

# Public Document Pack



**COTSWOLD**  
DISTRICT COUNCIL

Thursday, 30 June 2022

Tel: 01285 623210 or 623236  
e-mail - [democratic@cotswold.gov.uk](mailto: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 at Council Chamber - Trinity Road on **Wednesday, 13 July 2022 at 2.00 pm.**

Rob Weaver  
Chief Executive

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

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. **Apologies**

2. **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.

3. **Application for new Premises Licence (Pages 3 - 46)**

Purpose

To determine a new Premises Licence Application made by Berrybank Park Events Ltd

Recommendation(s)

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.

(END)



**COTSWOLD**  
DISTRICT COUNCIL

Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>LICENSING SUB-COMMITTEE – 13<sup>th</sup> July 2022</b>
Report Number	<b>AGENDA ITEM 1</b>
Subject	<b>APPLICATION FOR NEW PREMISES LICENCE</b>
Wards affected	Stow
Accountable Member	Planning and Licensing Committee
Accountable officer	Kevin Dunford, Licensing Officer Tel: 01285 623000 Email: kevin.dunford@publicagroup.uk
Summary	To determine a new Premises Licence Application made by Berrybank Park Events Ltd
Annexes	<b>Annex A</b> – Copy of application <b>Annex B</b> – Plan of the premises and Location <b>Annex C</b> – Copy of representation <b>Annex D</b> – Hearing 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"> <li>• grant the application as requested;</li> <li>• grant the application subject to such conditions that are necessary to promote the licensing objectives;</li> <li>• refuse the application in whole or in part where it is necessary in order to promote the licensing objectives.</li> </ul>
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 6<sup>th</sup> May 2022. The Applicant is Berrybank Park Events Ltd.
- 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 12<sup>th</sup> May 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 22:30 hours
  - Films
    - Monday to Sunday 10:00 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 site plan and location are attached at **Annex B**.

## **3. AGREED CONDITIONS**

- 3.1.** If the licence is granted the following conditions have already been agreed by the applicant.
  - SIA approved security staff onsite for every event.
  - Maximum Capacity of premises is not to exceed 500.
  - All events are pre-booked.
  - The entrance gate will be closed or have security staff next to the entrance once ticket holders and guests are onsite.
  - Age guidance displayed on all events.
  - Operate a Challenge 25 verification scheme



#### **4. REPRESENTATIONS**

##### **Responsible Authorities under the Licensing Act 2003**

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

##### **Other persons**

##### **Parish Council**

- 4.2. Comments were received from Oddington Parish Council. These were not relevant to the licensing objectives and therefore rejected.

##### **Residents/Property Owners**

There have been 3 resident (2 properties) representations received in relation to this application. One representation has been deemed as invalid and therefore rejected; the remaining representations can be found in **Annex C**.

- 4.3. The concerns raised in the objections are as follows:

- Traffic , including road safety
- Parking
- Planning permissions
- Noise emanating from functions
- Crime and Disorder, Public Nuisance
- Area of Outstanding Natural Beauty and disturbance to local wildlife/livestock
- Site Capacity.

The Licensing Authority is unable to accept these concerns due to the following reasons.

##### Traffic, Parking, Countryside and Wildlife

These concerns cannot be taken into consideration under the Licensing Act 2003 and would be dealt with under Planning Law. Planning and Licensing are two separate jurisdictions and it is up to the business operator to ensure that they adhere to both and have necessary requirements in place. The Operator is in contact with the Planning Department at Cotswold District Council and continue discussions.

### Noise

As there are no music activities on this application we are unable to take these concerns into consideration. If residents experience nuisance from the live/recorded music and film provided at the site then these should be logged and reported to the Council's Operations team so that they can investigate this further. Residents can apply for a review of the Premises Licence if a regular nuisance occurs.

The Council's Pollution specialist did not raise any concerns with this application.

### Crime and Disorder, Public Nuisance concerns

The Police Licensing Officer has not made any comments in relation to the application.

### Site Capacity

The applicant has agreed to a licence condition limiting the capacity to 500. Operators often sell tickets to events prior to a Premises Licence being granted. If the application is refused it would be up to the Operator to reimburse any monies taken.

## **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 D**.

**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**

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.

This page is intentionally left blank



**Cotswold**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[ers@cotswold.gov.uk](mailto: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

Not Currently In Use

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

Your reference

Amphitheatre and Pavilion Berrybank Park

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

Jonathan

\* Family name

Dudfield

\* 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:

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

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

### Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

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

Registration number

13384099

Business name

Berrybank Park Events Ltd

If your business is registered, use its registered name.

VAT number

-

382819563

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

Legal status

Private Limited Company

**Continued from previous page...**

Your position in the business

Home country

The country where the headquarters of your business is located.

**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 Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## 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

Jonathan Dudfield

#### Details

Registered number (where applicable)

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

**Continued from previous page...**

Owner/Director

**Address**

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

**Contact Details**

E-mail   
Telephone number   
Other telephone number   
\* Date of birth

\* Nationality

[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?  /  /   
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.

Amphitheatre venue with summer outdoor theatre events programme, with temporary structure (Pavilion tent), serving as front of house and wedding venue with catering and bar.  
Amphitheatre is grassed , off-road parking provided, along with temporary toilets.



**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

#### Standard Days And Timings

##### MONDAY

Start

End

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

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...*

SUNDAY

Start End Start End 

Will the exhibition of films 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.

State any seasonal variations for the exhibition of film

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 exhibition of film 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 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?

Continued from previous page...

#### 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?

☐ 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

###### MONDAY

Start

End

Start

End

###### TUESDAY

Start

End

Start

End

###### WEDNESDAY

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...**

**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.

Alcohol will only be served with programmed events and private weddings/parties and if offering pop-up restaurant on the premises.

