



Friday, 5 November 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 in Committee Rooms 1 & 2, CDC Council Offices, Trinity Road, Cirencester on **Monday, 15 November 2021 at 10.00 am.**

Rob Weaver
Chief Executive

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

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 (Pages 3 - 48)**
Summary
To determine a new Premises Licence Application made by Brio Retirement Living (Holdings) Limited.

Recommendation

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.

Kevin Dunford, Licensing Officer, kevin.dunford@publicagroup.uk

(END)

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	LICENSING SUB-COMMITTEE – 15 NOVEMBER 2021
Report Number	AGENDA ITEM 04
Subject	APPLICATION FOR NEW PREMISES LICENCE
Wards affected	Stow
Accountable Member	Planning and Licensing Committee
Accountable officer	Kevin Dunford, Licensing Officer Email: kevin.dunford@publicagroup.uk
Summary	To determine a new Premises Licence Application made by Brio Retirement Living (Holdings) Limited
Annexes	Annex A – Copy of application Annex B – Plan of the premises and Location Annex C – Copy of representations from residents Annex D – Applicant response to representations Annex E – Hearing Procedures
Recommendation	<i>That the Licensing Sub-Committee is asked, in light of the representations received, to consider the application and determine whether to:-</i> <ul style="list-style-type: none"> <i>grant the application as requested;</i> <i>grant the application subject to such conditions that are necessary to promote the licensing objectives;</i> <i>refuse the application in whole or in part where it is necessary in order to promote the licensing objectives.</i>
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.



1. BACKGROUND

- 1.1.** The Licensing Act 2003 ("the Act") 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.** The application was received on the 21st September 2021. The Applicant is Brio Retirement Living (Holdings) Limited.
- 1.3.** The Licensing Authority is satisfied that the application was duly made, the correct notification process was followed and the application was appropriately advertised. The advertisement appeared in the Stow Journal on Thursday 30 September and a Site Notice advertising the application was placed at the site for 28 days.
- 1.4.** The application seeks a Premises Licence for the following licensable activities and times:
- Supply by retail of alcohol on the premises
 - Monday to Sunday 10:00 to 00:00 hours
 - Live Music
 - Monday to Sunday 23:00 to 00:00 hours
 - Recorded Music
 - Monday to Sunday 23:00 to 00:00 hours
- 1.5.** A copy of the application is attached at **Annex A**.

2. SITE DESCRIPTION

- 2.1.** A copy of the site plan and location are attached at **Annex B**.

3. REPRESENTATIONS

Responsible Authorities under the Licensing Act 2003

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

Other persons

Town Council

- 3.2.** Comments were received from Stow on the Wold Town Council.

Residents/Property Owners

There have been 11 resident (8 properties) representations received in relation to this application.

Copies of these representations are attached in **Annex C**.

- 3.3.** Applicants response to representations are attached at **Annex D**



4. LAND COVENANT

- 4.1. The land covenant concerns raised in the objections cannot be taken into account by the Licensing Authority. This would be the responsibility of the business operator to ensure that they have the correct permissions in place.

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 in the Licence.

6. PROCEDURES

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

7. FINANCIAL IMPLICATIONS

- 7.1. There are no financial implications arising directly from the consideration of this application. However, any appeal to the Magistrates' Court against the refusal of the application or against the imposition of Conditions could result in the Council having to bear the legal costs of defending its decision.

8. LEGAL IMPLICATIONS

- 8.1. There is a right of appeal to the Magistrates' Court within 21 days of the Council's decision should the Council refuse the application or against the Conditions imposed on the Licence.

9. BACKGROUND DOCUMENTS

- 9.1. Cotswold District Council's Statement of Licensing Policy – 2021
- 9.2. Home Office S.182 Statutory Guidance published April 2018.

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* 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

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

VAT number

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

Legal status

Continued from previous page...

Applicant's position in the business

Home country

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

Include country code.

Other telephone number

☐ 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 Home country

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 **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 PremisesBuilding number or name Street District City or town County or administrative area Postcode Country **Further Details**Telephone number Non-domestic rateable value of premises (£)

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

Details

Registered number (where applicable)

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

Continued from previous page...

Company

Address

Building number or name

80

Street

Cheapside

District

City or town

London

County or administrative area

Postcode

EC2V6EE

Country

United Kingdom

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

 / /
dd mm yyyy

* Nationality

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

Section 5 of 21**OPERATING SCHEDULE**

When do you want the premises licence to start?

 19 / 10 / 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.

The proposed licensed premises is Wintergreen Court, which forms part of Brio Beechwood Park.

Brio Beechwood Park is a fully functioning retirement village comprising of 106 two and three-bedroom bungalows and apartments. A plan of Beechwood Park is enclosed (see Plan 1).

Continued from previous page...

