Wirral Borough Magistrates Court [2008] EWHC 838 (Admin) concerned an appeal against a decision by the Magistrates to impose restrictions on the hours of operation of a licensed premises without proper evidence and by giving their own views excessive weight. The resulting decision to limit the hours of operation without it having been established that it was necessary to do so in order to promote the licensing objectives was ruled unlawful and the decision was quashed.
- 6.2 Members should consider the facts regarding the application and the representations received to vary a club premises certificate in respect of Quedgeley Social Club Limited, Quedgeley Community Centre, School Lane, Quedgeley, Gloucester GL2 4PJ and make a decision in accordance with the options outlined in paragraph 2.1 of this report.

7.0 FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications relating to this report.

8.0 LEGAL IMPLICATIONS

- 8.1 The Licensing Sub Committee is asked to consider an application made under Section 84 to vary a club premises certificate to be determined under Section 85.
- 8.2 To consider the application, the Sub-Committee must be satisfied:
- The application is properly made.
 - The applicant has given proper notice.
 - The applicant has satisfied the advertising requirements.
- 8.3 The four licensing objectives are set out in paragraphs 4.12 of the report and each should be considered of equal importance.

- 8.4 The Sub-Committee must, having regard to the application and any relevant representations, decide on any of the options set out in the report at paragraph 2.1 (a) – (c).
- 8.5 The Sub-Committee has the powers to adjourn and carry forward the hearing to additional specified dates.
- 8.6 For the purposes of determining an application, a “ relevant representation” means a representation which:
- a) Is relevant to one or more of the licensing objectives.
 - b) Is made by a responsible authority or an interested party within the prescribed period.
 - c) Has not been withdrawn
 - d) If having been made by an interested party (who are not a responsible authority), that they are not in the opinion of the Licensing Authority frivolous or vexatious.
- 8.7 For those purposes an “interested party” are those who are living in the vicinity of the premises that have made application and those involved in a business in the vicinity of the premises that have made application as outlined in paragraph 4.6 of this report.
- 8.8 In deciding what action, if any, it should take, the Sub-Committee members must direct their minds to the causes and concerns the relevant representations identify. Any action should generally be directed to these causes and should always be no more than is a necessary and proportionate response. In particular, any detrimental financial impact of the Sub-Committees decision must be necessary and proportionate. The Sub-Committee is required to have regard to the Home Office guidance when making its decision. However, the guidance does not cover every possible situation, so long as the Guidance has been properly and carefully understood, the Sub-Committee may depart from it if they have reasons to do so. Full reasons must be given if this is the case.
- 8.9 Following the case of Daniel Thwaites v Wirral Borough Magistrates’ Court 2008, referred to in paragraph 6.1 of the report the Sub-Committee needs to avoid:
- a) Speculating of what might happen in the absence of evidence that harm would or could happen.
 - b) Not paying attention to Government Guidance where failing to follow it requires good reasons to be given.
 - c) Imposing conditions that do not promote the licensing objectives.
- 8.10 Where the Sub-Committee determines an application it must notify the determination and reasons for making it to:
- a) the applicant
 - b) the person who made the relevant representations
 - c) the Police

- 8.11 The Sub-Committee has its own procedure for determining applications that are attached to the report as Appendix H.
- 8.12 In considering this application, the Sub-Committee is solely performing the role of Licensing Authority. The Sub-Committee sits in a quasi-judicial capacity and must act impartially. It must offer a fair and unbiased hearing of the application. The Sub-Committee needs to disregard the wider Council objectives and other statutory roles and must direct themselves to making a determination solely based on the licensing law, Guidance and Council's Statement of Licensing Policy.
- 8.13 As a quasi-judicial body, the Sub-Committee is required to consider the application on its merits. It must take into account only relevant factors and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant.
- 8.14 Under the Human Rights Act 1998, the Sub-Committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision.
- 8.15 The Sub-Committee has a duty under Section 17 of the Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the City.
- 8.16 If the Sub-Committee was to grant the licence it would be subject to mandatory conditions required by the act. A copy of the mandatory conditions are attached at Appendix I.
- 8.17 Interested Parties, Responsible Authorities and the applicant have the right to appeal the Sub-Committee's decision to the Magistrates' Court within a period of 21 days beginning with the day on which they were notified of the decision to be appealed against.

10.0 RISK MANAGEMENT IMPLICATIONS

- 10.1 The risk of an appeal to Magistrates should an inappropriate decision be made.

11.1 PREDICTIVE IMPACT ASSESSMENTS (EQUALITIES) AND COMMUNITY COHESION

- 11.1 None.

12.0 OTHER CORPORATE IMPLICATIONS

- 1. Community Safety

The four objectives of the Licensing Act 2003 are designed to support the community safety aspects and are dealt with within the body of the report.

2. Environmental

As above – dealt with within the body of the report.

3. Staffing

None

4. Trade Union

No Comments

Background Papers : Gloucester City Council Licensing Hearing Procedure

Published Papers : Licensing Act 2003
Licensing Act 2003 (Hearings) Regulations 2005
Licensing Act 2003 (Premises licenses and club premises certificates) Regulations 2005
Gloucester City Council Licensing Policy Statement
Home Office Guidance issued under section 182 of the Licensing Act 2003 Amended October 2010

Person to Contact : Rebecca Tuck (Licensing and Enforcement Officer)
Tel: 01452 396678
E-mail: Rebecca.Tuck@gloucester.gov.uk

Gloucester City Council

APPLICATION TO VARY A CLUB PREMISES CERTIFICATE TO BE GRANTED UNDER THE LICENSING ACT 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING THE APPLICATION
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.

QUEDGELEY SOCIAL CLUB LIMITED (Insert name of club)
club applies for a club premises certificate under section 84 of the Licensing Act 2003
for the premises named in Part 1 below

Club premises certificate number	0501373 GLCPV
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Part 1 - Club premises details

Name of club				QUEDGELEY SOCIAL CLUB LIMITED			
Postal address of premises, if any, or if none ordnance survey map reference or description							
QUEDGELEY COMMUNITY CENTRE							
SCHOOL LANE							
QUEDGELEY							
Post Town	GLOUCESTER			Postcode	GL2 4PJ		
Telephone number (if any)	01452 541163						
E-mail address (optional)							

Name of person performing duties of a secretary to the club	ANTHONY MICHAEL SKIDMORE
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Address of person performing duties of a secretary to the club					
33 LOWER MEADOW					
QUEDGELEY					
Post Town	GLOUCESTER		Postcode	GL2 4XN	
Daytime contact teleph one number (if any)	07984 614109				
E-mail address (optional)					

ENVIRONMENTAL HEALTH

Gloucester City Council Tel 01452 396396 Fax 01452 396340
Herbert Warehouse Email enviro@gloucester.gov.uk
The Docks Minicom 01452 396161
Gloucester GL1 2EQ www.gloucester.gov.uk



GLOUCESTER
CITY COUNCIL

Part 2 – Applicant details

Daytime contact teleph one number (if any)		07984614109	
E-mail address (optional)			
Current postal address if different from premises address			
Post Town		Postcode	

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not when do you want the variation to take effect from

Day	Month	Year

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

1. To vary the licensed area to incorporate the courtyard as shown on drawing 10-03-01 (red line)
2. To erect a screen outside entry doors to Club-room and screen along the boundary between the Courtyard and the car-park.
3. To amend the Rules of the Club in the form attached.

If the club's proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 – Club Operating Schedule

Please complete those parts of the Club Operating Schedule which would be subject to change if this application to vary is successful.

What qualifying club activities do you intend to conduct on the club premises which will be affected by your application?

