

Public Document Pack



COTSWOLD
DISTRICT COUNCIL

Tuesday, 16 March 2021

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LICENSING SUB-COMMITTEE (LICENSING ACT 2003 MATTERS)

A meeting of the Licensing Sub-Committee (Licensing Act 2003 Matters) will be held remotely, via Cisco Webex on **Wednesday, 24 March 2021 at 4.00 pm.**

Rob Weaver
Chief Executive

To: Members of the Licensing Sub-Committee (Licensing Act 2003 Matters)
(Councillors Stephen Hirst, Juliet Layton and Gary Selwyn)

Due to the current social distancing requirements and guidance relating to Coronavirus Regulations 2020 – Part 3 – Modification of meetings and public access requirements this meeting will be conducted remotely using Cisco Webex.

Members of the public will be able to follow the proceedings through a broadcast on [Cotswold District Council Facebook account](#) (You do not need a Facebook account for this).

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Administrator know prior to the date of the meeting.

AGENDA

1. **Election of Chair**
To elect a Chair of the Sub-Committee, to serve for the duration of the Meeting.
2. **Apologies**
3. **Declarations of Interest**
To receive any declarations of interest from Members under the Code of Conduct for Members.

To receive any declarations of interest from Officers under the Code of Conduct for Officers.
4. **Application for a new Premises Licence - Off The Square, Shop 2, Mascot House, Digbeth Street, Stow-on-the-Wold (Pages 3 - 38)**
To determine an application for a new Premises Licence.

Officer Recommendation:

That the Sub-Committee is asked, in light of the representations, to consider the application and decides whether to:-

- grant the application as requested;
- grant the application subject to such conditions that are necessary to promote the licensing objectives;
- refuse the application in whole or in part where it is necessary in order to promote the licensing objectives.

Officer Ref: Andrea Thomas (01285 623000)

(END)



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	LICENSING SUB-COMMITTEE (LICENSING ACT 2003 MATTERS) - 24 MARCH 2021
Report Number	AGENDA ITEM 4
Subject	APPLICATION FOR A NEW PREMISES LICENCE.
Wards affected	Stow
Accountable member	Planning and Licensing Committee
Accountable officer	Andrea Thomas, Licensing Officer (Licensing and Business Support) Tel: 01285 623000 Email: andrea.thomas@publicagroup.uk
Summary	To determine a new Premises Licence Application for the premises known as Off The Square, Shop 2, Mascot House, Digbeth Street, Stow-on-the-Wold Gloucestershire.
Annexes	Annex A – Copy of application Annex B – Plans and photos of property Annex C – Objections Annex D – Copy of Sub Committee procedures
Recommendation	That the Sub-Committee is asked, in light of the representations, to consider the application and decides whether to:- <ul style="list-style-type: none"> • grant the application as requested; • grant the application subject to such conditions that are necessary to promote the licensing objectives; • refuse the application in whole or in part where it is necessary in order to promote the licensing objectives.
Corporate priorities	Ensure that services delivered by the Council are delivered to the highest standard
Key Decision	No
Exempt	No
Consultees/ Consultation	A 28-day consultation has been undertaken with all Responsible Authorities, Ward Member, Town Council and advertised in accordance with the Licensing Act 2003.

I. BACKGROUND

1.1. The Licensing Act 2003 allows applicants to apply for new premises licences, premises licence variations, club premises certificates and personal licences. This application is for a new premises licence.

1.2. An application for a new Premises Licence was received on the 2 February 2021, the applicants are;

Mr Daniel Melvin

Mr Jon Reece

Mr Merlyn Stracey Reece

Mr Christopher Whaley

The Licensing Authority are satisfied that the application was duly made, the correct notification process was followed and the application was appropriately advertised. The advert appeared in the Gloucestershire Echo on 11 February 2021 and a site notice advertising the application was placed in the front window of the property for 28 days.