The Applicant is part of the Brio Retirement Living Group, which runs a number of retirement villages up and down the country (see www.brioretirement.co.uk).

At full capacity, Beechwood Park is expected to have a maximum of 212 retirees at any one given time, given the number of apartments and the prospect for some of those apartments to be the home to more than one person (e.g. retired married couples).

Beechwood Park is to provide a high level of assisted living accommodation for residents, aged 65 and over. Beechwood Park will be fully monitored and supervised 24 hours a day to ensure the care and safety of residents and guests.

Wintergreen Court is outlined in yellow on Plan 1 attached. Wintergreen Court is home to a number of communal facilities for the residents and guests of Brio Beechwood Park. For example, Wintergreen Court has Lounges, a Spa, a Fitness Studio and Hobby Room. In addition, Wintergreen Court is the home to the 'Slate & Grain' Bar and Brasserie.

The primary purpose of Slate & Grain is to provide a service to its residents of Beechwood Park, together with their families and friends. In particular, Slate & Grain will target the afternoon tea and Sunday lunch markets. Slate & Grain will also be open to the general public. However, it is not anticipated or designed that this will make up a significant proportion of Slate & Grain's business. It is positioned within and is designed to service the needs of the retirement village.

Slate & Grain will require a Premises Licence in order to supply alcohol (by retail) to its customers. It is intended that Slate & Grain will be able to supply alcohol to its general customers from 10:00 to 23:00, seven days a week (although it is proposed that it remains open to residents until 00:00).

Plan 2 attached shows the interior of Wintergreen Court. The Bar area at Slate & Grain, from which alcohol will be sold, is edged in pink.

In addition to consuming alcohol within the Slate & Grain Bar and Brasserie itself, customers will also consume alcohol purchased from the Slate & Grain bar in the Lounge, Hobby Room, Club Lounge, Spa, Roof Garden and an outdoor Grass Area (subject to the weather). These areas will benefit from waiter / waitress service / table service. The Roof Garden (on the second floor of Wintergreen Court) will benefit from a call bell from which residents / customers will be able to ring for table service. However, for the avoidance of doubt, all alcohol will be supplied from the bar area within Slate & Grain.

The areas hatched on the plans attached show (amongst other things) the areas in which alcohol will be consumed as follows:

Plan 2 (Ground Floor of Wintergreen Court):

- Bar and Brasserie (Slate & Grain) and Lounge / Restaurant (hatched in orange)
- Hobby Room (hatched in green)
- Club Lounge (hatched in purple)
- Spa (hatched in yellow)
- Grass Area (directly outside the main entrance) (hatched in red)

A designated storage room, where alcohol is to be kept, is edged and hatched in blue on the Ground Floor (Plan 2). This designated storage room will be kept locked when not in use.

Plan 3 (Second Floor of Wintergreen Court):

- Roof Garden (hatched in blue)

Needless to say, the priority for Brio Beechwood Park is to ensure that its residents are comfortable, safe and free from nuisance. Accordingly, activities shall not take place if there is a reasonable risk that they will cause any disturbance to

Continued from previous page...

residents. The supply of alcohol is ancillary to the premises' primary function, which is to provide high level retirement accommodation.

Further details concerning the Premises are located on its website which is located at www.brioretirement.co.uk/our-communities/beechnwood-park-stow/

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

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 23:00

End 00:00

Start

End

WEDNESDAY

Start 23:00

End 00:00

Start

End

THURSDAY

Start 23:00

End 00:00

Start

End

FRIDAY

Start 23:00

End 00:00

Start

End

SATURDAY

Start 23:00

End 00:00

Start

End

SUNDAY

Start 23:00

End 00:00

Start

End

Will the performance of live music take place indoors or outdoors or both?

☒ Indoors
 ☐ Outdoors
 ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

On occasions, the Premises may provide live music entertainment to residents and guests. On very rare occasions, it may be such that such live music entertainment goes beyond 23:00 but not beyond 00:00.

State any seasonal variations for the performance of live music

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 performance of live music at different times from those listed in the column on the left, list below

Continued from previous page...

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

On New Years Day, live music may be played from 00:00 until 02:00.

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☒ 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

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

Continued from previous page...

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

On occasions, the Premises may play recorded music to residents and guests. On very rare occasions, it may be that such live music entertainment goes on beyond 23:00 but not beyond 00:00.

State any seasonal variations for playing recorded music

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 playing of recorded music 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.

On New Years Day, recorded music may be played from 00:00 until 02:00.

Section 12 of 21**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes ☒ No

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

Continued from previous page...

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

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.

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

Continued from previous page...

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 / /

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

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**

Continued from previous page...

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 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.

TUESDAYStart End Start End **WEDNESDAY**Start End Start End **THURSDAY**Start End Start End **FRIDAY**Start End Start End **SATURDAY**Start End Start End **SUNDAY**Start End Start End

State any seasonal variations

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

Continued from previous page...

