



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	Siddington & Cerney Rural
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 Cotswold Property Destinations Limited
Annexes	Annex A – Copy of application Annex B – Plan of the premises and Location Annex C – Applicant response to representations Annex D – 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, Parish Council and advertised in accordance with the Licensing Act 2003.



I. BACKGROUND

- I.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.
- I.2.** The application was received on the 23rd September 2021. The Applicant is Cotswold Property Destinations Limited.
- I.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 Wilts and Gloucestershire Standard on the 3th September and a Site Notice advertising the application was placed at the site for 28 days.
- I.4.** The application seeks a Premises Licence for the following licensable activities and times:
- Supply by retail of alcohol on and off the premises
 - Monday to Sunday 10.00 to 00:30 hours
 - Live Music indoors
 - Monday to Sunday 23:00 to 00:30 hours
 - Recorded Music indoors
 - Monday to Sunday 23:00 to 00:30 hours
 - Films indoors and outdoors
 - Monday to Sunday 10:00 to 23:00 hours
- I.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

Parish Council

- 3.2.** A representation was received from South Cerney Parish Council. Comments are as follows :-
- The out-of-town rural location is inappropriate for late-night entertainment and bars and the consequent noise generated.
 - The site is already under pressure with the car park full at busy times. Intensification of use could lead to parking off-site on the Spine road itself.



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

4. TRAFFIC CONCERNS

- 4.1. Traffic concerns are not relevant under the Licensing Act 2003. This is a matter for the planning department.

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

- 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.