

Public Document Pack



COTSWOLD
DISTRICT COUNCIL

Wednesday, 18 August 2021

Tel: 01285 623210 or 623236
e-mail - democratic@cotswold.gov.uk

LICENSING SUB-COMMITTEE (LICENSING ACT 2003 MATTERS)

A meeting of the Licensing Sub-Committee (Licensing Act 2003 Matters) will be held remotely via Webex on **Thursday, 26 August 2021 at 10.00 am.**

Rob Weaver
Chief Executive

To: Members of the Licensing Sub-Committee (Licensing Act 2003 Matters)
(Councillors Stephen Hirst, Julia Judd and Clive Webster)

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 - Sheaf House Farm Limited, Blockley (Pages 3 - 40)

To determine a new Premises Licence Application made by Sheaf House Farm Limited for a location in Blockley, Gloucestershire.

That the Licensing Sub-Committee is asked, in light of the representations received, to consider the application and determine 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.

Michelle Bignell, Service Leader, Tel: 01285 623000

(END)

Agenda Item 4

 COTSWOLD DISTRICT COUNCIL	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	LICENSING SUB-COMMITTEE – 26 AUGUST 2021
Report Number	AGENDA ITEM 4
Subject	APPLICATION FOR A NEW PREMISES LICENCE
Wards affected	Blockley
Accountable member	Planning and Licensing Committee
Accountable officer	Michelle Bignell, Service Leader Tel: 01285 623000 Email: michelle.bignell@publicagroup.uk
Summary	To determine a new Premises Licence Application made by Sheaf House Farm Limited
Annexes	Annex A – Copy of application Annex B – Plan of the premises Annex C – Copy of objections from residents and Parish Council Annex D – Written submission from the Applicant Annex E – Copy of the Licensing Sub-Committee procedures
Recommendation	That the Licensing Sub-Committee is asked, in light of the representations received, to consider the application and determine 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, Parish Council and advertised in accordance with the Licensing Act 2003.

1. 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 9 July 2021, the Applicant is Sheaf House Farm Limited and they are represented today by Mr Tim Spittle and Mrs Tanya Spittle (Directors).
- 1.3.** 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 Cotswold Journal on 15 July 2021 and a site notice advertising the application was placed in the front of the property for 28 days.
- 1.4.** The application seeks a Premises Licence for the following licensable activities and times:
 - Supply by retail of alcohol on and off the premises
Monday to Sunday 09.00 to 22.00 hours

- 1.5.** A copy of the application is attached at **Annex A**.

2. SITE DESCRIPTION

- 2.1.** A copy of the plans of the site are attached at **Annex B**.

3. REPRESENTATIONS

3.1. Responsible Authorities under the Licensing Act 2003

- 3.2.** There have been no representations made by any of the Responsible Authorities under the Act.

3.3. Local Ward Member and Parish Council

- 3.4.** A representation was received from Blockley Parish Council. A copy of this is contained within **Annex C**.
- 3.5.** The licensing team emailed the Parish Council to ask for further information but no response was received prior to the writing of this report.
- 3.6.** No representation was received from the Ward Member.

3.7. Other Persons

Residents/Property Owners

There have been 3 resident/property owner representations received in relation to this application. Copies of these representations are attached in **Annex C**.

- 3.8.** The Applicant has provided a written response to the representations and this is attached at **Annex D**.

4. PLANNING PERMISSION

- 4.1. The planning permission concerns raised in the objections cannot be taken into account by the Licensing Authority. It is a separate jurisdiction and it is for the operator of the premises to ensure that they comply with all legal requirements.

5. NATIONAL GUIDANCE

- 5.1. 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.
- 5.2. 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.

6. PROCEDURES

- 6.1. A copy of the procedure for the Meeting is attached at **Annex E**.

7. BACKGROUND DOCUMENTS

- 7.1. Cotswold District Council's Statement of Licensing Policy – 2016
7.2. Home Office S.182 Statutory Guidance published April 2018.

This page is intentionally left blank



Cotswold
Application for a premises licence
Licensing Act 2003

For help contact
ers@cotswold.gov.uk
Telephone: 01285 623000

* required information

Section 1 of 21

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

Your reference 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

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

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

Registration number

Business name

VAT number

Legal status

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Applicant's position in the business The country where the applicant's headquarters are.

Registered Address Address registered with Companies House.

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country

Agent Details

* First name
* Family name
* E-mail
Main telephone number
Other telephone number Include country code.

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

Are you:

- An agent that is a business or organisation, including a sole trader
 A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House?

Yes

No

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

Registration number
Business name If your business is registered, use its registered name.
VAT number Put "none" if you are not registered for VAT.
Legal status

Continued from previous page...