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.

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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)

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

It is not considered that the proposed Licensable Activities will compromise the promotion of the licensing objectives.

The Licensable Activities are ancillary to the main purpose of Beechwood Park, which is to provide a high standard of retirement living accommodation. The Applicant will therefore be careful to ensure that the activities undertaken at Wintergreen Court do not compromise the safety and comfort of residents or cause any disturbance. Accordingly, the nature of the premises is such that it is highly unlikely to give rise to crime and disorder, compromise the safety of the public, cause any nuisance or compromise the protection of children.

The Applicant will of course be subject to and comply with the mandatory Licensing Conditions and the various rules and regulations governing health and safety, fire safety, disability and equality.

In addition, in respect of alcohol sales:

- 1) All staff shall be trained before they are allowed to sell any alcohol to the public;
- 2) The training records shall be available for inspection by the police or authorised local authority officers.

b) The prevention of crime and disorder

Beechwood Park (and Wintergreen Court) maintains a comprehensive CCTV system. All entry and exit points to the Licensed Premises will be covered enabling frontal identification of every person entering in any lighting condition. The CCTV system shall continually record whilst the premises is open for licensable activities. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

Any storage rooms where alcohol is stored shall remain locked when not in use.

c) Public safety

A Fire Safety Strategy Report shall be undertaken and adhered to with the input of the local Fire Authority.

Plan 4 attached shows that location of fire doors, fire walls etc on the ground floor of Wintergreen Court.

Continued from previous page...**d) The prevention of public nuisance**

The premises is subject to 24 hour supervision and any complaints concerning noise etc can be reported to the management (on a telephone number that will be made available to residents and the public).

A Noise Management Plan will be prepared and implemented in respect of any Licensable Activity undertaken pursuant to the Premises License and shall be regularly reviewed and updated.

Reasonable steps will be taken to ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to nuisance.

In the event that the Applicant identifies any noise emanating from the area subject to the Premises Licence, which could pose a nuisance to any local residents, it shall be addressed promptly by the duty manager. The importance of managing nuisance shall be communicated to all members of staff.

e) The protection of children from harm

The premises will adopt the Challenge 25 Policy as follows:

- a) Evidence of age in the form of photographic identification (ID) shall be requested from any person appearing to those selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol.
- b) Acceptable identification for the purpose of this condition is that issued by a government agency bearing a holographic mark with a photograph and date of birth, or the Proof of Age Standards Scheme (PASS) approved age cards.
- c) Notices shall be strategically and prominently placed at points of sale advising customers that they may be asked to provide evidence of age.
- d) A refusals book to record every instance that sales of alcohol are refused shall be maintained.
- e) The refusals book shall document the date and time a refusal of sale is made and the member of staff refusing the sale.
- f) The refusal book shall be available for inspection by the police or authorised local authority officers.

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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 (£)

1,905.00

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

[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.