The application seeks a premises licence for the shop premises for the following activities and times:

- Supply by retail of alcohol on and off the premises between the hours of
 - Monday 1000hrs to 1800hrs
 - Tuesday 1000hrs to 1900hrs
 - Wednesday 1000hrs to 1900hrs
 - Thursday 1000hrs to 2100hrs
 - Friday 1000hrs to 2100hrs
 - Saturday 1000hrs to 2100hrs
 - Sunday 1000hrs to 1800hrs
- The hours open to the public will be between the hours of
 - Monday 1000hrs to 1800hrs
 - Tuesday 1000hrs to 1900hrs
 - Wednesday 1000hrs to 1900hrs
 - Thursday 1000hrs to 2100hrs
 - Friday 1000hrs to 2100hrs
 - Saturday 1000hrs to 2100hrs
 - Sunday 1000hrs to 1800hrs
- To include a non- standard timing for the sale of alcohol and opening hours 1000hrs to 2100hrs on Bank Holiday Mondays

A copy of the application is attached at '**Annex A**'

2. SITE DESCRIPTION

2.1. The site is situated in a premises in the centre of Stow on the Wold that was previously an Art Gallery. This closed in February 2020. A copy of the plans and photographs of the premises are attached at '**Annex B**'

3. REPRESENTATIONS

3.1. Responsible Authorities under the Licensing Act 2003

No representations have been received from any Responsible Authorities in relation to this application.

3.2. Other Persons

Residents/Property Owners

Two relevant resident/property owner representations have been received in relation to this application. The key theme of these representations is nuisance/disruption from this type of business.

Copies of both representations are attached in '**Annex C**'

4. NATIONAL GUIDANCE

4.1. The Secretary of State's Guidance requires licensing authorities, following receipt of relevant representations, to make judgements about what constitutes public nuisance and what is necessary, in terms of conditions attached to a specific premises licence, to prevent it.

4.2. Where the Act provides for mandatory conditions to be included in a Premises Licence, it is the duty of the licensing authority issuing the licence to include those conditions of the Licence.

5. PROCEDURES

5.1. A copy of the procedure for the Meeting is attached at '**Annex D**'.

6. BACKGROUND DOCUMENTS

6.1. Cotswold District Council's Statement of Licensing Policy – 2016

(END)

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* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

Off The Square

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Daniel

* Family name

Melvin

* E-mail

Main telephone number

Other telephone number

[Redacted telephone numbers]

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK?

Yes No

Business name

Off The Square

If your business is registered, use its registered name.

VAT number

- NONE

Put "none" if you are not registered for VAT.

Legal status

Partnership

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

25% of Partnership

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

Contact Details

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/>
	dd mm yyyy
* Nationality	<input type="text" value="British"/>

[Documents that demonstrate entitlement to work in the UK](#)

Non Individual Applicant's Name

Name	<input type="text" value="Christopher Whaley"/>
------	---

Details

Registered number (where applicable)	<input type="text"/>
--------------------------------------	----------------------

Description of applicant (for example partnership, company, unincorporated association etc)

25% of Partnership

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

Contact Details

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/>

* Nationality	<input type="text" value="British"/>
<input type="button" value="Remove this applicant"/>	

[Documents that demonstrate entitlement to work in the UK](#)

Non Individual Applicant's Name

Name	<input type="text" value="Merlyn Stracey Reece"/>
------	---

Details

Registered number (where applicable)	<input type="text"/>
--------------------------------------	----------------------

Description of applicant (for example partnership, company, unincorporated association etc)

<input type="text" value="25% of Partnership"/>

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

Contact Details

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/>

dd mm yyyy

* Nationality	<input type="text" value="British"/>
	<input type="button" value="Remove this applicant"/>

[Documents that demonstrate entitlement to work in the UK](#)

Non Individual Applicant's Name

Name	<input type="text" value="Jon Reece"/>
------	--

Details

Registered number (where applicable)	<input type="text"/>
--------------------------------------	----------------------

Description of applicant (for example partnership, company, unincorporated association etc)

<input type="text" value="25% of Partnership"/>

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

Contact Details

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/>

dd mm yyyy

* Nationality	<input type="text" value="British"/>
<input type="button" value="Remove this applicant"/>	

[Documents that demonstrate entitlement to work in the UK](#)

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OPERATING SCHEDULE

When do you want the premises licence to start?	<input type="text" value="23"/>	/	<input type="text" value="04"/>	/	<input type="text" value="2021"/>
	dd		mm		yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end	<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
	dd		mm		yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

The premises can be found on Digbeth Street in Stow on the Wold and is ideally situated just off from the main market square. The premises is all on one level and is accessed by a single door at the front of the property from the pavement. The main objective of the premises is to provide a retail space where customers can come in and purchase a selection of locally sourced artisan products, including some alcoholic beverages such as bottled beer, wine and a selection of spirits. Customers will be able to purchase these to take and consume at home or purchase as gifts/souvenirs from their stay in the

Continued from previous page...