Provision of regulated entertainment:

Please tick yes

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

Provision of entertainment facilities:

- | | |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (if ticking yes, fill in box L)



The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place (if ticking yes, fill in box L)



In all cases complete boxes M, N, O and P

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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where the club intends to use the premises for the performance of a play at different times from 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)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of film (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where the club intends to use the premises for the exhibition of film at different times from those listed in the column on the left, please list (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 here</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			<u>Non-standard timings. Where the club intends to use the premises for indoor sporting events at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
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) <table border="1" style="float: right;"> <tr> <td>Indoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table>	Indoors	<input type="checkbox"/>	Outdoors	<input type="checkbox"/>	Both	<input type="checkbox"/>
Indoors	<input type="checkbox"/>								
Outdoors	<input type="checkbox"/>								
Both	<input type="checkbox"/>								
Day	Start	Finish							
Mon			<u>Please give further details here</u> (please read guidance note 3)						
Tue									
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)						
Thur									
Fri			<u>Non-standard timings. Where the club intends to use the premises for the boxing or wrestling entertainment at different times from those listed in the column on the left, please list</u> (please read guidance note 5)						
Sat									
Sun									

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music 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			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non-standard timings. Where the club intends to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music 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			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			Non-standard timings. Where the club intends to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

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"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)			
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)			
Thur						
Fri			<u>Non-standard timings. Where the club intends to use the premises for the performance of dance at different times from those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat						
Sun						

H

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

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of facilities for making music that the club will be providing</u>		
			<u>Will the facilities for making music be 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					
Thur					
Fri					
Sat					
Sun					
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
			<u>Non-standard timings. Where the club intends to use the premises for the provision of facilities for making music at different times from those listed in the column on the left, please list</u> (please read guidance note 5)		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of facilities for dancing that the club will be providing</u>		
			<u>Will the facilities for dancing be 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					
Thur					
Fri					
Sat					
Sun					
			<u>State any seasonal variations for the provision of dancing facilities</u> (please read guidance note 4)		
			<u>Non-standard timings. Where the club intends to use the premises for the provision of dancing facilities at different times from those listed in the column on the left, please list</u> (please read guidance note 5)		

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility the club will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for the provision of this entertainment facility (please read guidance note 4)		
Fri					
Sat			Non-standard timings. Where the club intends to use the premises for the provision of facilities for this entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sun					

L

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)		On the premises	<input type="checkbox"/>
Day	Start	Finish			Off the premises	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Mon	11.00	23.30	State any seasonal variations (please read guidance note 4)			
			Christmas EVE 11.00 - 00.30			
Tue	11.00	23.30	Boxing DAY 11.00 - 00.30			
Wed	11.00	23.30	NEW YEAR'S EVE 11.00 - 02.00			
Thur	11.00	23.30	Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)			
Fri	11.00	23.30				
Sat	11.00	23.30				
Sun	11.00	23.30				

M

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

N

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)

O

Please identify those conditions currently imposed on the certificate which you believe could be removed as a consequence of the proposed variation you are seeking

THOSE RELATING TO LICENSING HOURS

- I have enclosed the club premises certificate (COPY)
- I have enclosed the relevant part of the club premises certificate

Please tick yes

If you have not ticked one of these boxes please fill in reasons for not including the certificate, or part of it below

Reasons why the club has failed to enclose the club premises certificate or relevant part of it

(The box contains a diagonal line from bottom-left to top-right, indicating it is empty.)

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

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

NO GLASSES OR GLASS BOTTLES TO BE PERMITTED IN THE OPEN COURTYARD

b) The prevention of crime and disorder

1. THE CLUB AS A CCTV SYSTEM IN OPERATION.
 2. THE CLUB COMMITTEE AND BAR STAFF ARE AWARE OF AND VIGILANT IN RESPECT OF ALCOHOL AND DRUG ABUSE, AND REGULAR INSPECTION OF THE BUILDING & OUTSIDE AREAS ARE MAINTAINED DURING OPENING HOURS.

c) Public safety

THE CLUB COMMITTEE AND STAFF ARE AWARE OF HEALTH AND SAFETY ISSUES & NO ACTIVITIES ARE UNDERTAKEN AT THE CLUB THAT WOULD BE LIKELY TO AFFECT PUBLIC SAFETY.

d) The prevention of public nuisance

THE CLUB COMMITTEE & STAFF ADVISE MEMBERS TO RESPECT THAT THE PREMISES ARE NEAR TO RESIDENTIAL PROPERTIES & TO AVOID MAKING UNDUE NOISE, PARTICULARLY IN THE LATE HOURS. SCREENS ARE TO BE CONSTRUCTED TO TENDOR

NOISE LEVELS GENERALLY.

e) The protection of children from harm

CHILDREN ARE TO BE ACCOMPANIED BY AN ADULT AT ALL TIMES & THE CLUB HAS ADOPTED APPENDIX 1 (COMMUNITY PREMISES - ALCOHOL & CHILDREN POLICY) & APPENDIX 2 (CHALLENGE 21)

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities
- I understand that I must now advertise my application
- I have enclosed the club premises certificate or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

NOTES FOR GUIDANCE

1. Describe the premises. For example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for people to consume these off-supplies please include a description of where this will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. Please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively) where the activity will go on for an extra hour during summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00).
7. If the club wishes members and their guests to be able to consume alcohol on the premises please tick on. If the club wishes people to be able to purchase alcohol to consume away from the premises please tick off. If the club wishes people to be able to do both please tick both.
8. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed by someone with the authority to bind the club.
11. This is the address which we will use to correspond with the club about this application.



Ground Floor Plan

1:100

0

A2

Chartered Institute of Architectural Technologists



Survey Plan

AI Architecture Ltd
 100, The Quadrant, Leeds LS2 9JL
 Tel: 0113 275 1212 Fax: 0113 275 1213
 Email: info@ai-arch.co.uk

co Mr Graham Smith
 Quedley Community Centre
 School Lane, Gloucester

Survey Ground Floor Plan
 Date: 10-03-01

Drawn by	10-03-01
Checked by	
Scale	1:100
Project	Quedley Community Centre
Client	School Lane, Gloucester

This drawing is to be used in conjunction with all relevant specifications and drawings issued by AI, IAB, CIB, etc. The Architectural Technologist is not responsible for any errors or omissions in the drawings or specifications. No responsibility will be accepted for any work of a specialist nature which is not shown on the drawings. The Architectural Technologist is not responsible for any work of a specialist nature which is not shown on the drawings. The Architectural Technologist is not responsible for any work of a specialist nature which is not shown on the drawings.

Proposed Conditions for Quedgeley Social Club

Proof of Age

A recognised proof of age scheme such as 'Challenge 25' or "Challenge 21" or similar shall be adopted and implemented. Signage shall be displayed in prominent positions advertising the scheme that has been adopted and its method of implementation.

CCTV

- a) CCTV will be operative at the premises of a standard satisfactory to the Police and Licensing Authority, and shall monitor all areas used by patrons, including the outside and designated smoking areas. All CCTV equipment shall be maintained in good working order and shall continually record during licensable hours and for a minimum period of two hours afterwards.
- b) In the event of any extension or replacement of the CCTV equipment any replacement or additional CCTV equipment shall be installed to the satisfaction of the Police and Licensing Authority.
- c) That tapes, or other recording media relating to CCTV equipment (including any mobile devices) be retained for a minimum of 31 days and made available to an authorised officer of the Police or Licensing Authority immediately upon request.
- d) The correct time and date shall be generated onto both the recording and real time image.
- e) If the CCTV equipment breaks down the Premises Licence Holder shall ensure that the Designated Premises Supervisor, or in their absence other responsible person, verbally inform the Council's Licensing Office and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the date, time and by what means this notification was achieved and to whom the information was passed. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Office and the Police shall be informed when faults are rectified, and the fact recorded in the incident report register.
- f) A member of staff technically able to operate the CCTV system shall be available during all hours when the premises are open and shall comply with any reasonable request of an authorised officer of the Council or Police to view any CCTV that has been recorded. The Premises Licence Holder shall ensure that a member of staff shall be technically able to reproduce CCTV / images into removable format and that such removable format shall be produced within twenty four hours following any request from an authorised officer of the Council or the Police.

g) Signage shall be clearly displayed to the effect that Closed Circuit Television equipment is in operation to monitor security and customer safety.

Noise

a) Except for access and egress all doors and windows shall be kept closed when Licensable activity is taking place.

b) Where necessary, steps shall be taken to minimise the extent of noise breakout from the premises to ensure that all local residents are not disturbed.

c) Customer notices will be displayed re leaving the premises quietly.

Outside Area

a) Outside entertainment shall conclude no later than 2230 hours, Monday to Sunday.

b) Alcohol and other drinks may not be removed from the premises in open containers saved for consumption in external areas provided for that purpose.


c) Outside areas will be kept clean and bins emptied regularly.

I agree to the conditions proposed by the Licensing Department, Gloucestershire Constabulary.