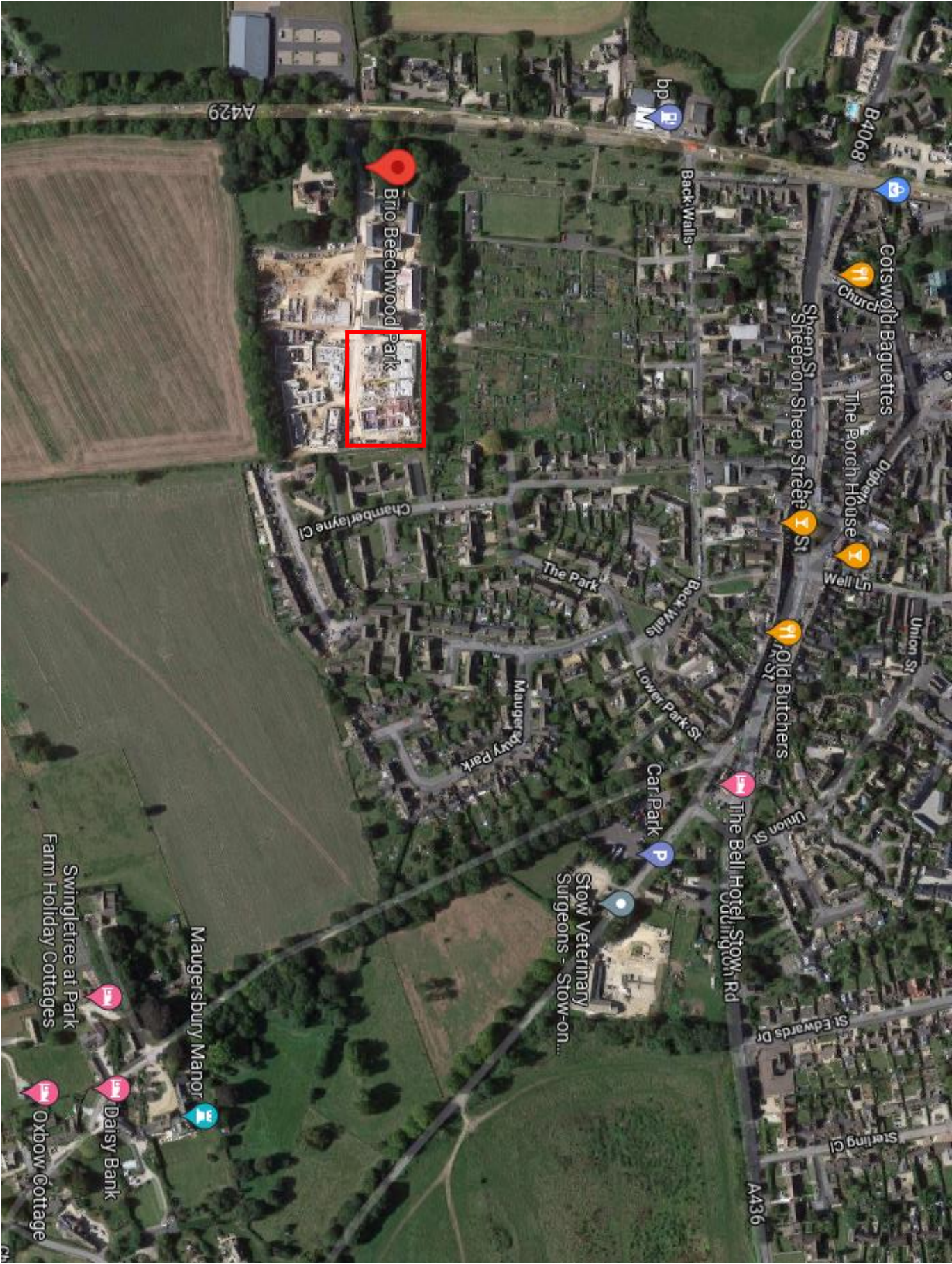
Don't forget to make sure you have all your supporting documentation to hand.

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	ANDM/LIB527-1558221
Fee paid	
Payment provider reference	
ELMSPayment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>





Plan Two



- Bar and Brasserie (Slate & Grain) and Lounge / Restaurant (hatched in orange)
- Hobby Room (hatched in green)
- Club Lounge (hatched in purple)
- Spa (hatched in yellow)
- Grass Area (directly outside the main entrance) (hatched in red)
- Storage area (hatches in blue)

PROJECT TITLE		02 - STOW - 02 GROUND FLOOR PLAN	
PROJECT	STOW-ON-THE-WOLD	DATE	30.04.2020
REVISION	FLOOR PLAN	FOR TENDER	02
REVISION	30.04.2020	DATE	02

PLAN 3



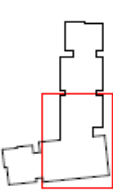
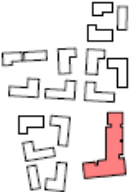
DRAWING TITLE	
02 - STOW - 04 SECOND FLOOR PLAN	
PROJECT	STOW-ON-THE-WOLD
DATE	FLOOR PLAN
FOR TENDER	FOR TENDER
29.04.2020	29.04.2020
02	02

PLAN 4

NOTE: provisional layout for the area, subject to client confirmation



This drawing is a record of the design information provided to the client. It is not to be used for construction purposes. The building has not been constructed and the design is subject to change without notice.



- 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.

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Stow on the Wold Town Council

Council objects because there is a restrictive covenant in place preventing the sale of alcohol (see Land Registry title number GR123061, copy attached); and Council believes the hours are excessive, the proximity of neighbouring properties means noise would be a nuisance, and it should be restricted to residents only.

Mr K Barber

I would like to register my strong opposition to the above application. As you probably know sound travels further at night so this will affect people who live in close proximity the area in question there is also the draw for people who want another drink after closing time to go there to finish off their night. There are also a lot of retired people and mothers with young children who live in and near the area I am sure they don't want their children woken by music in the early hours. If the residents of said retirement village are retired surely they don't want it either

V.A. Davies

As a resident in the vicinity of this building, I object most strongly to them having a licence for round the clock music and drinking. I believe there is a covenant on this Glebe land that should be taken into account. Also there are a lot of eating and drinking establishments in the Town already that are trying to get back on their feet again after lockdown, this will maybe take away their business, wouldn't it be rather nice if the residents in this home were to use the facilities in the town. The light pollution 24/7 is already bad enough without having to suffer more constant noise as well, after almost 3 years of building work noise, this is just adding insult to injury.