Cotswolds. Ancillary to the retail space, we will also provide a couple of tables where customers will be able to sit and sample some of the beers which we have on draught from kegs or our spirit selection before deciding which to purchase.

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing performances of dance?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

When a Bank Holiday falls on a Monday, the opening times would then be extended until 21:00 to reflect the weekend opening hours.

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

Name

First name

Family name

Date of birth

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="15/01613/LAPER"/>
Issuing licensing authority (if known)	<input type="text" value="Crawley Borough Council"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="19:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="19:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="21:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="21:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="21:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="18:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

When a Bank Holiday falls on a Monday, the opening times would then be extended until 21:00 to reflect the weekend opening hours.

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

A "Designated Premises Supervisor" has been assigned and is a valid personal license holder. They will ultimately take overall responsibility for the sale of alcohol on the premises and ensuring that all staff are aware of current procedures for the safe sale of alcohol.

All members of staff are aware of the Challenge25 initiative and will actively use this to check the IDs of anyone we believe to be under the legal drinking age of 18.

The premises is monitored by 24 hour CCTV which can be made available to the police on request and any suspicious behavior will be reported to the relevant authorities immediately.

b) The prevention of crime and disorder

The premises will be monitored by at least one CCTV camera and signs will be displayed to make customers aware that it is in operation.

There is a zero tolerance policy for drugs on the premises. The police will be notified if we suspect that there are drugs and the premises and a record will be kept.

All drinks will be served in toughened glass and glass bottles will be removed from the customer as soon as it is empty.

Empty glass bottles will be kept in a bin away from the customers view.

Where possible we will try to source products which are found in plastic packaging.

Food will be available to purchase at any time when alcohol is being served.

A maximum capacity for the premises will be calculated so as to avoid overcrowding.

The Designated Premises Supervisor will take overall responsibility of the safe sale of alcohol on the premises.

c) Public safety

A full and comprehensive fire safety risk assessment will be carried out before we open and will be kept updated with any changes. The exit and escape route will be clearly placarded. All fire fighting equipment will be checked regularly to ensure it is serviceable and if any fault is identified this will be reported and rectified immediately. The electric supply to the property will be checked by a certified electrician at the legally recommended intervals and the electrical safety certificate will be kept on file.

At least one member of staff on site will be first aid qualified and a first aid kit will be kept on site in a clearly marked space.

The premises will operate a complete non-smoking policy and non-smoking signs will be displayed.

A local taxi number will be made available to customers on request.

d) The prevention of public nuisance

The latest the premises will remain open is 21:00 to avoid any noise complaints by residents living near by.

Background music will be kept at a volume such that it is not possible to hear from outside.

All doors and windows will be kept closed as much as possible to avoid the overspill of noise onto the street.

Disposal of empty glass bottles into waste receptacles will not take place outside of our opening hours.

Customers will be asked to leave quietly and be considerate to local residents.

Bins will be provided for customers to use and staff will check regularly on the street outside to ensure that there is no rubbish left on the floor, especially that which contains our branding.

e) The protection of children from harm

We will ensure that customers under the age of 18 are appropriately supervised by a parent/guardian whilst on site.

The Challenge25 initiative will be used to check the IDs of everyone who we think may be under the legal drinking age at the time of purchase.

We will ensure that our choice of background music is age appropriate and does not contain swear words or references to illegal activities, for example drug taking or theft.

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time.