Signed:

Name:

Date:


MIKE SKIAMORE
6/9/10

Gloucester City Council

Mr Skidmore
Quedgeley Social Club Ltd
Quedgeley Community Centre
School Lane
Quedgeley
GL2 4PJ

This matter is being dealt with by G J Hooper

Tel 01452 396025
Fax 01452 396340
Email gareth.hooper@gloucester.gov.uk

Our ref EH/
Your ref MDM/QuedgeleySC

Date 1st October 2010

F.A.O. Rebecca Turner

Dear Mr Skidmore

Please see the comments below I intend to make on your Application to Vary Premises Certificate:

The outdoor area be limited for use until no later than 10.30pm to reduce the impact of public nuisance.

The screens proposed in the application will have a negligible effect on noise reduction. So whilst I do not object to their construction, they should not be seen as a preventative noise measure.

If you wish to discuss the comments, please contact me

Yours sincerely

G J Hooper
Environmental Health Officer

AGREE TO THE ABOVE BEING IMPLEMENTED

ENVIRONMENTAL HEALTH AND REGULATORY SERVICES

Gloucester City Council
Herbert Warehouse
The Docks
Gloucester GL1 2EQ
Tel 01452 396025 Fax 01452 396340
Email gareth.hooper@gloucester.gov.uk
Minicom 01452 396161
www.gloucester.gov.uk



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31 Church Drive
Quedgeley
Gloucester
GL2 4UW

05.10.10

Gloucester City Council
Environmental Health
4th Floor
Herbert Warehouse
The Docks
Gloucester
GL1 2EQ

Dear Sir/Madam

Re: application 1002054GLCPV for Quedgeley Social Club in Quedgeley Community Centre

We wish to strongly object to the above application allowing the licence and premises opening hours extension, as well as the licence to cover the courtyard area.

We feel there are enough public houses, all within walking distance of the Quedgeley Social Club, that are already able to cater for the Quedgeley residents needs. If an extension was allowed it would encourage customers away from places such as The Haywain, Harvester, or Orchard, which are located on main roads, to a club which is in a dead end road within a residential area. We believe this would cause residents to experience an increase in anti-social behaviour and public nuisance especially during unsocial hours.

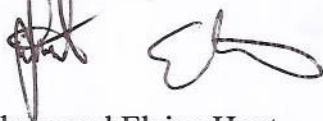
The community centre is located in the centre of a residential area so it is not acceptable for us to be subjected to this extended period of noise disturbance. We share a boundary and our house is less than 50 metres away so we already suffer a high level of noise disturbance where the club has their fire doors into the courtyard open every day, usually from opening time until 9.30 pm. This noise increases as members exit via the fire doors so that they can smoke in the courtyard. There is no incentive for them to return inside quickly to their alcoholic beverage as they have even taken it outside with them. This was especially evident during the football and rugby World Cup in June and July of this year, and increased even more on the days that there were barbeques in the courtyard. Recently the addition of new specially provided benched tables in the courtyard has led to an increase of noise due to members now being able to comfortably sit outside with alcoholic drinks for longer periods. The restriction of closing these fire doors and windows, along with all members going inside at 9.30 pm, was brought in to appease the neighbours because we had complained on a substantial number of occasions. The issue of noise disturbance had been dealt with in previous years by PC Dominic Everiss, who arranged for previous benched tables to be removed from the courtyard, and the Magistrates Court, who we were led to believe had even imposed certain restrictions upon the licence for a period of time.

Due to the building lay out the courtyard area, which is what they wish to use, is surrounded on 3 sides so that any noise generated is amplified similar to an amphitheatre effect and pushed into the surrounding car park area and bordering properties. A screen outside the fire doors, which the club is actually calling entry doors on their application form, will only result in the noise being pushed upwards and then outwards into the surrounding neighbouring area. The noise generated from the club, courtyard and car park already has a detrimental effect especially when families are trying to enjoy their own property or even sleep. Notices requesting people to leave the premises at night so as not to disturb nearby residents are frequently ignored, and have previously been neglected so that they are actually illegible. The current usage already inflicts noise upon us from the activities such as singing, laughing, cheering, shouting, and arguments that are generated in the club and outside courtyard area whose design amplifies all noise. We do not want to be unable to sit in our own garden in the weekday evenings or afternoons/evenings at the weekend, especially during the summer months and should not be forced to retire indoors with our double glazed windows and doors shut to reduce the disturbance. The noise generated can actually travel into our house and reverberate in our rooms. This has happened in the past and resulted in us having to complain to the club and the Parish Council on countless occasions. Gloucester City Council Environmental Health were made aware of the problem as well as Quedgeley Police Station. A petition, signed by over 25 nearby residents, about the disturbances from the centre and car park area was even sent to Quedgeley Parish Council but we are still suffering almost a decade later.

The noise disturbance is especially unacceptable as it already continues after 11.30 pm as people are staying in the courtyard or car park and not exiting the premises. An extension to the licensing hours and allowing of the premises to be open for up to an hour after the terminal hour would mean that we face the prospect of this noise disturbance and further sleep deprivation until almost 1am every day of the week and even longer over the Christmas and New Year period. This may be acceptable in the town centre where there is a regular police presence to enforce any problems that arise from disturbances, but we Quedgeley residents do not have this luxury. If we are disturbed our only course of action on the night is to report it to the police and/or environmental health, but to still suffer the disturbance as we do not have any other form of recourse. We **do not** want to return to complaining every week about the anti social-behaviour of the social club members and visitors.

We have enclosed photographs which show the courtyard layout and benched tables, along with the proximity of our house to the Social Club. **We strongly believe this application would further infringe our right to peaceful enjoyment of our property under the Human Rights Act 1998 and respectfully request that it is refused.**

Yours faithfully



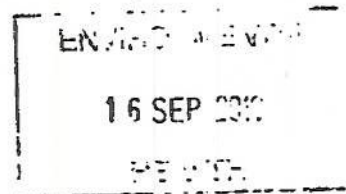
Andrew and Elaine Hunt







32 Church Drive
Quedgeley
Gloucester GL2 5UW



14th September 2010.

The Licensing Team
Gloucester City Council
Herbert Warehouse
The Docks
Gloucester GL1

Dear Sirs

**Re: Application to increase licensing hours
At the Social Club, Quedgeley Community Centre
School Lane, Quedgeley.**

Further to my previous letter I have now obtained further details of the above application and would like to object to the Club using the outside area (actually part of the entrance courtyard to the Community Centre) as an outside drinking/smoking area. The club members for the last 2 weekends have already used this area to drink in. During the weekend 11/12 September, during the afternoons, members could be seen drinking, eating and smoking in the outside area, (using the benches/seat already installed), although they do not have the required licence to do so.

As explained in my previous letter, the entrance courtyard amplified the sound – if sound insulating barriers were erected this would not prevent the sounds penetrating our house – its approx 50 metres from this area, and sounds in the courtyard can clearly be heard in the upstairs rooms. The area will not have any sound reducing measures on the open roof to the courtyard area.