Your position in the business	DIRECTOR	
Home country	United Kingdom	The country where the headquarters of your business is located.
Agent Registered Address		Address registered with Companies House.
Building number or name		
Street		
District		
City or town		
County or administrative area		
Postcode		
Country	United Kingdom	

Section 2 of 21

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	SHEAF HOUSE FARM
Street	DRAYCOTT ROAD
District	BLOCKLEY
City or town	MORETON IN MARSH
County or administrative area	
Postcode	GL56 9DY
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	12,000

Section 3 of 21**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

Section 4 of 21**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

TIMOTHY SPITTLE

Details

Registered number (where applicable)

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

Continued from previous page...

COMPANY DIRECTORS ; TIMOTHY & TANYA SPITTLE

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

 United Kingdom

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

 / /
dd mm yyyy

* Nationality

 BRITISH

Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

 06 / 08 / 2021
dd mm yyyy

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

 / /
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.

Sheaf House farm is a long established 300 acre farm. This application is to further expand the offering at the site to sustain its financial future . This will include an Existing Gym , the addition of new buildings to incorporate retail sales of a newly developed Vodka via retail and internet . The provision of alcohol for the Glamping Site . sites for potential small marquee events .

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Continued from previous page...

Section 13 of 21

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

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

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.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

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.

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.

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 /
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name [REDACTED]
Street [REDACTED]
District [REDACTED]
City or town [REDACTED]
County or administrative area [REDACTED]
Postcode [REDACTED]
Country United Kingdom
Personal Licence number (if known) C/21/00549/PERA
Issuing licensing authority (if known) COTSWOLD DISTRICT 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'.

Section 16 of 21

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.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 09:00
Start [REDACTED]

End [REDACTED]
End 22:00

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	09:00	End	[]
Start	[]	End	22:00

WEDNESDAY

Start	09:00	End	[]
Start	[]	End	22:00

THURSDAY

Start	09:00	End	[]
Start	[]	End	22:00

FRIDAY

Start	09:00	End	[]
Start	[]	End	22:00

SATURDAY

Start	09:00	End	[]
Start	[]	End	22:00

SUNDAY

Start	09:00	End	[]
Start	[]	End	22:00

State any seasonal variations

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

--

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.

--

Section 18 of 21

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.

This application is low risk on a remote site with very few neighbours . The long hours and large area reflect the long term plans for the business with Glamping , Internet Sales & on site sales

The hours requested reflect the maximum delivery times , the website would be open to take orders 24/7

b) The prevention of crime and disorder

The site will have full digital CCTV installed . This is record-able and retained for 31 days

All site staff will be trained to replay recordings to visiting officials.

The site is located next to the owners private residence

c) Public safety

No anticipated issues

A full fire risk assessment will be conducted and available for inspection by visiting officials

All events will be personally supervised by the owners & DPS

d) The prevention of public nuisance

All deliveries inward & outward will be within the hours requested , but likely to be no more than 4 daily.

This site is remote and has few neighbours

e) The protection of children from harm

A challenge 25 policy will be adopted .

All staff serving alcohol will be fully trained in their responsibilities , this training will be recorded and refreshed 6 monthly

Delivery will be made by fully trained staff . age recognition will be finalised before products are handed over.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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 or 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 EHIC 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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

1	
---	--

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

BILL MERCER

* Capacity

AGENT

* Date

09 / 07 / 2021
dd mm yyyy

[Add another signatory](#)