Mr and Mrs King

We would
like to OBJECT to Brio
RETIREMENT LIVING (HOLDINGS LTD)
getting a license for
entertainment at Beechwood Park
wintergreen Court Fosseway
Stow-on-the-wold, GL 54 1FP
we are concerned with a lot
of noise and alcohol being
consumed, also private Party's.

Mr and Mrs Rose

Sir or Madam - I received the attachment communication through my door, no idea where it came from or, in fact, if it is a true document. However, my husband and I have signed the letter in support of preventing this ludicrous idea.

It has always been known that the land which has been destroyed by this horrible development is Glebe Land and that no alcohol should be either purchased or consumed on this land. Therefore, why on earth was this development permitted in the first place? Brio have always advertised the Hub where people can socialise and obviously alcohol would be involved. This condition on the Glebe Land is no great surprise, therefore, how on earth was the application even considered from the outset?

There is no way that any kind of music should be allowed on the site. This site adjoins our property which has already been ruined by the development. We once had a beautiful enclosed garden which we could enjoy and relax in. Now it is completely over looked. The Developers visited us earlier in the building and assured us that no trees on the allotment side would be cut as they were all sound - now they have lopped several trees to allow the properties on their land some light - but not a thought has been given to us poor pensioners who should be entitled to live their twilight years in peace. The developers promised to plant some more trees to give us some more privacy - nothing.

We should not cooperate with these Developers at all, they promise one thing and do exactly as they want. Why on earth residents of Stow continue to allow this to happen from people who move into our area and want to change everything.

We are inevitably facing more noise and anti social behaviour from the new properties being built on the old Chamberlain House site so do not need any further noise from Brio Housing.

I would just point out that people in their sixties and seventies are not ancient and do like music - but at a more appropriate venue than in the middle of a quiet residential neighbourhood.

Please do not allow this application to go ahead - it should never have got this far as it is general knowledge about the restrictive clause on the Glebe Land.

Attached document contains:

Hearing at The Youth Centre – Tuesday 12th October. 7.00 pm

COMPAINT AGAINST PROPOSED CHANGE OF USE:

Beechwood Retirement Community.

Land adjacent to Bretton House. Fosseyway. Stow.

Request for a liquor license and live or recorded music from 10.00 pm to midnight. 7 days a week.

Application for review at 7.00 pm on 12th October. We wish to have this read out before the conversation on this subject and some residents will also attend this meeting to ensure our voices are heard.

People live in Stow on the Wold and also visit Stow on the Wold to enjoy the tranquillity of the area. An area officially designated 'An Area of Outstanding Beauty'. Please note this town has 200,000 visitors a year who come to walk and enjoy the serenity.

1. This land was and remains Glebe land. There was a covenant that no alcohol should be purchased or consumed on this land.
2. When the plans were shown to the public, it is a retirement community for those over 55 years of age. The advertisement on the front of property, shows residents in their sixties or seventies. Live music seven days a week is inappropriate.
3. A further request that this is carried out between 10.00 pm and midnight only enhances the validity of this strong opposition to this application.
4. This is a family neighbourhood, and we are working people, many with school age children and we came to Stow to avoid public music till midnight, any day of the week.
5. Drunk people who have consumed alcohol until midnight, often create anti-social behaviour.

The above petition was also signed and submitted by:

Ms R Smith

Mr J Porter

Mr and Mrs Moulder

Ms R Watkins-Pitchford

I write with some concern of the idea of a restaurant + bar and some live entertainment in the new development that has been built in Stow. I think Brio was the firm employed to carrying out the work.

Are you not aware that Stow on the Wold is almost on its knees? Due to high rentals and Covid 19 it seems very unfair to set up an "open to non residents". It is bound to have an effect however big or small.

There seems to be a deep lack of vision among you.

What is your problem?
Greed I think

DAC BEACHCROFT**Andrew Martin - Senior Associate**

We note that some of the representations make reference to a restrictive covenant contained with the official copy of the register of title for the property "Bretton House, Station Road, Stow On The Wold, Cheltenham (GL54 1JU)", with title number GL123061. As we understand it, the suggestion is that the restrictive covenant should prevent alcohol being sold from the Premises which is the subject of the Premises Licence application.

We do not consider that these representations are valid for the purposes of the hearing as they do not touch upon the licensing objectives.

Furthermore, and in any event, the restrictive covenant to which (we presume) the representations refer does not have the effect of preventing the sale of alcohol from the Premises.

As mentioned above, we do not consider that the Licensing Sub-Committee should be troubled by this issue. However, in order to provide clarity on this matter, we enclose an up to date version official copy of register of title and the associated plan. The restrictive covenant to which (we presume) the representations refer is at 1(a) of the Schedule of Restrictive Covenants and arises from a conveyance dated 3 August 1960. As is clear from the Official Copy, this particular conveyance applies only to "the land tinted pink on the filed plan" (which can be seen from the attached title plan). The Premises that is subject to the Premises Licence Application (and specifically the area from which alcohol is to be sold) does not fall within the area tinted pink on the filed plan. Accordingly, the Applicant would not be acting in breach of the restrictive covenant in any event.