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/cotswold/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

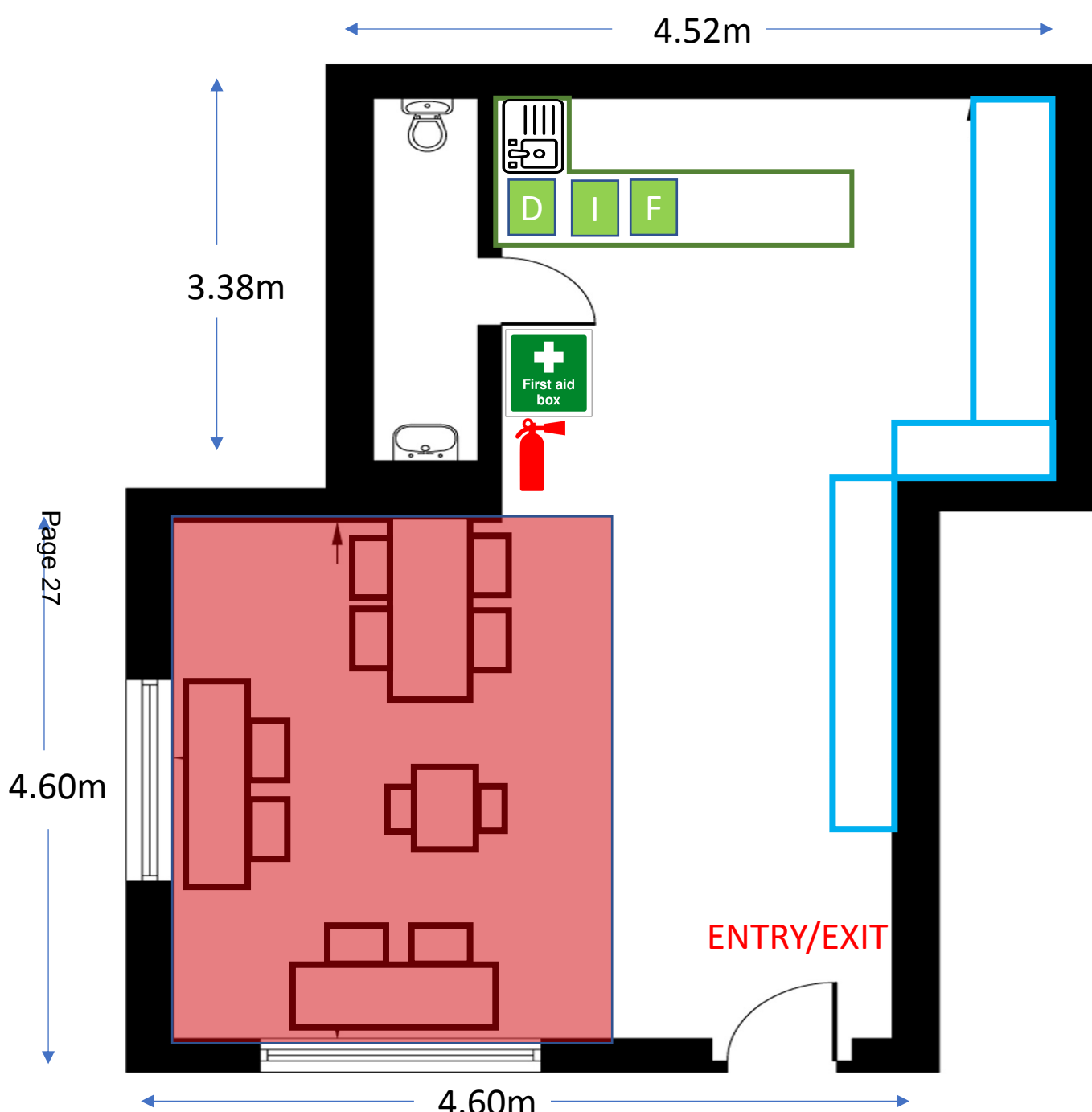
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY









Applicant reference number	<input type="text" value="Off The Square"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

Off The Square
Shop 2 Mascot House
Digbeth Street
Stow on the Wold
GL54 1BN



Key:

-  Fire fighting equipment (1 x Water Extinguisher and 1 x CO2 Extinguisher)
-  Sink (as part of the countertop, not a full kitchen)
-  Seating area to be used for the consumption of alcohol on premises
-  Wall mounted shelving
-  Serving counter
-  Dishwasher (beneath counter)
-  Under Counter Fridge
-  Ice Machine (beneath counter)