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

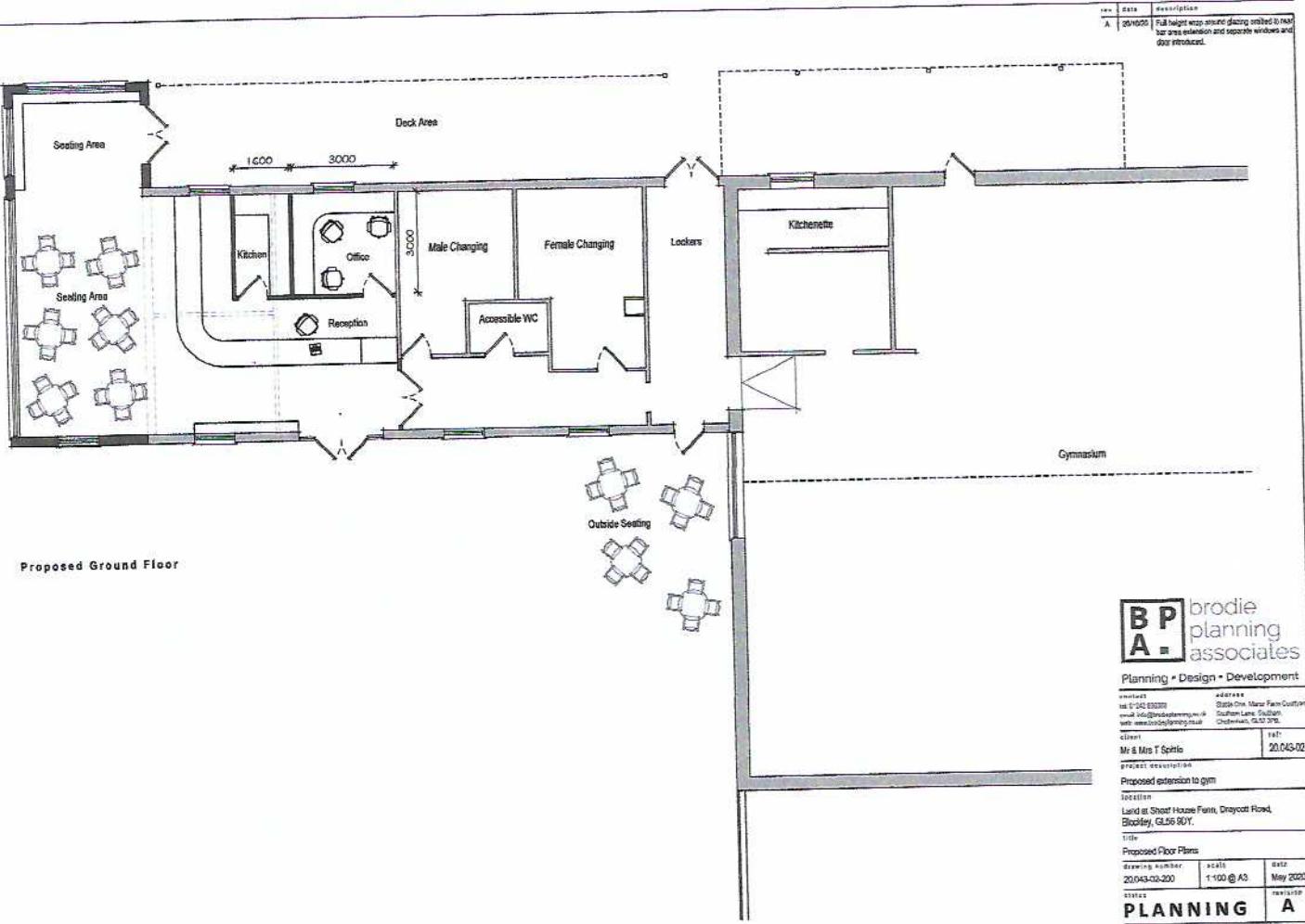
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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	SHEAF HOUSE FARM
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
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 >	

AREA TO LICENSE



SHEAF House Farm.



Objections; Sheafhouse Farm, Blockley

1) Blockley Parish Council

Good morning,

Blockley Parish Council have discussed this application at their meeting on the 15th July and have also received letters of objections from residents.

Blockley Parish Council object to application C/21/00576/PRMA New Premises License Application Sheafhouse Farm Draycott Road Blockley Moreton-In-Marsh Gloucestershire GL56 9DY. The council do so due to the impact and effect on the local community and neighbouring residents. A concern is noise pollution and anti-social behaviour; the council want to support the interests of local residents. The council also wish to support existing licensed venues in the parish and ensure the equanimity of the conservation area.

Please advise if this objection comment needs to be submitted on the portal or whether this email has been received and noted.

Kind regards, Sarah

2) Mr Ensch

Dear Sir / Madam

RE : C/21/00576/PRMA New Premises Licence Application Sheafhouse Farm Draycott Road Blockley Moreton-In-Marsh Gloucestershire GL56 9DY

and Ref. No: C/21/00578/PTEN Applicant Name: Not Available

I wish to object to the above License Applications on the following grounds :

The Licence Application relates to Sheafhouse Farm which currently does not have any A1 planning designation for retail sales nor an A4 designation for a drinking establishment and no applications have been registered with Cotswold District Council planning for such changes of use.

The majority of the Sheafhouse Farm premises are designated as agricultural with an existing change of use consents for six glamping shepherds huts and a separate gym business and ancillary café, under the Freestyle 360 name. The planning consent for the café 20/02984/FUL, stipulates "that premises shall be solely as described in the details submitted with the planning application and shall only operate ancillary to Freestyle360 and shall not be used independently or for any other purpose without express planning permission".

The license application for the Supply by Retail of Alcohol suggests that a location of Sheafhouse Farm will operate as a retail premises with opening hours, (under the activities section), stated as between 0900 and 2200 hrs each day. This would likely involve the storage and sale of alcohol and the additional traffic movement on and off site.

