

14 December 2015

Committee	Licensing Sub-Committee (Licensing Act 2003 and Gambling Act 2005)
Date	Tuesday, 22 December 2015
Time of Meeting	3:00 pm
Venue	Committee Room 1

**ALL MEMBERS OF THE SUB-COMMITTEE ARE REQUESTED TO
ATTEND**



**for Sara J Freckleton
Borough Solicitor**

Agenda

1. ELECTION OF CHAIRMAN

To elect a Chairman for the ensuing meeting

2. ANNOUNCEMENTS

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the visitors' car park at the front of the building and await further instructions (staff should proceed to their usual assembly point). Please do not re-enter the building unless instructed to do so.

In the event of a fire any person with a disability should be assisted in leaving the building.



3. DECLARATIONS OF INTEREST

Pursuant to the adoption by the Council on 26 June 2012 of the Tewkesbury Borough Council Code of Conduct, effective from 1 July 2012, as set out in Minute No. CL.34, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.

4. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - EMPORIUM, HIGH STREET, WINCHCOMBE

1 - 54

To determine an application for a premises licence for Emporium, High Street, Winchcombe.

COUNCILLORS CONSTITUTING SUB-COMMITTEE

Councillors: Mrs G F Blackwell, R Furolo, R E Garnham

Reserve: P N Workman

Recording of Meetings

Please be aware that the proceedings of this meeting may be recorded and this may include recording of persons seated in the public gallery or speaking at the meeting. Please notify the Democratic Services Officer if you have any objections to this practice and the Chairman will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

TEWKESBURY BOROUGH COUNCIL

Report to:	Licensing Sub-Committee (Licensing Act 2003 and Gambling Act 2005)
Date of Meeting:	22 December 2015
Subject:	Application for the Grant of a Premises Licence - Emporium, High Street, Winchcombe
Report of:	Bhavdip Nakum, Licensing and Systems Officer
Corporate Lead:	Rachel North, Deputy Chief Executive
Lead Member:	Cllr J R Mason
Number of Appendices:	5

Executive Summary:

An application has been received for grant of a premises licence under Section 17 of the Licensing Act 2003 in respect of Emporium, High Street Winchcombe GL54 5LJ. Representations have been received from a number of residents who have indicated that they believe granting the application could have an adverse effect on the promotion of the licensing objectives.

Recommendation:

That the Sub-Committee determine the application taking such steps (if any) as it considers appropriate for the promotion of the licensing objectives.

Reasons for Recommendation:

The Sub-Committee is required in accordance with Section 18 of the Licensing Act 2003, to determine the application taking such steps as it considers necessary for the promotion of the licensing objectives.

Resource Implications:

If any party to the hearing were successful in appealing any decision taken by the Sub-Committee at a Magistrates' Court, the Licensing Authority may be liable to having costs awarded against them.

Legal Implications:

Decision Making

Members are required to determine the application with a view to promoting the licensing objectives. Members must only impose those conditions that are deemed to be necessary and proportionate to promote the licensing objectives.

Rights of Appeal

(i) In accordance with the provisions of Part 1 of Schedule 5 of the Act, where a Licensing Authority rejects in whole or in part, an application for grant or variation of a premises licence, the applicant may appeal against the decision, to a Magistrates' Court within 21 days of being notified of the decision.

(ii) Similarly, where a person who made relevant representations in relation to the application contends that the licence ought not to have been granted, or that different or additional conditions should have been imposed on the licence, he may appeal against the decision to the Magistrates' Court within 21 days of being notified of the decision.

Human Rights

The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. Decisions on licensing matters are actions of a public authority and must be compatible with Convention rights. Consequently Members of the Panel must be aware of the rights contained in the Convention (particularly those set out below) when making licensing decisions.

In particular Members should conduct the hearing in a fair and proper manner (Article 6: Right to a Fair Trial) and in accordance with the relevant hearing regulations. Members should also consider any decision in light of Article 8: Right to Respect for Private and Family Life, Article 10: Freedom of Expression, Article 14: Prohibition of Discrimination and Article 1 of the First Protocol: Protection of Property.

Rights under the Human Rights convention can only be breached where it is necessary and proportionate to do so.

Other legal implications are as set out elsewhere in the report.

Risk Management Implications:

None

Performance Management Follow-up:

The decision of the Sub-Committee and details of rights of appeal will need to be notified to all parties. If the application is granted, a licence will be prepared and issued.

Environmental Implications:

None

1.0 INTRODUCTION/BACKGROUND

1.1 An application has been received under Section 17 of the Licensing Act 2003 for the grant of a premises licence in respect Emporium, High Street Winchcombe GL54 5LJ.