Although, we do not consider that this should be an issue that the Licensing Sub-Committee need consider, as it does not impact upon the Licensing Objectives etc, we would suggest that the attached Official Copy and (more importantly) the attached associated plan are included within the papers for the meeting.

These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper

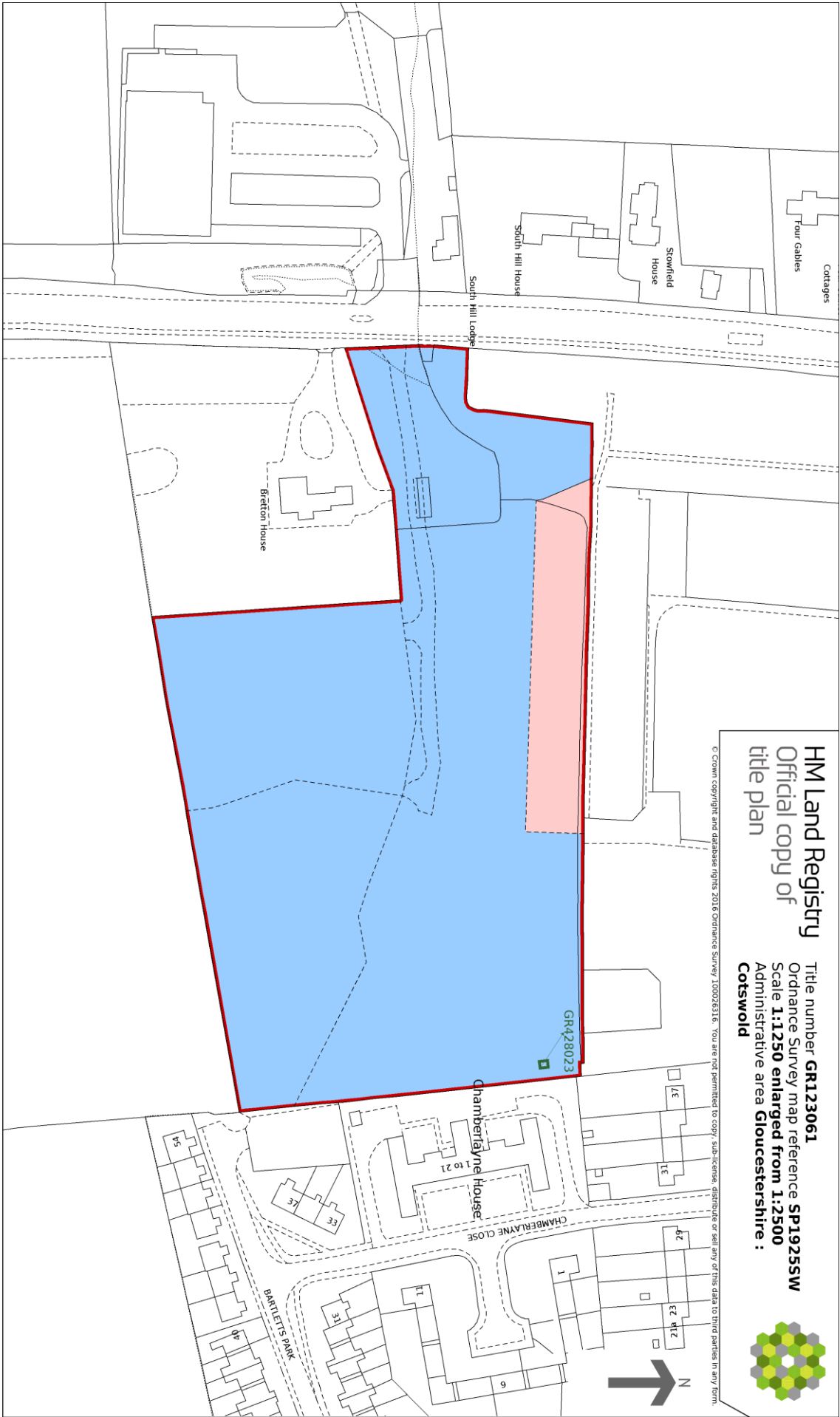
official copy by ordering one from HM Land Registry.

This official copy is issued on 29 October 2020 shows the state of this title plan on 29 October 2020 at 14:51:54. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).

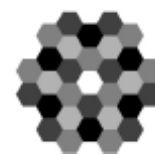
This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions

in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by the HM Land Registry, Gloucester Office .