I would also like to point out that the sale of the brand Cotswold Blacklion Vodka has already commenced without an existing license as is evidenced on the following web site which clearly states the Sheafhouse Farm address:
<https://blacklionvodka.co.uk/product/black-lion-vodka-70-cl/>

The License Application lacks any detail such as location of premises, storage facilities, security, access and egress for deliveries and customers and so on. I also note that there is no corresponding Personal License Application identifying a responsible individual to manage this business. I would also question the location of the distillery producing the brand Cotswold Blacklion Vodka, as it is implied on the applicant's website that this is produced in the Cotswolds, leading a reader to think perhaps at Sheafhouse Farm.

Without a specific change of use planning application and the additional detail that would require, the impact and effect on the local community, neighbouring residents and the Cotswold AONB cannot be fully assessed or protected. The previous planning consents in respect to developments and associated businesses at Sheafhouse Farm, such as the gym, Freestyle 360, it's café and the shepherd's huts glamping venture, have all been conditioned in order to protect the area and local residents from noise and disturbance. I would refer you to the following planning consents: 14/00731/OPANOT; 14/07447/FUL; 19/03585/FUL; 20/02984/FUL. In addition, a

recent application for the development of larger glamping “safari tents” was refused and a subsequent appeal also refused on the grounds of negative impact on the AONB and local residents, I would refer you to APP/F1610/W/20/3264455.

The need for any business of this nature to be properly assessed and controlled is clearly evident. However, in this case, I believe it to be even more vital given the applicants have previously appeared to disregard necessary regulatory requirements. I would evidence this view by not only reiterating that Sheafhouse Farm is already advertising and seeking sales of Blacklion Vodka from their premises, without an existing license but also that there is an existing, significant breach of planning which is in the hands of Cotswold District Council enforcement team. This breach relates to the Freestyle 360 gym business where the applicants to this license have extended the gym to include an outside facility without any change of use planning application. I have appended my letter to CDC dated 21st October 2020 which will provide more detail of this breach for your information. You will see that the extension of these facilities also involved a number of outside events which included the sale of alcohol and both live and recorded amplified music with a significant number of attendees. To my knowledge the applicants never applied for a Temporary Events Notice for any of these events and therefore these were totally unregulated. Sheafhouse Farm has also, only recently, dismantled an outside mud run which extended over a large portion of the farm which again never had the necessary planning consent.

These planning breaches and unregulated events have caused significant disruption and disturbance to local residents and have resulted in very many objections to the various planning applications lodged by Mr and Mrs Spittle relating to Sheafhouse Farm and its various business ventures.

I would state for my own part and I believe for the majority of local objectors, that we have no issue with the applicants wishing to start new business ventures and would sincerely wish them success. However we do very strongly feel that any business venture should be properly regulated and in this case by both the Licensing and Planning authorities to ensure that the interests and amenity of local residents and the tranquillity of the Cotswold AONB is protected.

I would therefore ask that these applications are rejected, and the applicants required to submit all necessary applications. These to include any planning change of use and any structural considerations as well as both premises and personal licensing applications, so that a comprehensive review can be taken of their proposals and relevant conditions set to afford their neighbours and the location the consideration they and it deserves.

With kind regards

Paul Ensch – copy of planning breach letter below that was submitted with Mr Ensch's objection

For the attention of the Chief Planning Officer

Dear Sir / Madam,

**Sheafhouse Farm, Draycott Road, Blockley, Moreton-in-Marsh, GL56 9DY
Planning Breach**

I write to report and object to a serious planning breach which I believe requires urgent council action to remedy. The planning breach relates to misuse of agricultural land at Sheafhouse Farm, Blockley.

Gym and entertainment related structures have been erected and activity undertaken on agricultural land without either a change of use having been applied for, or an application made for specific structures to be erected.

Sheafhouse Farm has diversified with the establishment of Freestyle 360 and legitimately operates a gym in accordance with planning consents as references:

14/00731/OPANOT | Prior notification for the change of use of an agricultural building to a fitness studio (use class D2)

14/00744/FUL | Extension to provide treatment rooms, reception and toilets for fitness studio.

Neither of these consents included for a change of use for an outside gym or other external activities on existing agricultural land outside of the red line site demarcation of these two applications. The following marked up ariel photograph shows some of the extent of development outside of that consented by CDC in the above two approvals.

The photograph shows the approximate red line area of the of 14/00731/OPANOT and 14/00744/FUL.

The highlighted yellow area "A" is the building subject of 14/00731/OPANOT change of use of an agricultural building to a fitness studio.

The highlighted yellow area "B" is the Extension to provide treatment rooms, reception and toilets for the fitness studio subject of 14/00744/FUL. The highlighted blue area "C" is an external gym not subject of any application or consent for change of use or development and therefore a breach of planning regulation. The second photograph below shows the development in this area.