1.2 Representations have been received from a number of local residents who have indicated that they believe granting the application could have an adverse effect on the promotion of the licensing objectives.

2.0 THE APPLICATION

2.1 Licensable activities and hours applied for:

Recorded Music	Sunday to Thursday	08:00 – 00:00
	Friday and Saturday	08:00 – 02:00
Late Night Refreshment	Sunday to Thursday	23:00 – 00:00
	Friday and Saturday	23:00 – 02:00
Supply of Alcohol	Sunday to Thursday	10:00 – 00:00
	Friday and Saturday	10:00 – 02:00
Hours premises are open to the public	Sunday to Thursday	08:00 – 00:00
	Friday and Saturday	08:00 – 02:00

2.2 Non-Standard Timings Applied For

2.2.1 During National Hunt Meetings at Cheltenham Race Course the opening time and sale of alcohol will start at 07:30.

2.3 Conditions Consistent with the Operating Schedule

2.3.1 The licence conditions at Paragraph 2.3.3 below have been drafted by Officers for inclusion on the premises licence if the application is granted. The conditions drafted are considered to be consistent with the steps the applicant has stated that they intend to take to promote the licensing objectives, as identified in the Operating Schedule accompanying the application.

2.3.2 The conditions have been drafted so as to aid the clarity and enforceability of the conditions and to attempt to ensure there is no duplication with other statutory requirements placed on the applicant.

2.3.3 The conditions are as follows:

- 1) A CCTV system shall be maintained in good working order.
- 2) The premises shall be protected by an alarm system and maintained in good working order.
- 3) Staff will be trained on general health and safety.
- 4) Signage must be displayed asking patrons to leave quietly.
- 5) The 'Challenge 25' scheme must be adopted, so that any customer attempting to purchase alcohol who appears to be under the age of 25 shall be asked for an accredited photographic proof-of-age (e.g. passport, photo driving licence or a Pass- approved card) and that a sale shall not be made unless this evidence is produced.
- 6) A refusals register must be maintained on the premises to record details of any alcohol purchases refused by staff.

2.4 The application is shown in full at **Appendix A**.

3.0 OTHER OPTIONS CONSIDERED

3.1 None

4.0 CONSULTATION

4.1 Responsible Authorities

4.1.1 No representation was received from responsible authorities.

The applicant agreed to modify the application. This agreement can be seen at **Appendix B**.

The applicant also agreed with Environmental Health that that background music will be played no longer than 2.00am on New Year's Eve and 12 midnight on all other nights. The applicant also submitted a statement of facts; this can be seen at **Appendix C**.

4.2 Other Persons

4.2.1 19 representations have been received from members of the public; these representations can be seen at **Appendix D**. The representations mainly refer to crime and disorder and public nuisance licensing objectives but, in general, the representations address all licensing objectives.

4.2.2 Some representations mention why there is a need for more premises in Winchcombe. These comments are not considered as valid representations as the Council does not have a special policy area, or any cumulative impact policies, and therefore, these comments should be disregarded.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

5.1 The Council's Statement of Licensing Policy

6.0 RELEVANT GOVERNMENT POLICIES

6.1 Statutory Guidance under Section 182 of the Licensing Act 2003.

7.0 DECISION

7.1 The Sub-Committee is obliged under the Licensing Act 2003 to determine this application with a view to promoting the licensing objectives which are:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

7.2 In making its decision, the Sub-Committee is also obliged to have regard to the Statutory Guidance and the Council's own Licensing Policy. The Sub-Committee must also have regard to all of the representations made and the evidence it hears.

7.3 The Sub-Committee can;

- (a) grant the application as requested;
- (b) modify the conditions and/or timings of the licensable activities, by altering or omitting or adding to them; or
- (c) reject the whole or part of the application.

7.4 If the application is granted whole or in part, relevant mandatory conditions will be included in the premises licence under Section 19 and 19A of the Licensing Act 2003. The mandatory conditions can be seen at **Appendix E**.

8.0 RESOURCE IMPLICATIONS (Human/Property)

8.1 None

9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

9.1 None

10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

10.1 No adverse impacts have been identified

The Legal Implications section refers to Human Rights implications

11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

11.1 None

Background Papers: Guidance issued under Section 182 of the Licensing Act 2003
Tewkesbury Borough Council Statement of Licensing Policy

Contact Officer: Bhavdip Nakum, Licensing and Systems Officer
01684 272044 licensing@tewkesbury.gov.uk

Appendices: Appendix A - Full Application
Appendix B - Applicant's agreement with Police
Appendix C -Statement of facts from the applicant
Appendix D - Representations
Appendix E - Mandatory conditions

CONSULTATION
ENDS

7TH DEC.