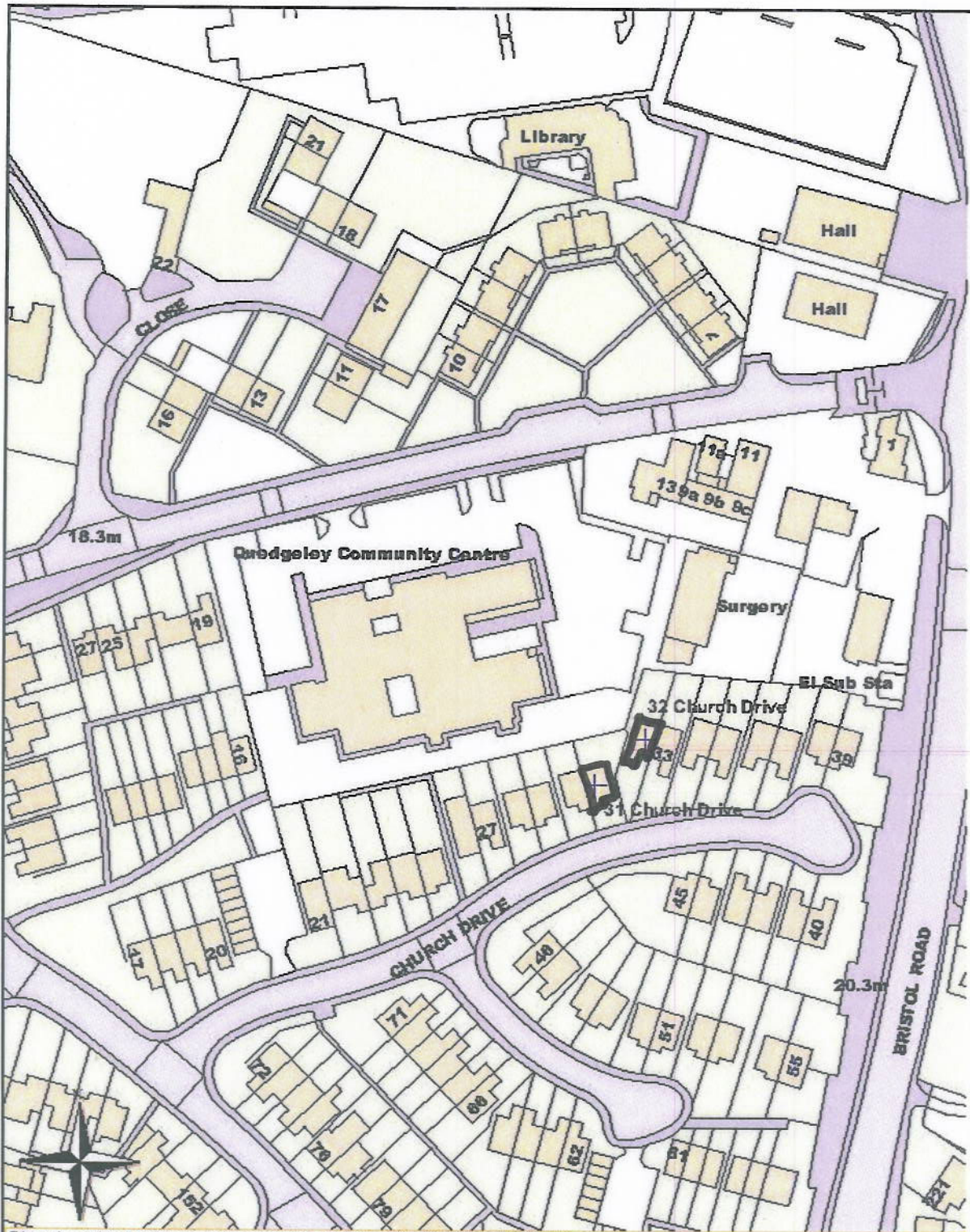
Several years ago the club used to use the courtyard area for outside drinking purposes, and the noise was awful and it was only the intervention of the community police officer which made this activity cease. The club members also agreed to close the outside door to the courtyard at 9.00pm, but this is not a formal arrangement, just a courtesy. However, should the licensing hours increase and permission given to use this area again there is no formal binding obligation on the members to close any doors, nor any incentive to do so.

Although the members may be told to reduce noise because of the close proximity of the neighbours, this is not enforced. We have on many occasions telephone the club to ask them to reduce the noise, or close the doors. To date they have complied but it is a constant hassle to keep doing this.

We have the right to enjoy our own property, however, the close proximity of the social club means that this is not always possible.

Yours sincerely



Mr & Mrs R Flower



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0 43m

Location of Interested Parties (marked with cross)


GLoucester
 CITY COUNCIL
 Gloucester City Council,
 Herbert Warehouse,
 The Docks,
 Gloucester,
 GL1 2EQ

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Gloucester City Council

LICENSING ACT 2003

Schedule 13

Regulation 35,36

PART A – CLUB PREMISES CERTIFICATE

Club Premises certificate number

0501373GLCPV

Club details

Name of club in whose name the certificate is granted and relevant registered postal address of club

Quedgeley Social Club Ltd

Address including post town and post code

Community Centre
School Lane
Quedgeley
Gloucester
GL2 4PJ

Telephone number -

01452 541163

If different from above the postal address of club premises to which this certificate relates, if any, or if none, ordnance survey map reference or description

Not applicable

Telephone number

Where the club premises certificate is time limited the dates

Not applicable

Original Licence
Withdrawn for
Variation



[Signature]
B.C. Parde
Licences Officer

ENVIRONMENTAL HEALTH

Gloucester City Council Tel 01452 396303 Fax 01452 396340
Herbert Warehouse Email licence.team@gloucester.gov.uk
The Docks Minicom 01452 396161

16/5/07



GLOUCESTER

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Sale of Alcohol	Weekdays	11:00 -23:00
Sale of Alcohol	Saturday	11:00 -23:00
Sale of Alcohol	Sunday	11:00 -22:30
Live Music	Weekdays	11:00 -23:00
Live Music	Saturday	11:00 -23:00
Live Music	Sunday	12:00 -22:30
Recorded Music	Weekdays	11:00 -23:00
Recorded Music	Saturday	11:00 -23:00
Recorded Music	Sunday	12:00 -22:30

Sale of alcohol on New Year's Eve from the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day

The opening hours of the club

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

Alcohol is supplied for consumption on the Premise

Signature of Issuing Officer:

Date of Determination:

14 September 2005

Date of Issue:

17th November 2005

(See Annexes and Plans attached for conditions relating to this Certificate)

Issuing Authority:

The District of Gloucester City Council, The Docks, Gloucester GL1 2EQ



Original Licence Withdrawn
For Valuation

B. C. Proude

Licensing Officer
16/11/05

CONDITIONS

Reference Number - 0501373GLCPV

Club Premises Address - Quedgeley Social Club Ltd, Community Centre, School Lane, Quedgeley, Gloucester, Gloucestershire, GL2 4PJ

Annex 1 - Mandatory conditions.

NONE

Annex 2 - Conditions consistent with the operating Schedule.

Alcohol shall not be sold or supplied except during permitted hours.
In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On New Year's Eve, except on a Sunday, 10 a.m. to 11 p.m.
- e. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.
- f. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day, which would be 10.00 a.m. if New Year's Day fell on a weekday or 12 noon if a Sunday.
- g. On Christmas day, as provided by the rules of the club and notified in writing by the chairman or secretary of the club to the licensing authority. The said hours shall:
 - i. not exceed six and a half hours;
 - ii. not begin earlier than 12 noon;
 - iii. not end later than 10.30 p.m.
 - iv. provide for a break of at least 2 hours, including 3 p.m. to 5 p.m.;
 - v. not extend for more than three and a half hours after 5 p.m.

The above restrictions do not prohibit the supply to, or consumption by, any person of alcohol in any premises where they are residing.

No alteration of the Rules of the Club shall authorise sales which were not authorised at the time of the application for the issue of the Premises Certificate.

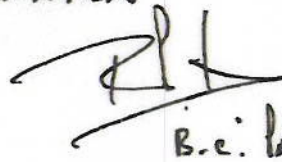
Annex 3 - Conditions attached after a hearing by the licensing authority.

NONE

Annex 4 - Plans

As submitted with the application

Original License
Withdrawn For
Validation


B.E. Payne



LICENSING ACT 2003
PART B – CLUB PREMISES CERTIFICATE SUMMARY

Club Premises certificate number

0501373GLCPV

Club details

Name of club in whose name the certificate is granted and relevant registered postal address of club

Quedgeley Social Club Ltd

Address including post town and post code

Community Centre
School Lane
Quedgeley
Gloucester
GL2 4PJ

Telephone number –

01452 541163

If different from above the postal address of club premises to which this certificate relates, if any, or if none, ordnance survey map reference or description

Not applicable

Telephone number

Where the club premises certificate is time limited the dates

Not applicable

ORIGINAL LICENCE
WITHDRAWN FOR
VARIATION



[Signature]
B.C. LINDSAY

Licence Officer

16/5/07



ENVIRONMENTAL HEALTH

Gloucester City Council
Herbert Warehouse
The Docks

Tel 01452 396303 Fax 01452 396340
Email licence.team@gloucester.gov.uk
Minicom 01452 396161

GLOUCESTER

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Sale of Alcohol	Weekdays	11:00 -23:00
Sale of Alcohol	Saturday	11:00 -23:00
Sale of Alcohol	Sunday	11:00 -22:30
Live Music	Weekdays	11:00 -23:00
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Recorded Music	Weekdays	11:00 -23:00
Recorded Music	Saturday	11:00 -23:00
Recorded Music	Sunday	12:00 -22:30

Sale of alcohol on New Year's Eve from the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day

The opening hours of the club

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

Alcohol is supplied for consumption on the Premise

State whether access to the club premises by children is restricted or prohibited

Signature of Issuing Officer:



Date of Determination:

14 September 2005

Date of Issue:

17 November 2005

*original licence
WITHDRAWN FOR
VARIATION*

Issuing Authority:

The District of Gloucester City Council, The Docks, Gloucester GL1 2EQ



*B.C. PAYNE
Licence Officer*

16/5/05

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QUEDGELEY SOCIAL CLUB LIMITED

Quedgeley Community Centre, School Lane, Quedgeley, Gloucester, GL2 4PJ

RULES OF THE CLUB**1. NAME**

Quedgeley Social Club Limited ("the Club").