HM Land Registry



Official copy of register of title

Title number GR123061

Edition date 20.08.2018

- This official copy shows the entries on the register of title on 29 OCT 2020 at 14:51:54.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 29 Oct 2020.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Gloucester Office.

A: Property Register

This register describes the land and estate comprised in the title.

GLOUCESTERSHIRE : COTSWOLD

- 1 (26.09.1989) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Bretton House, Station Road, Stow On The Wold, Cheltenham (GL54 1JU).
- 2 (26.09.1989) The water-pipe shown by a blue line on the plan to the Conveyance dated 4 November 1969 referred to in the Charges Register is excluded from the registration.
- 3 (27.11.1990) The land has the benefit of the following rights reserved by a Transfer of Bretton House dated 30 August 1990 made between (1) Charles Church Chiltern Limited (Transferor) and (2) Barry Allen:-

"There is excepted and reserved to the Transferor the unrestricted right at any time to move the access to the property to a position on the northern boundary thereof subject to the Vendor granting all necessary rights of access to the public highway."
- 4 (20.08.2018) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (16.02.2016) PROPRIETOR: BRIO RETIREMENT LIVING (STOW ON THE WOLD) LIMITED (Co. Regn. No. 07576197) of 80 Cheapside, London EC2V 6EE.
- 2 (30.11.2016) The proprietor's address for service has been changed.
- 3 (02.01.2018) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction is to be registered without a written consent signed

Title number GR123061

B: Proprietorship Register continued

by the proprietor for the time being of the Charge dated 18 December 2017 in favour of Fern Trading Limited referred to in the Charges Register (or their conveyancer).

- 4 (02.01.2018) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 18 December 2017 in favour of Liberty Retirement Living (Holdings) Limited referred to in the Charges Register (or their conveyancer).

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (26.09.1989) A Wayleave Agreement dated 30 September 1935 made between (1) F. M Christian Hare and (2) The Shropshire, Worcestershire and Staffordshire Electric Power Company relates to the erection, Maintenance, repair, renewal, inspection and removal of electric lines.

NOTE: No copy of the Agreement referred to is held by HM Land Registry.

- 2 (26.09.1989) A Conveyance of the land tinted pink on the filed plan dated 3 August 1960 made between (1) The Reverend Hugh Cuthbert Miller Potts (2) The Church Commissioners for England (3) The Gloucester Diocesan Board of Patronage and (4) The Stow-on-the-Wold Parish Council and others contains covenants details of which are set out in the schedule of restrictive covenants hereto.

- 3 (26.09.1989) The land tinted pink on the filed plan is subject to the following rights reserved by the Conveyance dated 3 August 1960 referred to above:-

"EXCEPT AND RESERVED unto the Vendor (i) full and free right and liberty without obtaining the consent of or making any compensation to the Purchasers or other the owner or owners occupier or occupiers for the time being of the said land to deal in any manner whatsoever with any of the land belonging to the Vendor adjoining opposite or near to the said land and to erect and maintain or suffer to be erected or maintained on such adjoining opposite or neighbouring land any buildings whatsoever whether such buildings shall or shall not affect or diminish the light or air which may now or at any time or times hereafter be enjoyed for or in respect of the said land or any building for the time being thereon and (ii) the free flow of water and soil from any adjoining land belonging to the Vendor through any drains and watercourses now existing in the said land or substituted therefore by the Purchasers and subject to all rights of way and water and other easements (if any) affecting the same."

- 4 (26.09.1989) A Wayleave Consent dated 11 November 1960 made between (1) The Rector of Stow on the Wold and (2) The Midlands Electricity Board relates to the placing, maintenance, repair and removal of electric lines.

NOTE: Copy filed.

- 5 (26.09.1989) A Conveyance of the land tinted blue on the filed plan dated 20 October 1966 made between (1) The Reverend Ian Crawford Heron (Incumbent) (2) Church Commissioners for England (Commissioners) and (3) Colin Norman Jones (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

- 6 (26.09.1989) The land tinted pink on the filed plan is subject to the following rights reserved and granted by a Conveyance thereof dated 4 November 1969 made between (1) The Cotswold Water Board (Vendor) (2) The Stow-on-the-Wold Parish Council and others (Confirmors) and (3) Colin Norman Jones:-

"EXCEPT AND RESERVING unto the Vendor in fee simple (i) the main water-pipe (hereinafter called "the said pipe") under the said land for the purpose of identification only is shown by a blue line on the said plan

Title number GR123061

C: Charges Register continued

and (ii) without prejudice to any existing or future powers of the Vendor whether statutory parliamentary or otherwise the right at all times on giving reasonable notice (save in an emergency) to the Purchaser to enter upon the said land for the purpose of inspecting maintaining repairing and renewing the said pipe causing as little damage as possible and making good all damage (including loss or damage to any growing crops) caused thereby

THE Purchaser as beneficial owner HEREBY GRANTS unto the vendor and its successors in title the right in fee simple for the vendor and its successors in title and its and their agents servants and licensees thereunto duly authorised (in common with the Purchaser and all persons having a like right) to pass and repass with or without vehicles over and along the access road which for the purpose of identification only is shown coloured brown cross hatched blue on the said plan or such other access road between the Fosse Way and the property hereby assured as may be agreed between the Vendor and the Purchaser for the purpose of exercising the rights hereinbefore reserved or granted unto the Vendor."