The ariel photo highlighted blue area "D" is an external toilet and changing room block, again not subject to any application or consent for change of use or development and therefore a breach of planning regulation. The third photograph below shows this building.

Photo 1 – Ariel photo of Freestyle 360 development.

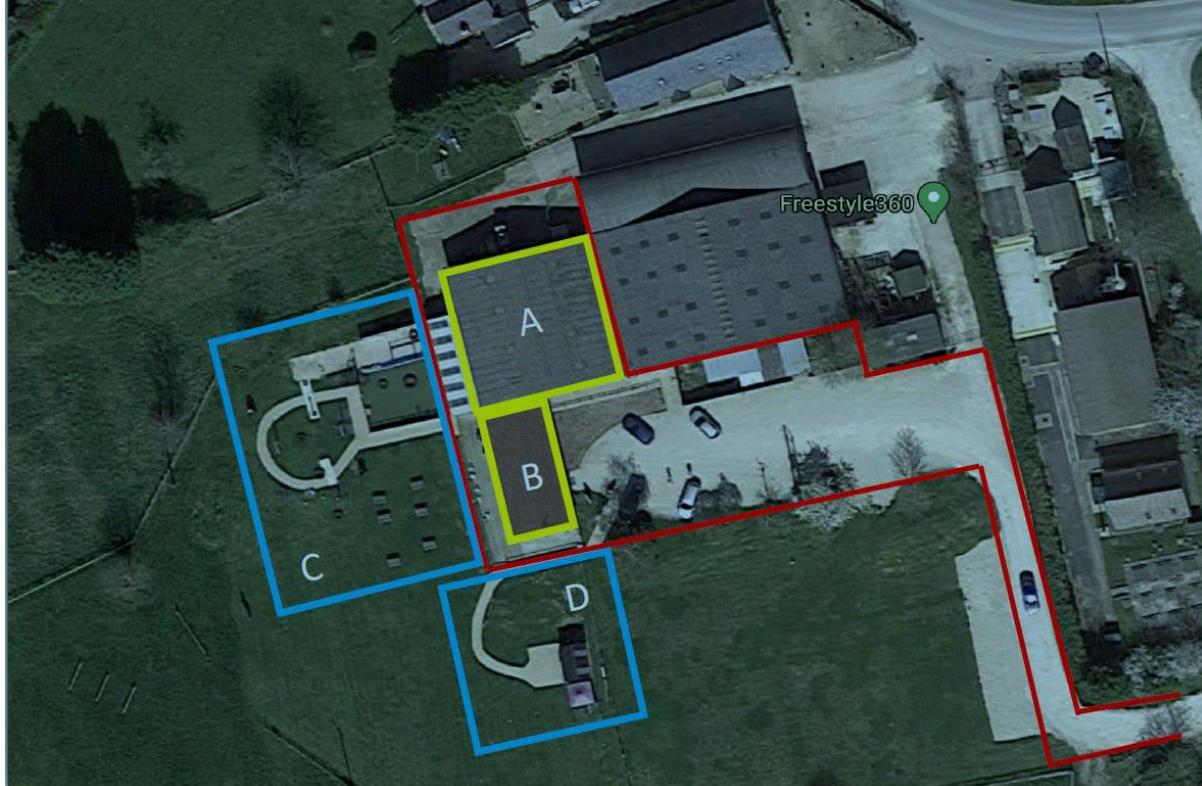


Photo 2 – Freestyle 360 Outside Gym (Area C)



Photo 3 – Freestyle 360 Toilet & Changing Block (Area D)



In addition to these areas, Freestyle 360 conduct other external activities such as outside spin classes and other gym and entertainment events on the wider designated agricultural land without a consented change of use. I also understand, without the relevant licence for amplified music or alcohol sales. The following three photographs are examples.

None of these facilities or events have been subject of planning or licencing applications and are therefore completely unregulated. In addition, the above right photo shows further encroachment on agricultural land with decking and outside catering sales and entertainment.

A recent planning application, 19/03585/FUL (Change of use of agricultural land for the siting of 7no. shepherds' huts), incurred numerous objections most of which related to the noise generated by Freestyle 360. The noise referred to in these objections was wholly related to external activities

outside of the consented development areas, on existing agricultural land which has not been subject to application for change of use.

A more recent application 20/02431/FUL (Change of use of agricultural land for the siting of 4no. safari tents) also incurred numerous objections and again most relating to noise generated by this business. This application was thankfully refused.

Planning application, 19/03585/FUL (Change of use of agricultural land for the siting of 7 "temporary" shepherds' huts) was consented by CDC and conditions imposed to protect the amenity of local residents, particularly in respect to noise abatement and the restriction on amplified music and entertainment.