2. PREMISES

Quedgeley Community Centre, School Lane, Quedgeley, Gloucester, GL2 4PJ ("Club Premises").

3. OBJECT

The objects of the Club are to carry on the business of a club by providing for the use of its members, social and recreational facilities.

4. USE OF NAME

The registered name of the club shall be kept painted or affixed on the outside of every office or place in which the business or club is carried on, in a conspicuous position, in letters easily legible, and shall be engraved in legible characters on its seal, and shall be mentioned in legible characters in all business letters, notices, advertisements and other official publications of the club and in all bills of exchange, promissory notes, endorsement cheques and orders for money or goods.

5. MANAGEMENT OF THE CLUB

5.1 The Club shall be managed by a Management Committee ("Committee"), which is fully responsible for the Management of the Club. The Committee shall consist of the Chair, Vice-Chair, Secretary, Treasurer and not less than six nor more than ten Committee persons:

5.1.1 The Chairman and Vice-Chairman of the Club shall be elected at an Annual General Meeting ("AGM") of the Club and shall hold office for TWO YEARS. The retiring Chairman or Vice-Chairman are both eligible for re-election. If the Chairman or Vice-Chairman resigns, or is removed by a Special General Meeting ("SGM") of the Club, then re-election will take place to fill the vacancy. The Chairman and Vice-Chairman shall be a current member of the Committee. Nominations for the post of Chairman and Vice-Chairman shall be sent to Secretary not later than 8 clear days before any AGM or SGM at which the election or re-election is to take place. Nominations shall be in writing and proposed and seconded by current members of the Club and shall be accompanied by a written indication signed by the Nominee, that the Nominee is willing to stand for election or re-election. Nominations for Chairman and Vice-Chairman shall be made only in respect of the existing Chairman and Vice-Chairman or Committee members serving as such at the time of nomination. Associate or Affiliated Club members may not be elected to the post of Chairman or Vice-Chairman. Removal of the Chairman or Vice-

Chairman can be made at any time provided two-thirds of the members present and entitled to vote at an SGM called for that purpose shall vote in favour of such removal.

- 5.1.2 The Secretary of the Club shall be elected each year at the AGM (or if necessary appointed by the Committee) and shall remain in office during the pleasure of the Club. The Secretary shall keep at the Club Premises a Register of the names and addresses of all the members of the Club and a subscription book in which all payments of members are kept. The Secretary shall carry out the directions of the Committee and subject to such directions shall receive monies on account of the Club and pay them to the Treasurer. The Secretary shall give notice of all meetings, attend all meetings of the Committee and any sub-committee (if so directed), take minutes of the proceedings and keep such other records as required.
- 5.1.3 The Treasurer of the Club shall be elected each year at the AGM (or if necessary appointed by the Committee) and shall remain in office during the pleasure of the Club. The Treasurer shall pay all monies received by the Club from any source whatsoever without any deduction for any purpose whatsoever, to the credit of an account opened in the name of the Club at such bank and in such manner as the Committee may direct and further shall keep such accounts and pay such debts and other outgoings of the Club as the Committee may direct, and shall, when required to do so, render to the Committee or an AGM or SGM, an account of any monies received and expended by the Club and, when required, submit all financial records to an independent auditor.
- 5.1.4 All other members of the Committee shall be elected each year at the AGM or at an SGM save that the Committee shall have the power to appoint a member of the Club to the Committee in the event of a vacancy or in the event that additional Committee members are required at any time which appointment will expire at the next following AGM.
- 5.2 The Committee shall control the management of the Club and shall have the exclusive power to engage or dismiss employees. It shall have the power to purchase such articles and do all such things as necessary for the carrying out of the objects of the Club. It shall have due regard to any resolution or recommendation of any General Meeting but shall not be bound to give effect to the same if it is considered that any such action may be damaging to the best interests of the Club.
- 5.3 The Committee shall meet not less than [once a month – every two months] (?) for general business and not less than one third of the total of Committee members shall form a quorum. No resolution of the Committee shall be rescinded unless notice to rescind has been given at the previous meeting of the Committee. The Committee shall have such power to form such sub-committees as it may from time to time decide and determine their terms of reference.
- 5.4 The Committee shall be responsible for ensuring that the requirements of the Licensing Act 2003 or such other legislation as may be made thereunder are strictly enforced.
- 5.5 No member of the Committee shall without the prior authorization of the Committee (or by resolution at an AGM or SGM):
 - 5.5.1 have authority to order goods or services or incur liability for and on behalf of the Club in any form;
 - 5.5.2 receive any salary, profit, remuneration or expenses; or

5.5.3 be entitled to receive at the expense of the Club any commission or percentage or similar payment on or for purchases of intoxicating liquor by the Club nor directly or indirectly derive any pecuniary benefits from the supply of intoxicating liquor by or on behalf of the Club to members or guests apart from any benefit accruing to the Club as a whole and apart from any benefit which a person derives indirectly by reason of the supply giving rise to or contributing to a general gain from the carrying on of the Club.

AND any person acting in breach of this Rule 5.5 shall incur unauthorized liabilities on a personal basis and indemnify the Club in respect of all such liabilities and/or refund any sums or benefits received (as appropriate).

- 5.6 Any member of the Club whose membership is suspended or terminated or which ceases for any other reason must immediately vacate his/her position (if any) as an Officer, on the Committee (or any sub-committee).
- 5.7 The Committee or any member or members thereof may be removed by the votes of two thirds of the members present and entitled to attend and vote at an SGM called for that purpose. In the event of the removal or resignation of the whole or majority of the Committee then the Secretary shall have the power to call a Special General Meeting for the purpose of electing officers and members to replace those who have been removed or resigned. The Secretary shall in these circumstances call upon the Quedgeley Parish Council to appoint the Chair for such a meeting.

6. MEMBERSHIP

Membership of the Club shall be confined to the following persons and no others:

6.1 Application

Applicants for membership must be 18 years of age or over. The applicant must complete an application form (as prescribed by the Committee) and tender the appropriate sum and sign a declaration of his/her concurrence with and adherence to the purposes of the Club as shall be required by the Committee from time to time. The name and address of the applicant shall be prominently displayed in the Club Premises in an area frequented by the members for at least two days before the day on which the applicants name is submitted for election to membership.

6.2 Admission

The Committee (or any appropriate sub-committee) shall consider all valid applications for membership as soon as practicable and in its entire discretion decide whether or not to grant membership and duly notify the applicant.

6.3 Family Members

6.3.1 A member's spouse (or partner), child and parent ("Family Members") shall also be eligible for membership always provided that such membership is sponsored by the appropriate member ("the sponsoring member") and always provided that the sponsoring member remains a member. If for any reason whatsoever the membership of the sponsoring member shall cease then the membership of the Family Members shall also cease accordingly.

6.3.2 The Committee may at its sole discretion invite Family Members denied membership under Rule 6.3.1 to make application as Associate Members (under Rule 6.6.1).*

6.4 Life Members

- 6.4.1 If a member has continuously been a member for not less than 15 years and the age of that member is greater than 50 years, Life Membership will be considered for that member upon their application to the Secretary. In the event that the Committee (in its entire discretion) grants that member Life Membership then such membership shall be free from subscription. Family members of Life Members shall be eligible to remain as members but will continue to pay such subscriptions as the Club may from time to time decide.
- 6.4.2 Life members are entitled to the full privileges of membership and may be elected to the Committee (or any sub-committee) and are entitled to attend and vote at any AGM or SGM.