NOTE: No copy of the above Plan is held by Land Registry.

- 7 (28.04.2015) An Agreement dated 17 April 2015 made between (1) Repac Homes Limited (2) ECV Partnerships (Stow) Limited (3) Cotswold District Council and (4) Gloucestershire County Council pursuant to section 106 of the Town and Country Planning Act 1990 contains provisions and covenants relating to the development of the land in this title.
- 8 (16.02.2016) A Transfer of the land in this title dated 20 January 2016 made between (1) Repac Homes Limited and (2) ECV Partnerships (Stow) Limited contains restrictive covenants.

NOTE: Copy filed.

- 9 (02.01.2018) REGISTERED CHARGE dated 18 December 2017.
- 10 (02.01.2018) Proprietor: FERN TRADING LIMITED (Co. Regn. No. 06447318) of 33 Holborn, London EC1N 2HT.
- 11 (02.01.2018) The proprietor of the Charge dated 18 December 2017 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.
- 12 (02.01.2018) REGISTERED CHARGE dated 18 December 2017.
- 13 (02.01.2018) Proprietor: LIBERTY RETIREMENT LIVING (HOLDINGS) LIMITED (Co. Regn. No. 8994969) of 80 Cheapside, London EC2V 6EE.
- 14 (02.01.2018) The proprietor of the Charge dated 18 December 2017 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.
- 15 (20.08.2018) The land is subject to any rights that are granted by a Transfer of the land edged and numbered GR428023 in green on the title plan dated 18 July 2018 made between (1) Brio Retirement Living (Stow on the Wold) Limited and (2) Western Power Distribution (West Midlands) PLC and affect the registered land. The said Deed also contains restrictive covenants by the transferor.

NOTE: Copy filed under GR428023.

Schedule of restrictive covenants

- 1 The following are details of the covenants contained in the Conveyance dated 3 August 1960 referred to in the Charges Register:-

"The Purchasers to the intent that the covenants hereinafter contained shall bind the said land into whosoever hands the same may come and for the benefit and protection of the adjoining and neighbouring land of the vendor or any part or parts thereof hereby for themselves and their successors in title covenant with the Vendor and his successors

Title number GR123061

Schedule of restrictive covenants continued

and also by way of separate covenant with the Commissioners as follows:-

(a) that neither the property hereby conveyed nor any part thereof nor any existing or future building thereon or on any part thereof shall at any time hereafter be used as or for a place of amusement hotel tavern inn or public house nor shall any spirituous or fermented liquors at any time be sold in or upon the same property or any part thereof and that no act deed matter or thing shall at any time be done suffered or permitted in or upon the property hereby conveyed or any part thereof which may be or become a nuisance annoyance or disturbance to the Vendor or his successors of which may tend to depreciate or lessen the value of the adjoining and neighbouring property belonging to the Vendor.

(b) that no act deed matter or thing shall at any time be done suffered or permitted in or upon the property hereby conveyed or any part thereof which may be or become a nuisance annoyance or disturbance to the Minister for the time being conducting or the congregation attending divine service in the Parish Church of Stow-on-the-Wold or the Churchyard surrounding the same

(c) that they the Purchasers shall within twelve months of the date hereof erect to the satisfaction of the Vendor and for ever after maintain to the like satisfaction a suitable wall or fence to be approved by the Vendor on the boundary between the said land and the remainder of the Glebe land belonging to the said Benefice of Stow-on-the-Wold."

- 2 The following are details of the covenants contained in the Conveyance dated 20 October 1966 referred to in the Charges Register:-

"The Purchaser to the intent and so as to bind (so far as practicable) the property hereby conveyed into whosoever hands the same may come and to benefit and protect the land and premises situate in the said Parish of Stow-on-the-Wold and now belonging to the Incumbent and hitherto known as 'Cotswold House' Sheep Street Stow-on-the-Wold aforesaid but intended henceforth to be known as 'The Rectory' and each and every part thereof hereby covenants with the Incumbent and his successors and also by way of separate covenant with the Commissioners that the Purchaser will not at any time hereafter call or designate the messuage or dwellinghouse hereby conveyed or permit the same to be called or designated by any name which might suggest that the said property is owned or occupied by the incumbent for the time being of the said Benefice."

End of register

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

- 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
- 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)

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