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

**Continued from previous page...**

Date of birth

dd mm yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Personal Licence number  
(if known)

026266

Issuing licensing authority  
(if known)

Stratford Upon Avon 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.

3 x Comedy 14-16 July (age guidance 16+)  
Cabaret Fantastique 10 September (in Pavilion) 18+

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**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

State any seasonal variations

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

ONLY 14-16 July and 10 September

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.

*Continued from previous page...*

## 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)

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

We will have policies to cover all four licensing objectives, including:

We will have onsite Risk Assessments.

We will have designated 1st Aiders on site.

We will inform the authorities of our event dates.

We will have safety and emergency lighting.

We will have stewards onsite at every event with the correct ratio per audience.

All events are pre-booked .

DBS certificates held by key staff

b) The prevention of crime and disorder

Qualified, licensed security staff onsite for every event in ratio of audience capacity, any additional volunteer staff will have training.

Mr Dudfield lives onsite and is able to monitor the premises at all times.

The entrance gate will be closed or have security staff next to the entrance once ticket holders and guests are onsite.

Cash registers will be behind the staffed bar.

Local authorities will have access to programme of events. allowed onsite

Only visiting company, catering and associated staff, and valid event ticket holders allowed onsite, checked by security and ticket operators.

All alcohol will be monitored and staff will conduct age verification when necessary.

The public will only be onsite with valid event tickets and are expected to leave shortly after the event. We will also implement a 'winding down' period including brightening of house lights after bar and catering closure. Event start and finishing timings are advertised on website and ticket purchase.

c) Public safety

Risk Assessments and insurance required from every visiting company.

Premises will have own RA.

Safety and emergency lighting onsite.

Stewards onsite trained to monitor public safety.

Capacity is set for each event and private booking to ensure audience safety. Maximum 500 for amphitheatre events, however, we will have advance knowledge due to ticket sales and most will be under 300.

Evacuation and fire safety policy will be sought from Gloucestershire Fire and Rescue Service and plans will be onsite. All staff will be trained in implementing this.

The site is predominantly outdoors and level access to all areas. Each of the five amphitheatre tiers are reached via a flat level without steps or trip hazards. Safety lighting will surround the site.

Because we are ticketed, we will know in advance of any disabled customers and will allocate stewards to monitor their safety and be available to supervise and enable evacuation.

Toilets for all customers, including specific disabled and baby changing facilities, will be onsite with sufficient handwashing facilities.

Specific ventilation will be installed in the temporary catering kitchen - we can forward the specification once ordered.

All equipment pat tested and any visiting company required to provide proof of pat testing and certification.

We will follow current gov.uk guidelines regarding Covid-19 safety and will, where necessary, provide a separate Covid-secure RA.

d) The prevention of public nuisance

Regarding noise and vibration escaping from the premises, we are installing amplification equipment under the

***Continued from previous page...***

consultation of professional sound designer, to ensure directional sound into the centre of the amphitheatre and to prevent sound spilling. Equipment is selected specifically for this purpose. In the Pavilion, sound equipment installed will ensure minimal 'leakage' and will be controlled and focused to avoid 'bass' vibration and leakage.

It is to be noted that Mr Dudfield and his family are resident onsite and will be subject to any noise pollution themselves and have a specific interest in ensuring levels are appropriate. Testing of levels by qualified acoustic engineers will be employed. Local residents are involved and informed.

Sufficient parking onsite is provided.

Security lighting (event festoon lighting) will be installed to enable both safe access to vehicles after events and around the amphitheatre and public walkways to the Pavilion and toilets.

e) The protection of children from harm

When alcohol is served (not all events), we will operate a Challenge 25 verification scheme and will request appropriate identification.

Children will not be admitted unaccompanied by an adult, neither will they be allowed to be left - unless in the case of a private booking (eg established drama club led by qualified practitioner) where the facilitator would be fully DBS checked and insured to do so (along with an accompanying child protection policy and RA).

We will have a Child Protection Policy - ensuring all staff and volunteer stewards are familiar with the policy.

Age guidance is displayed on all events.

## **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](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

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

*Continued from previous page...*

**Address**

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

**DECLARATION**

[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	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

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.