6.5 Honorary Members

- 6.5.1 The Committee may invite members who have given distinguished service to the Club to be honorary members provided that there may not be more than 10 Honorary Members at any one time.
- 6.5.2 Members may send to the Secretary the names of other members suggested for invitation together with their reasons for nomination.
- 6.5.3 Honorary Members will not be required to pay any entrance fee or subscription but may attend and vote at any AGM or SGM and be eligible for election to the Committee.

6.6 Associate Members

- 6.6.1 The Committee may elect "Associate Members" at such subscription as they may decide for any period. A motion at a meeting of the Committee for the election of such persons shall be proposed and seconded by full members and the names of the proposer and seconder shall be recorded. Associate members may be elected from among any persons who not being otherwise eligible wish to become members of the Club. Associate members shall not have the right to attend or vote at any General Meeting of the Club neither shall they be eligible for election to the Committee.

6.7 Affiliated Clubs

- 6.7.1 The Committee shall have the power at any time to affiliate to the Club any private members club satisfying the Conditions 1, 2 and 3 of section 62 of the Licensing Act 2003 PROVIDED that in each case: -
 - 6.7.1.1 The Affiliated Club (skittle, football, cricket, private clubs etc) provides all such information relating to its members as may be requested by the Club;
 - 6.7.1.2 All Affiliated Club members pay a subscription fee as determined by the Committee.
 - 6.7.1.3 The members of the Affiliated Club appoint (from time to time) a representative to the Committee of the Club who shall be the only person entitled to attend and to vote on behalf of the members of the affiliated club at meetings of the Club; and no other member of the affiliated club shall be entitled to attend meetings or to vote.

- 6.7.1.4 The members of the Affiliated Club comply with the Rules of the Club and any Regulations or Byelaws made from time to time thereunder;
- 6.7.2 The affiliation of any club may be terminated at any time by the Committee, (whereupon all the members of that Affiliated Club lose membership of the Club) in the event of any breach or non-compliance with the Rules of the Club by any member of the Affiliated Club or if required to do so by the licensing authority or for any other reasonable purpose and in no circumstances will the Affiliated Club be entitled to any refund of affiliation fees.
- 6.7.3 The Committee may also terminate the affiliate membership of any individual member of an Affiliated Club for any reason and without recourse to explanation or appeal.

6.8 Terms of membership

- 6.8.1 No person shall be elected to any class of membership unless he has attained the full age of 18 years.
- 6.8.2 Candidates for membership may be elected by the Committee at its sole discretion.
- 6.8.3 No person may be admitted to membership of the Club until TWO clear days have elapsed after their application for membership has been received by the Club.
- 6.8.4 Membership Cards shall be issued to all members and members shall produce such membership cards when required to do so by any Committee Member or by the DPS or other designated person appointed by the Committee. Any member failing to produce his/her membership card on demand may be refused admission or ejected from the Club and refused further admission until he/she has produced proof of membership.
- 6.8.5 The Secretary shall be required to maintain a Register of all Members and this shall be open for inspection by any Committee Member.
- 6.8.6 Until an applicant is elected as a member he is not entitled to any of the privileges of the Club.
- 6.8.7 In aggregate Life Members Honorary Members and Associate Members shall not exceed 30% of the total membership of the Club at any time.

6.9 Termination of membership

Membership of the Club shall cease under the following circumstances:

- 6.9.1 Death of the member.
- 6.9.2 Resignation of the member.
- 6.9.3 Non payment of subscription.
- 6.9.4 Misconduct or other breach of the Rules of the Club.
- 6.9.5 Being a family member ceasing to have sponsoring member.

6.10 Misconduct of Members

The DPS or other person(s) designated by the Chairman or any Committee Member shall have the power to order the withdrawal from the Club Premises any member who misconducts themselves and such members shall have no right of re-entry to the Club Premises until summoned to attend before the Committee. If the next ordinary meeting of the Committee is within less than three days, such member may request to appear before them and to have his/her case dealt with.

The Secretary shall convene a meeting of the Committee (or appropriate sub-committee) to deal with such matter within 7 days of written request from the expelled member.

6.11 Suspension/Expulsion of Members

The Committee shall have the power to reprimand, suspend (for a period not exceeding 12 months) or expel any member who shall infringe any Rule or whose conduct (whether within the club or elsewhere) shall, in their opinion, render him/her unfit for membership. The member will be given the opportunity to give an explanation to the Committee in accordance with Rule 6.10. It is only after hearing the member's explanation that the Committee shall take a vote to determine the course of action to be taken against the member. At least one half of the Committee must be present at the hearing and only those present can vote. The club Secretary must give notice to the member in writing of the date of the intended hearing. The notice must contain a statement of the allegation brought against him or her. The member can waive his/her entitlement to attend such hearing. Once the Committee has decided on the course of action the club Secretary must again inform the member in writing of the decision made. A suspended member shall not be entitled to use the Club Premises, attend any general meeting, vote at any meeting or hold any office during the term of their suspension. Any suspended member shall remain liable to pay his/her subscription.

6.12 Right of Appeal

A member suspended or expelled shall have the right to appeal to the **Quedgeley Parish Council** who will be the Arbitrators appointed by the Club. No appeal shall be heard unless made within 28 days of the date of the decision notice given by the Club Secretary under Rule 6.11 and in writing addressed to the Clerk of the Quedgeley Parish Council. The Arbitrators must not be Committee members or serve as Officers of the Club. The Arbitrators shall have full power to rescind or alter such suspension or expulsion as they see fit and there can be no appeal against their decision.

7. SUBSCRIPTIONS

- 7.1 The subscription for all Members will be determined by the Committee subject to approval at the next AGM
- 7.2 The period of Membership shall run from 1st April until 31st March
- 7.3 Affiliate Clubs shall pay such affiliation fees, as the Committee shall from time to time decide.
- 7.4 **Subscriptions In Arrear**

Any member who fails to pay his subscription during April in any one year shall be considered in arrears. The Secretary will send notice in writing to his/her address as recorded in the Club Register requiring payment of the subscription within fourteen

days of the date of the notice. If payment of the subscription is not paid by the due date then the Committee may terminate his/her membership without further notice.

8. FINANCIAL ACCOUNTS

The Treasurer shall keep proper books and records of all property and income and expenditure of the Club (see rule 5.1.3), and shall make up and submit for audit a Balance Sheet and Revenue account for each period of one year ending 31st March. A true copy of the Accounts shall be displayed on the Club premises at least EIGHT clear days before the Annual General Meeting.

9. AUDIT

The Committee shall keep an account of all purchases and receipts and shall, at every Annual General Meeting, present a report and financial statement for the preceding year. External auditors, appointed by the Club shall audit the Club accounts at the end of each financial year, namely 31st March. A copy of the balance sheet and profit / loss account shall be posted on the Club notice board at least EIGHT clear days before the AGM.

10. LOANS & DEPOSITS FROM MEMBERS

The Club shall not contract loans or receive any monies on deposit from its members without a specific resolution at the AGM or any SGM.

11. CLUB PROPERTY

No property of the Club shall be removed from the Club Premises without the consent of a Committee member or any other person who shall have been appointed by the Committee for such purpose. Any Member or Visitor breaking or damaging any Club property shall make good the same to the satisfaction of the Committee.

12. ANNUAL GENERAL MEETING

12.1 An Annual General Meeting ("AGM") of the members shall be held in March of each year. There shall be presented a balance sheet and revenue account for the year, made up to a date not more than SIX months prior to the date of the meeting.

12.2 The Annual General Meeting shall be convened by the Club Secretary giving not less than EIGHT clear day's notice in writing to the Members of the Committee and by a similar notice of publication to be posted on the Notice Board in the Club Premises. The ordinary business of the meeting shall be to receive and approve the minutes of the previous AGM, the Chairmans Report and the annual accounts of the Club and to carry out all necessary elections.

12.3 Any other business shall be regarded as special and as such not less than EIGHT clear days notice by means described in Rule 12.2 shall be given specifying the nature of the Special Business.

12.4 A quorum for any Annual General Meeting shall be THIRTY Voting Members.

12.5 Any full members interested in becoming a Committee Member are invited to submit their full names and their proposer and seconder to the Club Secretary in writing at least FOURTEEN days prior to the AGM.