I cannot accept that unregulated development and activities such as those indicated above, should be allowed to continue where the council have seen fit to impose conditions and restrictions on outside activities elsewhere on Sheafhouse Farm, including the use of agricultural land for temporary siting of shepherd hut accommodation. The scope and nature of the activity and structures subject of this planning breach being far less temporary than the consented huts.

I would suggest and most earnestly request CDC planning authority to remedy the unapproved change of use and development as described above and require Sheafhouse Farm and Freestyle 360 to apply for the proper planning consents. In this way these external activities can be appropriately regulated in line with those conditions imposed for 19/03585/FUL, thereby protecting the amenity of local residents.

I would be grateful if you could consider these issues and let me know of any actions taken.

Yours faithfully
Paul Ensch

3) Mr and Mrs Henderson

Dear Sir/ Madam,

We are writing in connection with the above applications. Unfortunately, the applicant's identity is not provided re C/21/00578/PTEN online although we understand that Tim and Tanya Spittle have now been granted a personal license for the sale of alcohol.

With reference to the Temporary Event Notice C/21/00578/PTEN permission is sought for the sale by retail and supply of alcohol at Sheafhouse Farm on Thursday 29th July between 6pm and 12am. There is no planning consent for this use and, even if there were, the hours are completely unreasonable with residential properties nearby. Not even the pub serves alcohol so late! We object to this application for temporary sale and supply.

We object to these applications for the following reasons:

1. Lack of Information

The applications provide no detailed information to enable a decision to be made (1) with all the facts known about and (2) the consequences of a decision, both at the property and the affect on the local community.

For example, there is no information as to the specific location that the licence is to apply to, what facilities will be provided for customers, storage etc.

We don't know where the vodka is being made but assume you will enquire about this. It should not be permitted at the premises.

2. Planning Use

Sheafhouse Farm, even following the sale of land for residential use (now built out) is predominantly an agricultural business, certainly in acreage terms. In addition to the gym business, various planning consents have recently been granted including shepherd huts and the provision of an ancillary cafe.

We were always concerned about the cafe but were reassured by comments at the time of the application that no alcohol would be sold. Our concerns were mainly around noise, both internally when windows are open, and, more importantly, externally on the decking/patio outside the gym.

Sheafhouse Farm does not have A1 or A4 designation. This should remain the case. The consent for the cafe requires the cafe to be ancillary to the gym, not an independent use and not for any other purpose.

The available promotional material suggests that you can buy this product at the site, which, if the case, is a clear breach.

The application for a licence for the sale of alcohol points to both A1 and A4 use on site for which there is no planning consent. The applicant appears to have agreed with various retailers that the vodka be sold by them so, in the case of Blockley, it would make sense for it to be sold in the village shop, as other local products are, rather than at the farm.

The license application, C/21/00576/PRMA, refers to sales between 0900 and 2200 daily which is a very long time - it looks like you go to the gym and then buy a bottle!

3. Alcohol Consumption

It is not beyond the realms that, if sold at the premises, alcohol consumption will also take place at the premises.

No consumption should be permitted on the premises. The local community already suffers from significant noise emanating from this property. There have been parties, promotional events with loud music, public address etc, some of it coming from non permitted planning uses. We say this because this is our fear if consumption is allowed at the premises, temporarily or permanently. We may be wrong but we don't believe that Temporary Events Notices were obtained in cases where they were required.

This, and additional traffic, delivery vehicles, storage etc.

4. Impact on the local community

If allowed, there will be further adverse impact on the local community particularly by way of noise and traffic. This should be fully assessed but, of course, can't be in the absence of formal planning applications and lack of detail with the application for an alcohol license. Our concerns are particularly around noise, both music and party noise and traffic generation, as well as potential additional external lighting in the winter. The consents that have been granted recently have included noise conditions which help but, of course, are not easily policed or breaches proved.

All of the above points to the need for more information prior to making a decision. In fact, the lack of information is, in my view, just a little suspicious.

It appears to me that there have been, and remain, continuing planning breaches. Cotswold District Council are looking at a major breach currently where the applicant has extended the use of the gym to include an outdoor facility without a change of use application or consent. The previous mud run and assault course, dismantled relatively recently, and the gym's promotional signs on highway land in the local area all had and have no consent as far as I am aware.

This causes me to have little confidence that, even if permission is granted, the terms of such consents will be fully adhered to.

Disregard for seeking the necessary consents, if correct, cannot be ignored in assessing applicant actions.

The applicant tends not to engage with the local community, much of the support for the shepherd huts came from gym customers who do not live in Blockley.

We are not against diversification but are adamant that the proper processes should be followed, full information should be given in support, the pros and cons of any application weighed and then, if granted, such use should be properly regulated by both the planning and licensing authorities. Whilst separate functions, applications for alcohol sale and consumption should be determined with the planning position being taken into account.