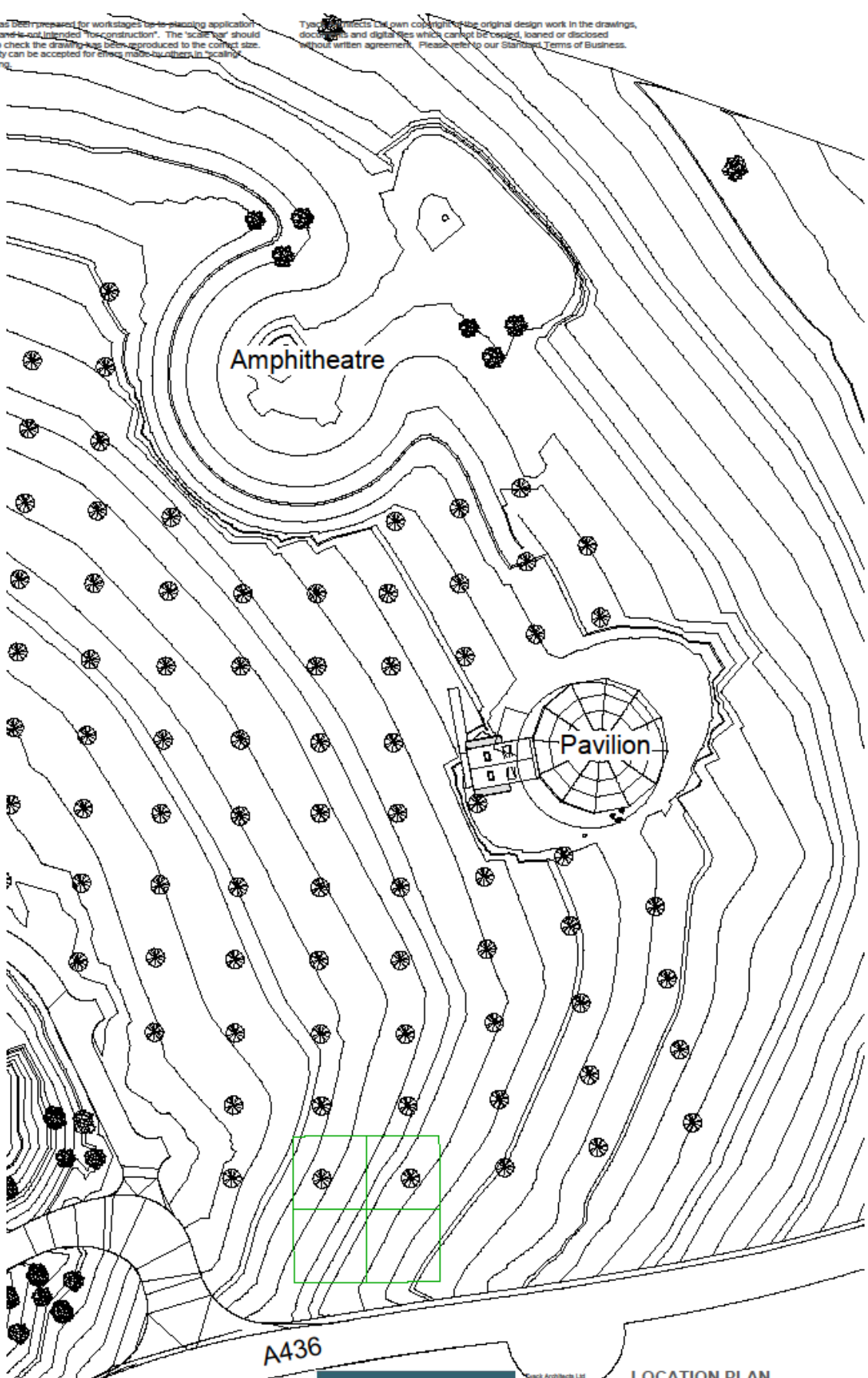
**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**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**

Planning

This drawing has been prepared for work stages to be planning application purposes only and is not intended for construction. The 'scale' should only be used to check the drawing has been reproduced to the correct size. No responsibility can be accepted for errors made by others in scaling from this drawing.

Tyack Architects Ltd own copyright in the original design work in the drawings, documents and digital files which cannot be copied, loaned or disclosed without written agreement. Please refer to our Standard Terms of Business.