13. SPECIAL GENERAL MEETING

A Special General Meeting ("SGM") of the Club shall be called at any time by the Secretary on

the request, in writing, of not less than FOURTEEN Voting Members, or by order of the Committee. EIGHT clear days notice shall be given of such a meeting by the means described in Rule 12.2. The request and notice shall specify the business to be addresses by the request or order.

14. RESOLUTIONS

The majority necessary for the passing of a resolution at any Annual General Meeting shall be a simple majority of those present in person who are authorised to vote, and shall be taken by a written ballot. Ballot papers shall only be issued to those members who have voting rights.

15. EXPENDITURE

At meetings of the Committee no resolutions authorising the incurring of a liability to a greater extent than £500 shall be passed without the consent of EIGHT Members of the Committee present, including the Chairman (or in his absence the Vice-Chairman).

16. MINUTES

The Club Secretary shall keep minutes of the proceedings of the Annual General Meetings of the Club and any meetings of the Committee. In the absence of the Club Secretary a deputy elected at the Meeting in question may take the Minutes of the meeting. At any Committee Meeting the Minutes of the earlier meetings shall be open for inspection.

17. GUESTS

17.1 Any Member (other than a Family Member) may introduce and entertain guests at the Club Premises and this shall include persons under the age of 18 on the strict basis that the Member signing in such persons shall take full responsibility for ensuring good behaviour and preventing persons under the age of 18 from consuming alcohol whilst on the Club Premises. The Committee may make such arrangements as are necessary to introduce guests for specific functions.

17.2 The following shall not be admitted as guests:

17.2.1 Former Members who have been expelled.

17.2.2 Members who are under suspension (and any related member of any suspended sponsoring member).

17.2.3 Not more than two persons per member.

17.3 If possible on entry to the Club Premises, Guests shall fill in the particulars required in the visitor's book and these shall be countersigned by the introducing Member, who shall remain on the Club Premises and be responsible for those Guests as long as they are on the Club Premises. The Committee may, at their discretion, make a charge for admission of a guest to the Club payable by the introducing Member.

17.4 Provided that this rule insofar as it relates to numbers of guests per member and a requirement to sign a visitors book shall not apply to any guests admitted to a member's private hire function authorised by the Committee under Rule 20.1.2.

18. BETTING, GAMING & LOTTERIES

18.1 Gaming

- 18.1.1 No other gaming, save with gaming machines or amusements with prizes machines authorised under the Gambling Act 2005 or games of Bingo (subject to Rule 18.1.2 below) may be undertaken at the Club Premises without first obtaining the express consent of the Committee and then only when it is incidental to some other entertainment. This rule will include 'Race Nights' and 'Casino Evenings'. The proceeds of such entertainment must be applied to Club funds or to any nominated Charity provided it is duly registered with the Charity Commissioners.
- 18.1.2 The Committee may at its discretion allow games of Bingo for the benefit of Members and Guests to take place on the Club Premises provided that the stakes limit shall be no more £1,000.00 in any 7 day period and all stake money shall be returned as prizes.
- 18.1.3 Guests introduced under Rule 17 may participate in games of Bingo and play on any Gaming Machines provided by the Club and are entitled to any winnings gained.

18.2 Betting

- 18.2.1 Betting for reasonable stakes on the outcome of any game of skill (darts, pool, snooker and the like) played on the Club Premises between the participants is allowed provided the maximum limit per game is £5.00 per player. Betting by non-participants is strictly prohibited.
- 18.2.2 Betting for reasonable stakes on the outcome of any game of cards including poker played on the Club Premises between the participants is allowed provided the maximum stake is £10.00 per person per game with a premises limit of £200.00 in stakes per day and £1,000.00 in any 7 day period.
- 18.2.3 Other than the betting allowed in 18.2.1 or 18.2.2 above members are strictly prohibited from making betting transactions on the Club Premises with someone present who is acting as a Bookmaker whether licensed or not.

18.3 Lotteries

- 18.3.1 The Committee may at its discretion allow lotteries to be held for the benefit of the Club or other charitable purpose. Sales of tickets for Club lotteries are private and must be confined to members alone.
- 18.3.2 Chances may not be sold to Guests, Visitors or other non-members unless the lottery is held in accordance with Rule 18.1.1 above or registered with the Local Authority and conducted in accordance with The Lotteries and Amusements Act 1977 or legislation made there under.

19. SALE OF INTOXICATING LIQUOR

- 19.1 The permitted hours for the supply of intoxicating liquor and other licensable activities shall be fixed by the Committee within the total hours permitted by the Premises License.
- 19.2 The club may be open for the supply of intoxicating liquor on Christmas Day at the discretion of the Committee.
- 19.3 Intoxicating liquor shall not be sold or supplied on Club Premises to any person under the age of 18 years.

- 19.4 No person under the age of 18 years is permitted to consume intoxicating liquor on Club Premises.
- 19.5 Intoxicating liquor may only be supplied for consumption on the Club Premises to members of the Club or their guests.
- 19.6 Within the permitted hours for the sale of alcohol, the Committee or Designated Premises Supervisor shall have the power to vary bar hours so long as it falls within the confines of the Premises Licence.

20. SALE OF INTOXICATING LIQUOR TO STRANGERS

- 20.1 There may be admitted to the Club Premises, persons other than members or affiliate members and their guests, and intoxicating liquor may be sold to such persons by, or on behalf of, the Club for consumption on the Club Premises and not elsewhere, in the following instances:
 - 20.1.1 Members and officials of visiting teams and their supporters when attending at the Club Premises engaged in bona fide fixtures and events arranged by the Club or any authorised section or affiliate club for the duration of their visit and no longer.
 - 20.1.2 Attendance at any private function authorised by the Committee and promoted by and under the responsibility of, a member who is present at such a function.
 - 20.1.3 Attendance at a function to which members of the public have a general right of admission whether by payment or otherwise, providing that such function is authorised by the Committee; and
 - 20.1.3.1 Persons attending such functions observe such conditions as may be made by the Committee, whether generally or in respect to the particular function; and
 - 20.1.3.2 A member of the Committee, the DPS or a person designated by the Committee is present throughout.
 - 20.1.3.3 Any person hiring any part of the Club premises for public or private member's use shall pay such fee and be bound by such conditions as the Committee shall from time to time determine.
- 20.3 The Committee may at its sole discretion permit non members to use the Lounge Bar and Dining Room facilities at the Club Premises on such days and during such hours as it may from time to time determine, and persons admitted under this Rule may be supplied with alcohol.

21. BYE-LAWS

The Committee, may from time to time, make, vary or revoke byelaws, not inconsistent with these Rules, for the regulation of the internal affairs of the Club and conduct of its Members. The byelaws for the time being in force shall be binding on all Members, Visitors and Guests and shall be displayed on the Club Notice Board.

22. RULES OF THE CLUB

- 22.1 In cases of doubt or dispute the interpretation of these Rules shall be referred to the Committee whose decision by a TWO-THIRDS majority shall be final.

22.2 No amendments or additions to these Rules shall be made save at a General Meeting of the Club by way of Special Business.

23. **APPLICATION OF PROFIT**

No money or property of the Club or any gain arising from the carrying on of the Club may be applied otherwise than for the benefit of the Club as a whole or for some charitable, benevolent or political purpose or purposes chosen by resolution at an Annual General Meeting.

24. **EXCLUSION OF LIABILITY**

Neither the Club nor any officer thereof shall be liable to any member or guest of a member or other persons admitted under these Rules for any loss of or damage to any property occurring, from whatever cause, in or about the Club Premises; nor for any injury sustained by any member or guest or other person admitted under these Rules whilst on or entering or leaving the Club Premises (except where negligence is proved); and a notice to this effect shall at all times be displayed in a prominent position on the Club Premises.

25. **DISSOLUTION**

25.1 If at any General or Special General Meeting a resolution for the dissolution of the Club is passed by a majority of the members present and entitled to vote and then at a Special General Meeting held not less than six weeks later (of which not less than four weeks written notice has been given to each member) at which not less than one-half of the members are present that resolution is confirmed by a resolution passed by a majority of two-thirds of the members who attend entitled to vote, the Committee must immediately (or at such future date as is specified in the resolution) proceed to realise the property of the Club and after the discharge of all liabilities, must divide such property between such Charities (as are registered with the Charities Commissioner) as the members may agree at the General or Special Meeting convened for the dissolution of the Club.