ENTRY/EXIT

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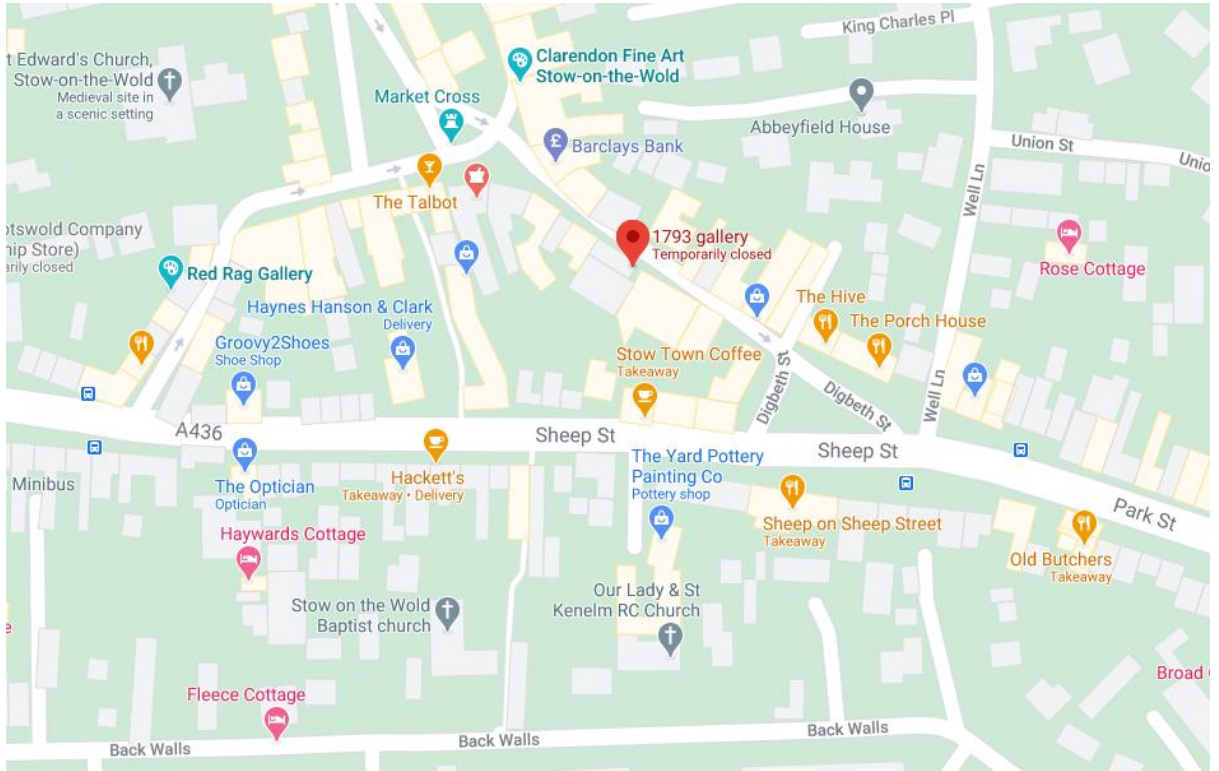








Location of Premise (Shown at 1793 Gallery)



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Objection 1

Further to your notice of application for on/off sales of alcohol at the above premises
Please note my interest is as the owner of Flats 1 and 2 Mascot House Digbeth Street Stow
GL54 1BN

I write to OBJECT to the granting of either on or off sales of alcohol at the above premises
The 2 flats as noted are directly above this shop and the additional noise and potential
unruly behavior is likely to cause my Tenants severe inconvenience with regards noise and
potential anti social behavior. The Pavement directly outside this shop is so narrow people
have to walk single file. Anyone stagget=ring out of these premises could cause a fatality
should they knock a pedestrian into the road at an oncoming vehicle.

One of the Tenants is a single young Female and the entrance to the flats is to the side of
this shop where people are very likely to congregate and potentially put her at risk of bad
behavior at best, physical harm at worst.

The value of my investment will likely drop for future lettings/value to sell

There are over 12 licensed premises both Pub and Tea rooms in Stow with at least 2 on
sales at the Deli and the CO-OP and for the size of the town i believe this is ample, plus the
large Tesco on the periphery of the Town

If you need more proof of ownership etc please let me know

Regards

Carl Deering

Objection 2

I am writing in regards to the planning application for Shop 2, Mascot House, Digbeth Street,
GL54 1BN. My address is Flat 1 Mascot house. So as you can imagine I am directly above
the aforementioned shop. This when I moved in was an art gallery and as far as I am aware
has always been a shop or something of that nature. I am writing to say in all honesty I
would not have even considered moving into a place which above what the future owners
are proposing is a bar. A bar is significantly different in all manner of reasons to an art
gallery.