We have no objection to another business venture by the applicant but not at any cost. We do not want disturbance; the amenity of local residents should be respected and protected.

In summary, and for the above reasons, we request that the applications are rejected.

Kind regards,

James and Jackie Henderson

4) Mr and Mrs Lewis

Dear Sir / Madam

RE :C/21/00576/PRMA New Premises Licence Application Sheafhouse Farm Draycott Road Blockley
Moreton-In-Marsh Gloucestershire GL56 9DY/ Ref. No: C/21/00578/PTEN Applicant Name: Not Available

I write in support of Paul Ensch's email dated 18th July to object to the above Licence Applications on the following grounds: the Licence Application relates to Sheafhouse Farm which currently does not have any A1 planning designation for retail sales nor an A4 designation for a drinking establishment and no applications have been registered with Cotswold District Council planning for such changes of use.

Sheafhouse Farm is designated as an agricultural business with consent for six shepherds huts and a separate gym business and ancillary café, Freestyle 360 . The planning consent for the café 20/02984/FUL, stipulates "*that premises shall be solely as described in the details submitted with the planning application and shall only operate ancillary to Freestyle360 and shall not be used independently or for any other purpose without express planning permission*".

The licence application for the Supply by Retail of Alcohol suggests that a location of Sheafhouse Farm will operate as a retail premises with opening hours, (under the activities section), stated as between 0900 and 2200 hrs each day. This would likely involve the storage and sale of alcohol. The Licence Application lacks any detail re. premises, storage, security, deliveries and so on. Without a specific change of use planning application and the additional detail that would require, the impact and effect on the local community, neighbouring residents and the Cotswold AONB cannot be fully assessed or protected. The previous planning consents in respect to developments and associated businesses at Sheafhouse Farm, such as the gym, Freestyle 360, café and the shepherds' huts, have all been conditioned in order to protect the area and local residents from noise and disturbance. Please review the following planning consents: 14/00731/OPANOT; 14/0744/FUL; 19/03585/FUL; 20/02984/FUL. In addition, a recent application for the development of "safari tents" was refused and a subsequent appeal also refused on the grounds of negative impact on the AONB and local residents, APP/F1610/W/20/3264455. You will see that there is a deal of planning activity from Sheafhouse Farm, not least the sale in 2016 of 5.5 acres of land outside the development boundary on which now stands 23 houses.

Unfortunately, the applicants have a track record of disregarding necessary regulatory requirements: not only is Sheafhouse Farm already advertising and seeking sales of Blacklion Vodka from their premises (<https://blacklionvodka.co.uk/product/black-lion-vodka-70-cl/>) without an existing licence but also that there is an existing, significant breach of planning which is in the hands of Cotswold District Council enforcement team. This breach relates to the Freestyle 360 gym business where the applicants to this licence have extended the gym to include an outside facility without any change of use planning application. Paul Ensch has already sent you his letter to CDC dated 21st October 2020 on this unresolved issue. You will see that the extension of these facilities also involved a number of outside events which included the sale of alcohol and both live and recorded amplified music with a significant number of attendees. No Temporary Events Notice was raised for any of these events and therefore these were totally unregulated. Sheafhouse Farm has also, only recently, dismantled an outside mud run which again didn't have the necessary planning consent.

These planning breaches and unregulated events have caused significant disruption and disturbance to local residents and have resulted in many objections to the various planning applications lodged by Mr and Mrs Spittle relating to Sheafhouse Farm and its various business ventures. We have no issue with the applicants developing their business, but it needs to be properly regulated to protect local residents and the Cotswold AONB.

Please will you reject these applications, and the applicants required to submit all necessary applications for planning change of use and any structural considerations as well as both premises and personal licensing applications, so that a comprehensive review can be taken of their proposals

and relevant conditions set to afford their neighbours and the location the consideration they and it deserves? Thank you for your consideration.

With kind regards

Katharine and Gareth Lewis

LICENSING ACT 2003

APPLICATION FOR A NEW PREMISES LICENCE: SHEAFHOUSE FARM, DRAYCOTT ROAD, BLOCKLEY

STATEMENT FROM MR & MRS TIM & TANYA SPITTLE

This statement is a true and correct statement of fact relating to our forthcoming application for a Premises License at Sheaf House Farm, Blockley.

We feel it is important to offer some clarification and additional information to support our application as it is essential and necessary for the continuation of our family business and farm. It is also important to correct the slanderous and inaccurate comments presented by the three households in Blockley.

Background:

Over 5 years ago we started thinking how we might continue the sustainability of our farm which has been in our family for over 50 years. We have developed an excellent health and fitness business as a form of diversification (enjoyed by over 300 local members and pay as you go clients), as well as planning permission for glamping on the farm as well as a café. We're an active farm which supports over 600 sheep and in the last 3 years we have been developing Black Lion Vodka; Europe's first Sheep's Milk Vodka....never done before!