25.2 No individual member shall be entitled to take any personal benefit from the dissolution of the Club.

26. **HEADINGS**

26.1 The headings to these Rules are for ease of reference only and are not to be taken into account in their interpretation.

26.2 In these Rules, unless the contrary intention appears, words denoting the masculine gender shall be deemed to include the feminine and the neuter and the singular to include the plural and vice versa.

These Rules were passed by the members by a majority vote at an Annual General Meeting held at

..... on.....

Signed.....Chair

Signed.....Secretary

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PROCEDURE FOR LICENSING SUB COMMITTEES**General**

1. The Sub Committee shall consist of three members drawn from the Licensing & Enforcement Committee. *In the event of one member of the Sub Committee having to withdraw, the Sub Committee may continue with the hearing in their absence provided all the parties consent.* The Sub Committee is non-political and will make decisions based upon the representations made to it in accordance with the licensing objectives, the Licensing Policy Statement and Guidance issued under section 182 of the Licensing Act 2003.
2. A Local Authority Solicitor will act as legal advisor to the Sub Committee and provide advice, when needed, on matters which may be raised of a legal or procedural nature either during the hearing or before the decision is announced.
3. An officer from the authority's Committee Secretariat will be in attendance to take a record of the hearing.
4. If a party has informed the authority that they do not intend to attend or be represented at a hearing, the hearing may proceed in their absence.
5. If a party who has not so informed the authority fails to attend or be represented at the hearing, the Sub Committee may
 - (a) adjourn the hearing to a specified date where this is necessary in the public interest; or
 - (b) continue in the party's absence.
6. A party may withdraw any representations
 - (a) by giving notice to the authority no later than 24 hours before the day or the first day on which the hearing is to be held; or
 - (b) orally at the hearing.
7. The hearing shall take place in public unless the Sub Committee considers that the public interest in excluding the public from all or part of the hearing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. A party and any person representing or assisting a party may be treated as a member of the public.
8. If any person attending the hearing is behaving in a disruptive manner, in the opinion of the Sub Committee, the Chair can require him to leave the hearing and may
 - (a) refuse to permit that person to return; or
 - (b) permit him to return only on such conditions as the Sub Committee may specify but such a person may, before the end of the hearing, submit to the Sub Committee in writing any information which they would have been entitled to give orally had they not been required to leave.
9. The authority may adjourn the hearing to a specified date or arrange for the hearing to be held on specified additional dates where it considers this to be necessary for its consideration of any representations or notice made by a party. Where the hearing is adjourned or to be held on additional dates, the authority will notify the parties forthwith of the date, time and place to which the hearing is to be held. If a hearing is adjourned or part heard the Sub Committee to which it is adjourned must consist of the same Members.

Time Limits

10. The Sub Committee shall provide the Applicant, Relevant Authorities and Interested Parties an equal opportunity to address the Sub Committee. All parties will be requested to provide a time estimate for any presentation to the Sub Committee. It is expected that all parties will be permitted a maximum of 15 minutes each, except in exceptional circumstances.

Introduction

11. The Chair will introduce Members of the Sub Committee then invite officers and parties present to introduce themselves and to confirm whether or not they wish to make oral representations. Where there are a number of interested parties with similar representations, they may wish to appoint a representative.
12. The Chair will explain the procedure to be followed. On rare occasions it may be necessary, in order to ensure the fairness of the proceedings and in the public interest, for the Chair to alter the order in which parties speak from that set out below.
13. The Chair will explain that all parties have an equal maximum period of time during which to address Members, to question other parties and to give further information in response to a point upon which the authority has requested clarification. The Chair will request confirmation from each party that the proposed maximum period of time is adequate.
14. The Sub Committee shall consider any request from a party for permission to have another person appear at the hearing.
 - (a) Such request must be included in that party's notice in response to the Notice of Hearing.
 - (b) Permission shall not be unreasonably withheld.
15. The Chair will remind the parties that the hearing shall take the form of a discussion led by the Sub Committee and cross-examination shall not be permitted unless the Sub Committee considers that cross-examination is required for it to consider the representations, application or notice as may be required.
16. The Chair will invite the parties to request permission to question or to cross-examine any other party or parties and the Sub Committee shall determine whether permission is granted (permitted parties). All questions must be relevant to the application and must relate to the licensing objectives, Licensing Policy Statement or the guidance issued under section 182 of the Licensing Act 2003.
17. The Chair will remind the parties that it will consider the written representations of any parties who are absent and will hear the representations of those parties who are present.

The Licensing Authority

18. The Licensing & Enforcement Manager ('LEM') or authority representative shall present his report. The report shall not make any recommendation in terms of the outcome of the hearing. The report may summarise the application, the representations and the LEM's comments as to how these relate to the licensing objectives, the Licensing Policy Statement and the Guidance issued under section 182 of the Licensing Act 2003.
19. The parties may ask the LEM for clarification of any points made in the report in such order as the Chair shall decide.

20. Members of the Sub Committee may ask the LEM for clarification of any points made in the report.

The Applicant

21. The Applicant or his representative shall address the Sub Committee and shall call witnesses if applicable.
22. The permitted parties shall ask their questions in such order as the Chair shall decide.
23. Members of the Sub Committee shall ask the Applicant and witnesses questions if they wish to do so.

Responsible authorities & Interested parties

24. In such order as the Chair shall decide, those parties who have made relevant representations or their representative(s) shall address the Sub Committee and shall call witnesses if applicable.
25. The permitted parties shall ask their questions in such order as the Chair shall decide.
26. Members of the Sub Committee shall ask questions if they wish to do so.

Final Statements

27. The Chair will invite the parties to make final statements in the following order
- (a) Any responsible authority or interested party who has made relevant representations (in such order as the Chair shall decide)
 - (b) The LEM on any factual issues relating to the application
 - (c) Applicant

Decision making

In circumstances where the determination is to be given at the conclusion of the hearing:-

28. The Chair will ask the parties and any other persons to leave the room, unless it is more practicable for Members themselves to retire to another room.
29. Once Members have made their decision, the parties and any other persons will be invited to return to the meeting room and the Chair will announce the decision of the Sub Committee.
30. The decision of the Sub Committee shall be confirmed in writing to the Applicants, Relevant Authorities and Interested Parties. The rights of appeal shall be included with the written decision.

Adjournments

31. It is anticipated that the majority of hearings will be heard and determined at the scheduled meeting of the Sub Committee, however there will be occasions when the Applicant, Relevant Parties or Sub Committee may wish to adjourn the hearing. Whosoever requests the adjournment shall provide reasons for the adjournment and the Sub Committee shall consider these. If the Sub Committee considers it is in the public interest to adjourn they shall have the power to do so to a specified date with the same Sub Committee. If the application is refused reasons shall be given.

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PREMISES LICENCE / CLUB PREMISES CERTIFICATE
MANDATORY CONDITIONS

Where licence authorises supply of alcohol

1. No supply of alcohol may be made under this licence
 - (a) at a time when there is no designated premises supervisor in respect of this licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.

Additional Mandatory Condition relating to Drinks Promotions (on sales only)

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Additional Mandatory Condition relating to Weights & Measures (on sales only)

The responsible person shall ensure that:-

- (a) where any of the following alcoholic drinks is sold or supplied for sale or consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:-
 1. Beer or cider - ½ pint;
 2. Gin, rum, vodka or whisky - 25ml or 35ml; and
 3. Still wine in a glass - 125ml; and
- (b) customers are made aware of the availability of these measures

Where licence authorises the exhibition of films

1. Admission of children (persons aged under 18) to the exhibition of films must be restricted in accordance with any recommendation made by the British Board of Film Classification.

Where door supervisor(s) are employed by way of a licence condition

Unless specifically exempted by Section 21(2) of the Licensing Act 2003 any individual who, by virtue of a condition of this licence, must be at these premises to carry out a security activity, must be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

Be entitled to carry out that activity by virtue of section 4 of that Act.

Additional Mandatory Condition relating to Age Verification

- (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol:-
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request before being served alcohol, identification bearing their photograph, date of birth and holographic mark.