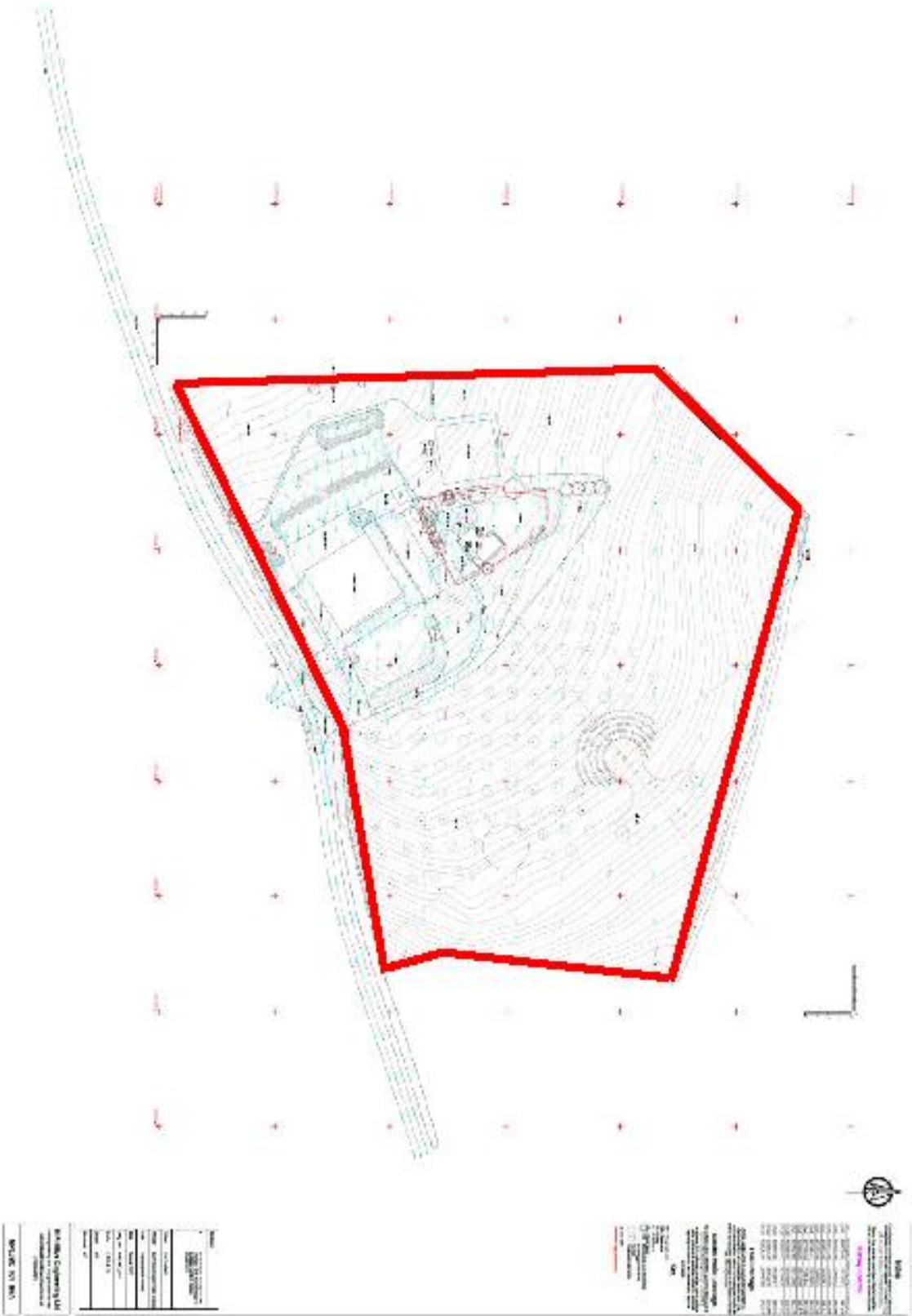
A436



**LOCATION PLAN**  
**Amphitheatre & Pavilion**  
Berry Bank, Oddington  
Berry Bank Park Ltd  
Scale: 1 : 500@A3 Date: 18th Feb 2022  
Drawn/Checked: . Drg No: 2987 CP 10

Rev:







## **Representations**

Berrybank Amphitheatre C/22/00327/PRMA

### **Mr and Mrs Johnson**

We write with reference to the current application as above.

This email includes all the information requested within part 2, licensing Act 2003 representation form.

We have read and understood the 4 statutory licensing objectives, and would object to the granting of the above licence on the grounds of 3 of these objectives.

- 1 Prevention of crime and disorder
- 2 Public Safety
- 3 The prevention of public nuisance

The construction of the pavilion and the summer events has clearly been prepared, designed and produced with skill and professionalism and it has been well thought out for the long term. It however has not had any involvement with the local district Council and highways as far as we can ascertain. In addition no consultation has been made with the immediate neighbours who would be materially affected. In the summary of the application on line it states the capacity for the event will be under 2000 people.

It would be wise in our opinion for the local authority licensing department, planning department and Gloucestershire highways to review all matters before issuing a license.

The application seeks to operate Monday to Sunday from 10 am to 22.30pm 365 days a year as shown in section 15 of the licensing application. There is a an uncertainty in section 17, where we read the events would be only on 14-16 July and 10 September. Can you please seek clarity on this.

Public Safety and nuisance should have been fully considered at the outset, prior to advertising and promoting such a large scale business venture

It is clearly the organisers intention to design and advertise a venue which caters for customer numbers of no more than 500, and to circumnavigate the law on regulated events, however the number of events, the frequency, both in terms of times and quantity of performances will have a dramatic affect on traffic, noise and an increase in the commercial growth within an area defined as an area of outstanding natural beauty. It is clear that the pavilion is stated as temporary but it appears that the structure and infrastructure is not temporary. This issue is being reviewed by the planning enforcement team at Cotswold district Council. See attached email from principle planning enforcement office of CDC dated 31/5/2022

In the licensing application the promoters also plan potential pop-up restaurants the wording of the application would in our opinion lead to no restrictions on the number of events or the time of year

that these are allowed and also the number of regulated and unregulated events that happen. Oddington Parish council at their last meeting raised concerns at how much this venue could grow.

The plans attached to the licensing application do not show the relationship as a venue to neighbouring properties which will be severely affected. Below are screen shots with distances in metres to neighbours and the village.

No event management plan as stated in the licensing application appears to have been submitted within eight weeks of the first event as required.

It states within the documentation that there are safety and emergency lighting , as well as Security lighting and festoon lighting having been installed. This could be seen as a permanent installation and not necessarily temporary.

## 1 Prevention of crime and disorder

A). It implies that there is a gate at the entrance,there is not .

B) No detail of the winding down period is provided and this could lead to events not been vacated for some considerable time after the end of the events, and spread over a long period

C). It states in the licensing application the public are expected to clear shortly after the event. This statement is too flexible it does not cover private parties weddings and pop-up restaurants

## 2 With regard to public safety.

The entry and egress of customers from the highway to the events currently planned and advertised on the amphitheatre website, including events not currently shown on the website, together with any weddings that use/hire the pavilion ( advertised on a separate website) on dates un- specified, are of a major concern.

The number of days that the premises could operate if a license were granted could be every day 365 days per year, and not only for the current advertised events.

With a specified capacity of 500 people, with parking for 300 vehicles (as specified on the amphitheatre website) and in addition extra vehicles for staff caterers /crew /performers /stage and lighting equipment, this will create (in our opinion), an exponential risk of an accident on the entrance off the A436 (a 50 mph road). This entrance is within 15 m of the exit off the A436 into upper Oddington . The number of additional vehicle movements could be in the region of 18,000 and this is only for the events currently advertised on the website from June to September. If the events can operate without restriction this number of movements will dramatically increase.

The vision time and time to react when heading in a car in an easterly direction on the A436, at a speed of 50 mph, when faced with a possible queue of traffic entering and leaving site could endanger Public Safety with the potential to produce a fatality.

The shortest route to Upper Oddington from our property on our horses, which we have used for the past 17 years, takes us up to the cross roads with the new Amphitheatre. When events operate in daylight hours the traffic risk to horse and rider will be greatly increased, added to the recent change in the Highway Code requiring a much slower and wider berth when passing on the highway.