The fact that such a move to change the purpose of this shop to a licensed bar is
quite frankly staggering. An art gallery is generally a quiet place with relatively few
visitors during normal working hours. A bar is the complete antithesis to this being loud
open and in the evening drawing large amounts of people who by nature will be drinking
therefore will be to say the least bring a different level of noise than your average art
gallery visitor. Presumably if it's a bar it will be playing music. I would like to draw your
attention to the fact whilst being in my sitting room when the gallery was open I could hear
the owner talking at a normal level on the telephone. I could also hear if he was having a
perfectly normal conversation with someone in person. So as you can imagine having music
playing at any time of the day coupled with noise of people talking will extremely quickly
become very tiresome indeed and will actually render my sitting room and kitchen
useless to sit in,use and relax in. Along with the adjacent bedroom which my housemate
occupies. And I think it's fair to say when people are in such establishments their voices
become elevated and this only intensifies as people try and talk louder to be heard because
of the increasing levels of noise caused by other people. People on the whole also tend to

raise their voices the more they drink. I do appreciate that this proposed place doesn't just sell alcohol but this will presumably be the thing mainly consumed in the evening. Which will be the time residents are obviously more likely to be at home. I don't see why I have finished a day at work. I should be subjected to this amount of impending noise. It's my right as a citizen to live a peaceful existence. They may argue it closes at 9pm but when do the staff leave or the last customer I guarantee you it will not be 9. So on certain days after work I'm looking at having to put up with at least 3-4 hours of disturbance by which time it will basically be time to go to sleep. And this not even including weekends, which will be all day. If this bar was here first that would be acceptable because I would go into this knowingly. I shouldn't have to move at great expense to get relative peace. The bar should have to move and find another site which won't disturb people.

I would also like to highlight what is going to happen about the outside of the property. Because of the nature of the street where my front door is, there is extra pavement which is clearly where people will congregate and smoke which like the front door is directly below one of our windows. I also don't really want to have to fight through people to get to my front door or have people drinking or smoking directly below my window. In summer this would clearly be intolerable. The apartment is warm to say the least and all the windows need to be opened fully on summer evenings. So just re-emphasize this bar would bring noise and people hanging around outside my property would also in all probability bring smoke. I can't really think of anything that would disturb me or my fellow residents any more than this proposition.

On a more general note there are plenty of places in Stow on the Wold where you can get an alcoholic drink from. There are at least 8 pubs that I know of and a wine bar. So why is this here on a street which is just residential or shops. I appreciate Stow needs more places than the average to cater for tourists. And yes they bring in valuable money however sometimes the right of the resident must come first and I as resident over the course of my life will spend a lot more of more money on local places than a tourist would. If the council approves more and more things like this Stow will just become a museum with loads of gift shops and holiday homes because no one will actually want to live here. It's not the tourists that give Stow its vibe, it's the residents.

I am more than happy to show anyone from the council my property, so I can demonstrate the shortcomings of this proposition.

Edward Stevens

LICENSING SUB-COMMITTEE (LICENSING ACT 2003 MATTERS)
PROCEDURE FOR DETERMINING APPLICATIONS

The four licensing objectives, as given by the Licensing Act 2003, are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance
- the protection of children from harm.

Each application that comes before the Sub-Committee will be determined on its own merits, and the licensing authority will take its decision based on:

- the merits of the application;
- the promotion of the four licensing objectives;
- the Council's Statement of Licensing Policy, a copy of which can be obtained from the Licensing Section at Cotswold District Council, Trinity Road, Cirencester, Glos., GL7 1PX (Tel. 01285 623000; Website: www.cotswold.gov.uk);
- the amended guidance issued by the Home Office in April 2017 under Section 182 of the Licensing Act 2003.