15/00884

Appendix A

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Karen Adams

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Emporium High Street			
Post town	Winchcombe	Postcode	GL54 5LJ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£13,000

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input checked="" type="checkbox"/>	Other Title (for example, Rev)	
Surname Adams			First names Karen		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		Warren Fruit Farm Evesham Road			
Post town	Winchcombe		Postcode	GL54 5BN	
Daytime contact telephone number			07771851146		
E-mail address (optional)		weeks.adams@googlemail.com			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 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
┆	┆	┆
┆	┆	┆

Please give a general description of the premises (please read guidance note 1)
Café / Bar

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	08.00		Please give further details here (please read guidance note 3) It is only intended to have background music		
		00.00			
Tue	08.00				
		00.00			
Wed	08.00		State any seasonal variations for the playing of recorded music (please read guidance note 4)		
		00.00			
Thur	08.00				
		00.00			
Fri	08.00		Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
		02.00			
Sat	08.00		During National Hunt Meetings at Cheltenham Race Course the opening time and sale of Alcohol will start at 07.30		
		02.00			
Sun	08.00				
		00.00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Indoors <input type="checkbox"/>
Day	Start	Finish	
			Outdoors <input type="checkbox"/>
			Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)
Tue			
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat			
Sun			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	23.00	00.00			
Tue	23.00	00.00			
Wed	23.00	00.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23.00	00.00			
Fri	23.00	02.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23.00	02.00	During National Hunt Meetings at Cheltenham Race Course the opening time and sale of Alcohol will start at 07.30		
Sun	23.00	00.00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	10.00	00.00						
Tue	10.00	00.00						
Wed	10.00	00.00						
Thur	10.00	00.00						
Fri	10.00	02.00						
Sat	10.00	02.00						
Sun	10.00	00.00						
						Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
						During National Hunt Meetings at Cheltenham Race Course the opening time and sale of Alcohol will start at 07.30		

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

Name Karen Adams	
Address Warren Fruit Farm Evesham Road Winchcombe	
Postcode	GL54 5BN
Personal licence number (if known) 09/00774/LIQPL	
Issuing licensing authority (if known) Tewkesbury Borough Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08.00		<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>During National Hunt Meetings at Cheltenham Race Course the opening time and sale of Alcohol will start at 07.30</p>
		00.00	
Tue	08.00		
		00.00	
Wed	08.00		
		00.00	
Thur	08.00		
		00.00	
Fri	08.00		
		02.00	
Sat	08.00		
		02.00	
Sun	08.00		
		00.00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

b) The prevention of crime and disorder

A Personal Licence holder will be on the premises at any time that Alcohol is available.
An Alarm system is currently in operation and a CCTV system will be added at the earliest possible time

c) Public safety

Full Health and Safety training will be given to all members of staff.

d) The prevention of public nuisance

Training will be given so staff can handle any incidents before they become a problem
A notice will be put up asking patrons to leave quietly and consider the local residents

e) The protection of children from harm

Challenge 25 will be operated and staff will insist on photo id will be required if anyone appears to be under that age

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	3.11.15
Capacity	MANAGER.