We have asked Gloucestershire highways for comment, and would request that the licensing authority do likewise before granting a license, which would be a practical and logical forward step. Once the license is issued it may be more difficult to revoke this at a later date.

No details of a traffic management plan had been appended to the licensing application and therefore must be assumed not to exist.

### 3 The prevention of public nuisance

The statement that the pavilion sound equipment installed will insure minimal leakage is absolute rubbish, it is of a fabric construction and noise will travel straight through it and this is as clear as a pikestaff and therefore the statement is false in our opinion.

Taking advice from sound engineers you can not prevent sound spilling, but only mitigate it. No detail on sound mitigation is set out in the application.

There is also a fireworks event planned which is on the website, this together with the potential for the wedding venue, to have fireworks as well, could be a clear nuisance. We have horses and livestock located less than 200 m from the event venue as do other neighbours in the vicinity. We do have to make plans to protect our animals from firework events that happen around the 5th of November and New Year, but other dates and without notice could potentially cause harm and suffering. It is unreasonable for us to have to move or sedate our animals, which is not only costly but it could put them at risk due to adverse reaction to sedation. This would be down to the unreasonable behaviour of others.

The use of fireworks are covered under the countryside and wildlife act 2006 and we object vehemently to these being set off so close and at such risk.

We have Bats in the immediate vicinity, in the adjacent barn to our property, and on our yard. Bats as an endangered species are disturbed by excessive noise and light, and this venue will affect them. There are penalties for causing suffering to Bats so this should be also be carefully considered.

It is acknowledged and clearly expressed in section 18 sub section d ) within the application, that noise pollution is expected, Mr Duffield as a director of Berrybank Events Ltd and Berrybank Ltd would likely gain financially from the events, and as such residing on site doesn't automatically make him aware of the effects of noise off site. With regard to the transmission of sound "IN" the event will be totally different to "OUTSIDE" the event and will affect, in our opinion the quality of life for us and our neighbours sitting outside on a summers day and evening.

As far as ourselves and our immediate neighbours are concerned, and we are the closest and most affected, we were not informed consulted or involved in this development and this is contrary to

the statement made in the licensing application in section D where it clearly states “local residents are involved and informed”

In this respect we suggest that this is a false statement under section 138 of the licensing act 2003 and should be dealt with accordingly.

Our first notification of this venue and the events planned was by way of a leaflet drop over this Easter weekend. The full extent of the programme of events were not shown. The implication in the initial leaflet was of 6 events.

Inconsistencies in the license application.

### Public Safety

1. It is not possible to make a statement that the events will be likely to be of under 300 patrons on the license application. Since the application was submitted there has been a large amount of increased signage /media both magazine / social and BBC TV coverage to promote all the events. It is clear that the 500 seats could be easily fully bookable

### Conclusion

Any action that the local authority takes now will likely be met with huge resistance from the promoters, as it is clear that a huge investment has been taken place both in infrastructure and advertising. The organisers must however appreciate that proceeding without consultation and approvals must be at their considerable risk.

The events will without doubt as they are outside, impact on our environment and quality of life, with the effects of noise, lights, and traffic as detailed above.

Stow rugby club which is further up towards Stow has indoor and outdoor events during the year and we hear these quite clearly and they are much further away. ( 800m )The difference is we moved in 17 years ago and that venue was in place and we could not and would not object to their license.

We would not object to a maximum of 6 events per year excluding fireworks, and that they finish at 10.30 pm. This excludes parties/ pop up restaurants, and weddings.

If these planned events affect one or 100 local people, we all have the right to have our neighbourhood protected from a clearly highly commercial venture.

On talking to some local people, many have not been aware of the extent of the events planned and have assumed that all necessary permissions have been granted due to the scale, and therefore more objections may not be forthcoming. In addition many elderly residents have no email or access to the internet or social media so we have a duty to protect them.

Appendix attachments.

1 View of the pavilion from our front gate with horses going up towards the entrance

2 Horseriders will be put a greater risk with the volume of traffic entering and leaving the event see attached photo taken on a bank holiday when traffic is not too busy.