We decided to use a by-product from the cheese-making process (whey) and use that in the distilling process to create a premium spirit. This is not only creating a totally unique product from what was a waste product but also incorporating some rare and very unusual breeds of sheep nurtured on our farm.

We work with two Cotswold-based businesses to produce our vodka (a dairy milker and distiller). Evidence of this can be provided on request by the authority. **NB: Production is conducted off-site.** The vodka can be purchased via our website (blacklionvodka.co.uk) or local stockists (listings available on our website) but the fulfilment is managed by a licensed third-party provider. Again, evidence of this can be provided on request. We DO NOT and HAVE NEVER sold our spirit from Sheaf House Farm, other than at our launch event at the end of July 2021 for which we had a TENs license (Temporary Event Notice).

Licenses:

Both Mr & Mrs Spittle have attained their **Personal Alcohol Licenses**. We have also been granted our **AWRS (Alcohol Wholesaler Registration Scheme) license** from HMRC (XKAW 000 0011 6902) which allows us to sell directly to other businesses. As the licensing committee is fully aware, all background checks have been conducted and **no Responsible Authorities have objected to our Premises License application.**

Response to Objections:

The three households responsible for these objections are known to us and have been involved with strong lobbying and objection to everything we try and do to diversify and extend the continuance of our family farm. As you will know from reading all three letters of objection, they are in close contact with each other ('collaborating') to the point we feel it is harassment as many of the points raised are purely speculative and written to cast doubt on our application. We are now seeking legal representation and have instructed our lawyer to take the matters in hand accordingly.

For ease, it makes sense to address each of the main points raised:

1. Planning Permission

We are accused of many things relating to planning and strongly accused of being 'significantly in breach of planning permission for an outside gym'. This IS NOT a matter for Licensing. However, for the record this accusation is not an accurate representation of our correspondence with the Planning Team.

Please note we have been GRANTED planning permission for a café which stipulates a condition not to sell alcohol as currently we are not licensed to. In the event of successfully obtaining our Premises License, we can then discuss that amendment with the Planners.

2. Illegal Sales

We have been accused of selling alcohol from the farm without the appropriate license and quote 'as evidenced on the following website....blacklionvodka.co.uk'. As previously stated, this is totally incorrect and speculative. In layman's terms this may be as it seems, but once the online order is received, our licensed third-party provider conducts any online order fulfilment. We have fully researched and understand our responsibilities and duties as producers of alcohol.

3. TENs (Temporary Event Notice)

Within the three objections raised, we are accused of holding numerous events and gatherings in the past with the sale of alcohol without a TENs license. This is totally UNTRUE and we have never held any event where we have sold alcohol to members of the public without a license. We did recently hold a launch event for Black Lion Vodka at the end of July 2021 for which a TENs license was approved for 6pm til 10pm. Our event ended at 10pm and all alcohol was removed and not at '12am' as Mr Henderson slanderously stated. Evidence of this can be provided by contractors who arrived on site to dismantle the trade stand and lighting.

4. The Licensing Act

There are a number of concerns raised by the three households relating to elements of the Licensing Act, which as BIIAB (British Institute of Innkeeping Awarding Body) Personal License Holders we are responsible to promote at all times. They include:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of public nuisance
- Protection of children from harm

We have an operating schedule of how we will be promoting each of the Licensing objectives and most importantly, CCTV is being installed on the farm. Looking specifically at the concerns raised, please note there have been NO RECORDS of nuisance or anti-social behaviour whatsoever, and even with our most recent launch event attended by up to 300 people from Blockley and surrounding villages, our events run very smoothly.

To conclude, it is important to keep perspective of what we are applying to the Council for and what that is - to be licensed to promote and sell our produce from our farm. We should highlight that both Blockley Café and The Great Western Arms pub in Blockley have both expressed an interest in the product and would like to work with us. In this day and age of promoting diversification and provenance, we would respectfully ask the Council to grant us permission to sell a locally produced and British farm product with the confidence that we will adhere to the Licensing Act and Cotswold District Council at all times.

Yours sincerely

Tim & Tanya Spittle

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 Team
- the amended guidance issued by the Home Office in April 2018 under Section 182 of the Licensing Act 2003.

1. Following election, the Chairman 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 Chairman 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 Chairman 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 Chairman invites the Applicant(s) and any parties making representations, to briefly summarise their points if they wish.

13. The Chairman 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 Chairman 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 Chairman 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 Chairman 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

- Mobile 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
- If it is a virtual meeting, please ensure that you mute whilst not speaking and raise your hand if you wish to speak. The meeting will follow the procedures closely so please ensure that you have read this.

(END)

This page is intentionally left blank