1. Following election, the Chair opens the Meeting, introducing the Members of the Sub-Committee and Officers to the Applicant(s) and members of the public, explains the nature of the decision to be taken, and the procedure to be followed.
2. The Licensing Officer outlines the application, any relevant representations and relevance to the Council's Statement of Licensing Policy and statutory guidance.
3. Members may ask any relevant questions of the Licensing Officer.
4. The Licensing Officer introduces the Applicant(s) (if present) and the Chair invites him/her/them, or the person representing the Applicant, to present his/her application to the Sub-Committee and to clarify any information arising from the Officer's outline, if necessary.
5. Members may ask relevant questions of the Applicant(s) regarding the application.
6. The Chair invites those parties, including any interested parties and/or responsible authorities, making representations to address the Sub-Committee in turn.
7. Members may ask any relevant questions of those parties making representations.
8. The Applicant(s) may ask any relevant questions of those parties making representations.
9. If necessary, the Sub-Committee will consider requests to allow other parties invited by the Applicant(s) to address the Committee.
10. Members may ask any relevant questions of any person invited by the Applicant(s) who addresses the Sub-Committee.
11. Any parties who have made representations may ask any relevant questions of any person invited by the Applicant(s) who addresses the Sub-Committee.
12. The Chair invites the Applicant(s) and any parties making representations, to briefly summarise their points if they wish.
13. The Chair ascertains that all parties are satisfied they have said all they wish to say.
14. The Sub-Committee debates the application and makes its decision; it may retire to do so, if appropriate.
15. Where a decision is made at the Meeting, the Chair notifies the Applicant(s):-
 - of the decision;
 - the reasons for the decision;
 - any Conditions placed on the licence (if granted), and the licensing objectives they relate to;
 - the rights of appeal, and that the decision will be confirmed in writing as soon as practicable following the Meeting, and within the statutory timescales.

NOTES

- (a) All references to the Sub-Committee relate to any three Member Sub-Committees of the Planning and Licensing Committee. However, a Sub-Committee could decide not to exercise its delegated authority and refer an application to the Planning and Licensing Committee for determination, or to the Council (as the Licensing Authority). In such cases, references to 'the Sub-Committee' shall relate to the Committee or the Council, as appropriate.
- (b) All references to the Licensing Officer refer to the Public Protection Manager or other appropriate Licensing Officers.
- (c) All references to the Applicant(s) refer to the Applicant(s), the licensee or his/her representative.
- (d) Hearings will take the form of a discussion led by the Sub-Committee throughout which Members, the Applicant(s) and, if appropriate, Officers and other parties, may ask questions.
- (e) Parties who have made representations will be invited to address the Sub-Committee in the following order, where applicable:-
- Gloucestershire Constabulary;
 - Gloucestershire Fire & Rescue Service;
 - the Health & Safety Executive;
 - Trading Standards Officer;
 - Child Protection Team
 - Officers of the Council in capacity as Responsible Authorities (health and safety, planning and pollution);
 - Health Body;
 - Interested Parties;
 - Ward Member(s).
- (f) Each party is allowed a maximum period of 15 minutes to make all of their relevant statements unless the Chair expressly approves otherwise, but the Sub-Committee respectfully requests that all parties keep points pertinent and the discussion moving, in the interests of cost and efficiency.
- (g) In order to avoid repetition, parties are requested to appoint a spokesperson to address the Sub-Committee where a number of the same, or similar representations, are being made.
- (h) Decisions will generally be taken regardless of whether the Applicant(s) is present. All notices and representations received from absent parties will be considered.
- (i) Where the decision is not made at the Meeting, it will be made within five working days of the date of that Meeting.
- (j) Information which has not been produced prior to a Meeting will not be considered unless with the agreement of the Sub-Committee and all relevant parties present.
- (k) Any changes in the membership of the Sub-Committee will be announced by the Chair at the start of the Meeting.
- (l) The Council is committed to taking decisions in an honest, accountable and transparent fashion but, on occasion, may find it necessary to exclude members of the public and Press in accordance with the legal framework given in Schedule 12A of the Local Government Act 1972 and/or local policy. On those occasions, decisions based on the above framework will be given. Similarly, the Council generally will allow all parties to ask questions of another party present, but this decision will be taken on a case-by-case basis. Cross examination of parties is prohibited except in exceptional circumstances, when a reason will be given.
- (m) The Council has the right to exclude parties disrupting this Meeting, at its discretion.

HOUSEKEEPING MATTERS

- Mobiles phones must be switched off or set to silent;
- No smoking throughout the building or anywhere on the site;
- In the event of the fire alarm sounding, Officers will direct you to the meeting point