3 Plans showing relationship of nearest houses in metres from the centre of the pavilion

1.4. location of entrance of venue and turn into UpperOddington

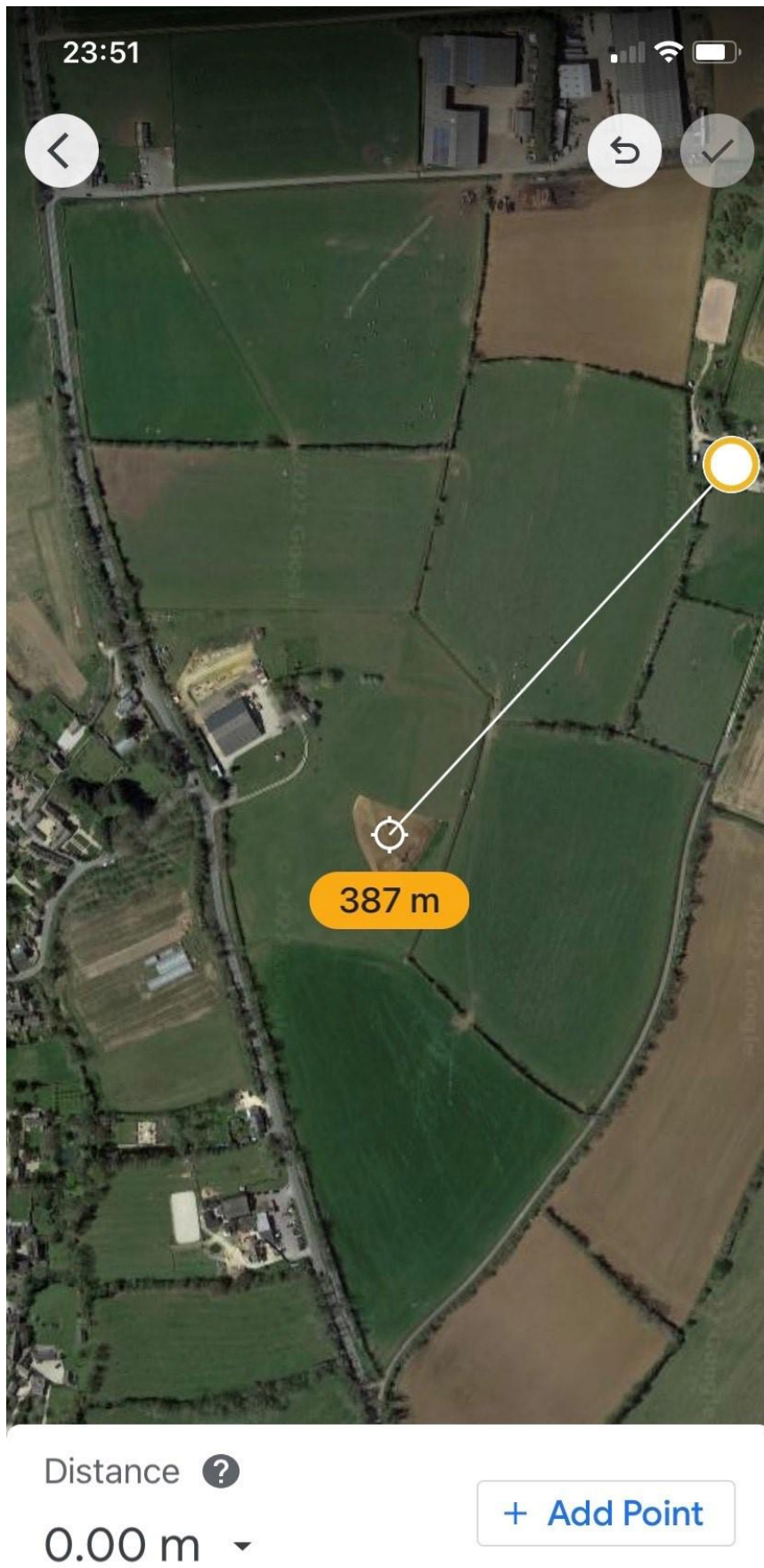
1.5. Distance from our land boundary and that of the applicants land.

Regards

Gary Johnson and Sally Anne Johnson (This is our digital signature)

Enc:

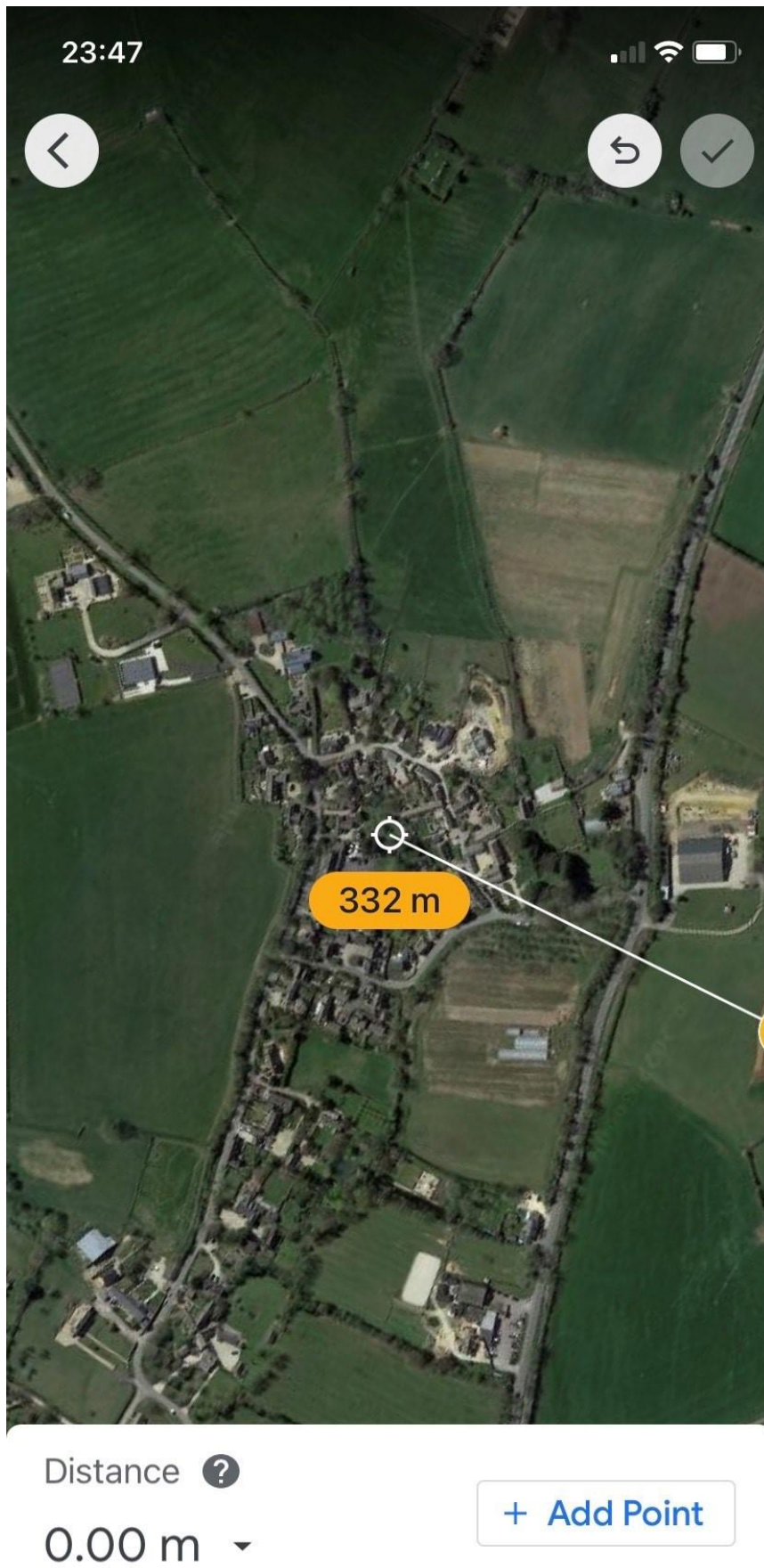


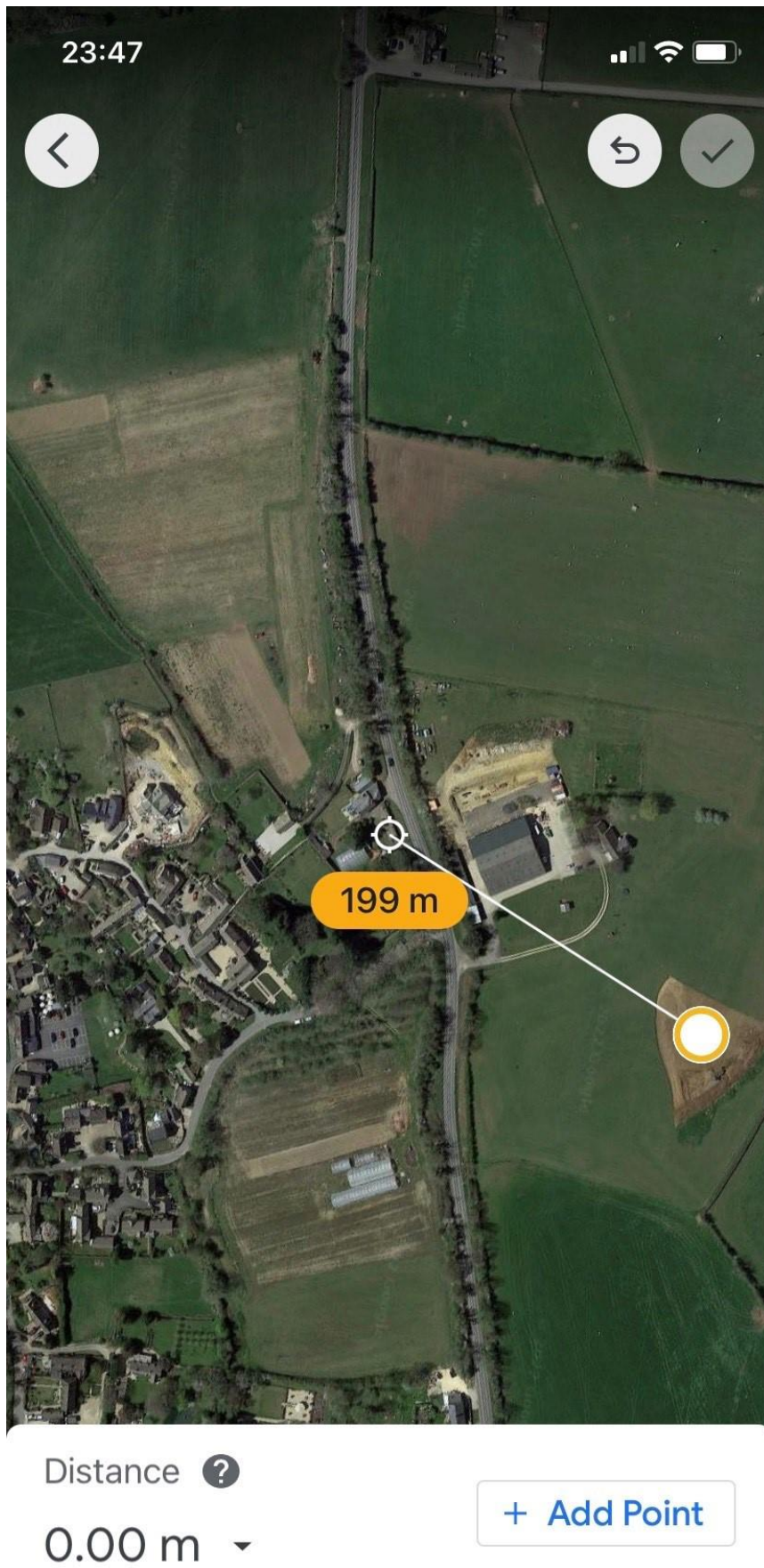




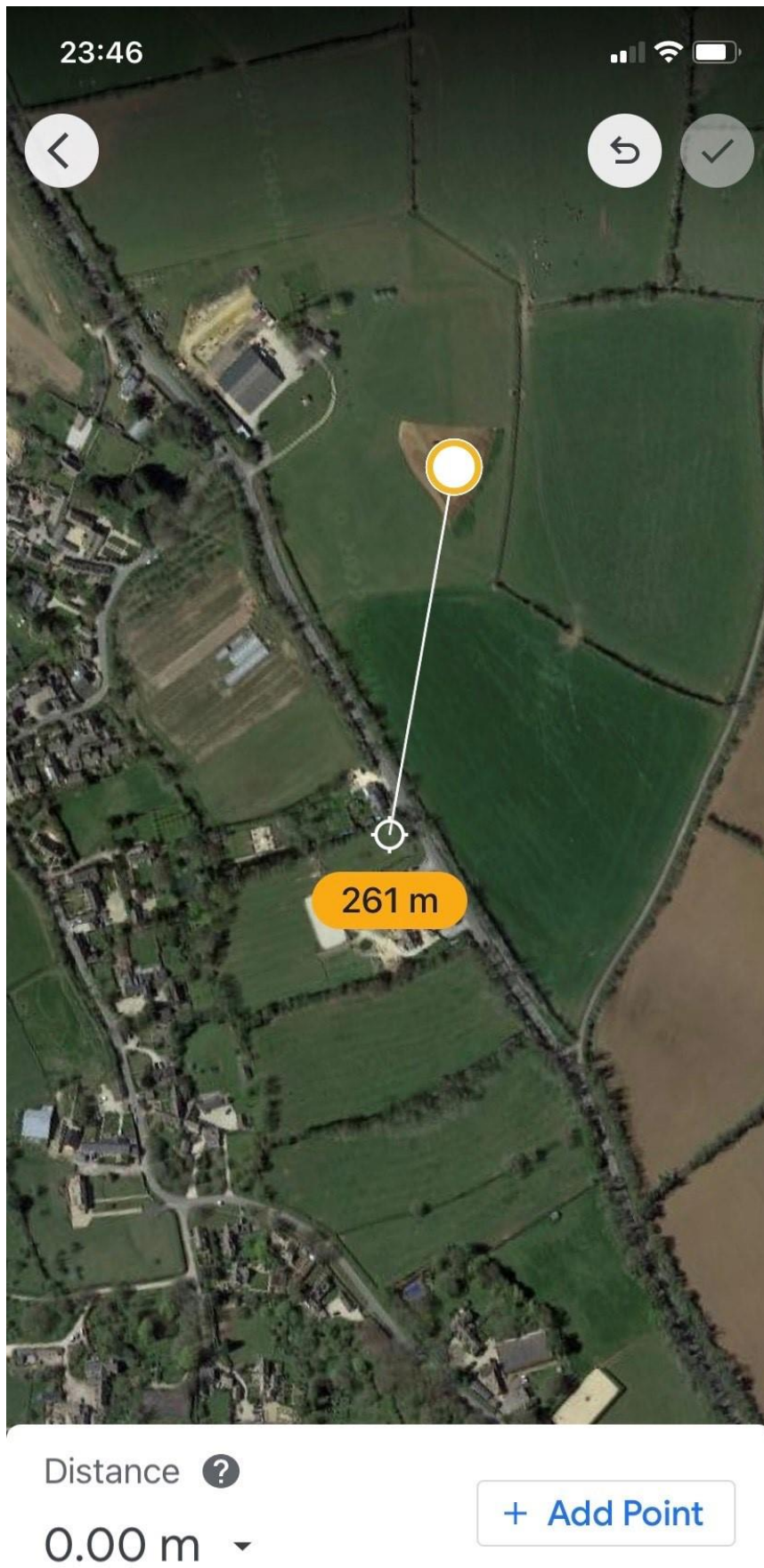














**Gary Johnson**

**From:** Lisa-Marie Evans <Lisa-Marie.Evans@cotswold.gov.uk>  
**Sent:** 30 May 2022 12:41  
**To:** 'Gary Johnson'  
**Subject:** Planning Enforcement Investigation - ref: 22/00117/OTHER - Berrybank Amphitheater

Good afternoon Mr. Johnson,

Thank you for your continued diligence in relation to the potential breaches of planning control at Berry Bank.

I have forwarded your last email (below) onto the planning case officer who has been allocated the Certificate of Lawfulness application (22/01634/CLEUD). On that note, we have briefly discussed the current application and I have informed him of the enforcement investigation, which is currently underway. We have agreed that the best way forward would be to conduct a joint site visit to Berry Bank and to discuss the detail of the application as well as the potential breaches of planning control that have been identified, all at the same time with the landowner.

To confirm, the potential breaches we are investigating are as follows:

1. Unauthorised engineering works to create amphitheatre;
2. Unauthorised operational development to erect pavilion;
3. Unauthorised erection of other structures near the entrance of the site;
4. Unauthorised material change of use of the land;
5. Unauthorised widening of the existing access;
6. Illegal display of advertisements.

I must stress, however, that the above potential breaches have yet to be fully assessed and further information from the landowner is required. As a result, it may be the case that some of the alleged breaches may meet the criteria set out within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended); such as Schedule 2, Part 4 which covers the temporary use of land and temporary structures. As such, some of the identified concerns may benefit from the permitted development rights of the land and may fall outside of the control of the LPA, however we've yet to make this assessment.

In order to assist further with the investigation, I would very much appreciate if you could confirm, where possible, the locations of all of the advertisements that you are aware of that are currently being displayed. I have been informed that their dimensions measure approx. 2.5m x 1m, and I'm also aware of the one located at the Ivy Lodge crossroads on the A429, between Donnington and Broadwell. I assume that all the advertisements are the same, however confirmation relating to their locations would be very helpful.

Kind regards,

Lisa-Marie Evans  
 Principal Planning Enforcement Officer



Publicis is a company wholly owned by Cotswold District Council, Forest of Dean District Council, West Oxfordshire District Council and Cheltenham Borough Council to deliver local services on their behalf.

The content of this email and any related emails do not constitute a legally binding agreement and we do not accept service of court proceedings or any other formal communications made electronically, agreed by us in writing.

This page is intentionally left blank



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)

This page is intentionally left blank