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

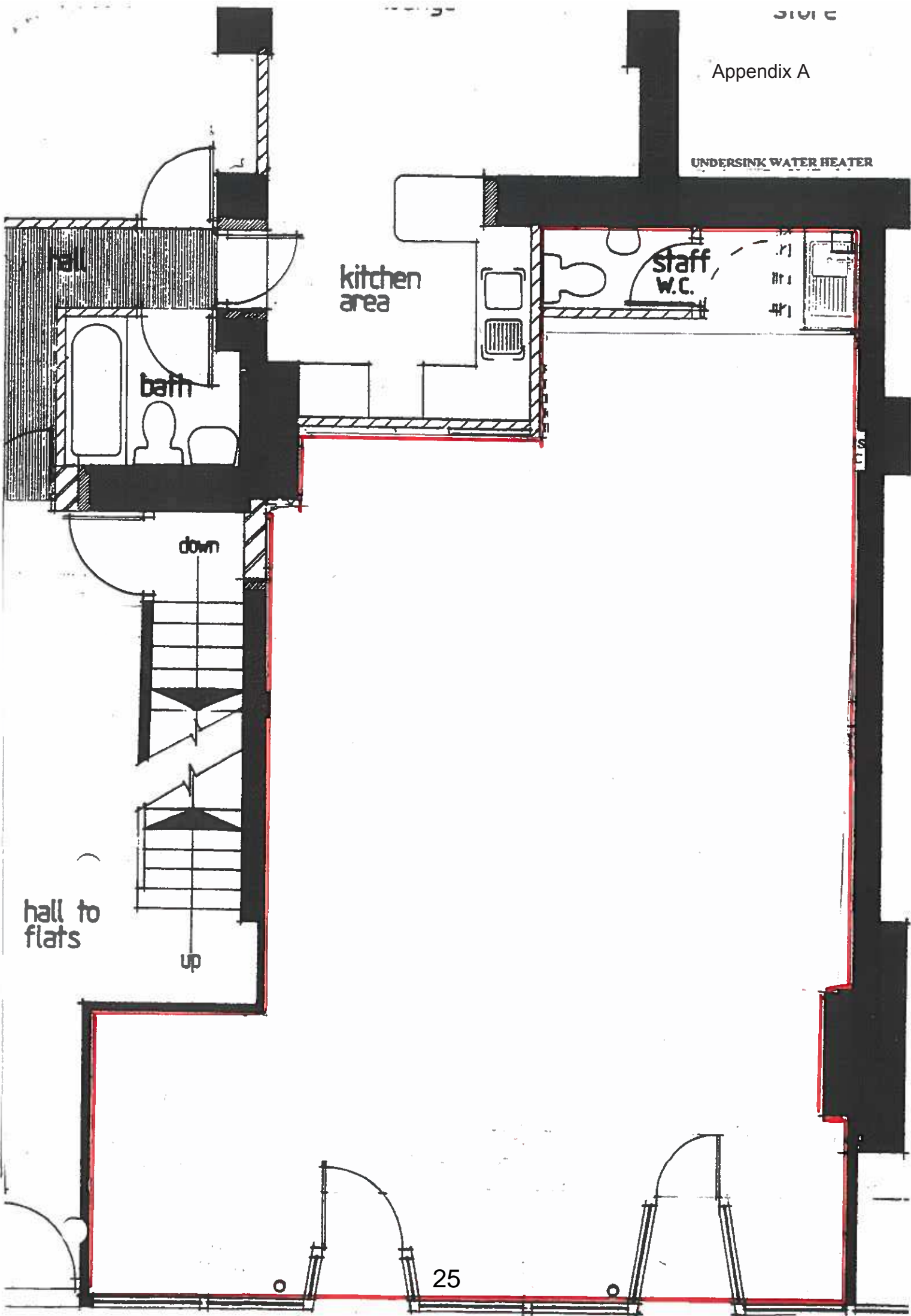
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please 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 or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

UNDERSINK WATER HEATER



Hi Karen,

Thank you for meeting with us yesterday to discuss your licence application.

If you are happy to accept the following variation in relation to hours the Constabulary will not be making any objections.

Sale of Alcohol Start: Monday to Saturday 10:00am
Sunday 10:00am

Close: Monday to Saturday 23:00 hours
Sunday 22:30 hours.

Extensions for the supply of alcohol during Public Holidays and Cheltenham Races:

For the supply of alcohol: Start at 07:30 – finish at 02:00 on

- Bank Holiday Weekends.
- Christmas Eve, Christmas Day, Boxing Day.
- New Year's Eve.
- Cheltenham Race meetings scheduled for March and November.

You also agreed to install CCTV which we all agreed is very important. If a digital system is installed it must be retained for a minimum of 14 days, if a non-digital system is installed that must be retained for a minimum of 28 days and be available to Police Officers or a Responsible Authority upon request.

We suggest a risk assessment is carried out prior to any event particular Cheltenham Races, to determine whether door staff are required.

We were very impressed that all members of staff will have Personal Licence qualifications. We suggest there is a record keeping book with employee's signatures that show all staff have regular training and refreshers, to ensure they have a clear understanding surrounding under age sales and know the importance of challenge 25.

Kind Regards

Emma McMillan

Licensing Unit
Harm Reduction Department
Gloucestershire Constabulary
01452 752817

Statement of fact dated 17th November 2015

For the attention of Licensing Department, Tewkesbury Borough Council, Council Offices, Gloucester Road, Tewkesbury GL20 5TT

Application for a Premises Licence under the Licensing Act 2003 at:

The Emporium, High Street, Winchcombe GL54 5UJ

There have been some concerns expressed with reference to the above Premises Licence application. I would like to take this opportunity to address and allay these concerns:

1. There will be no loud music at the premises, any music will be background music and played at an acceptable level.
2. There will be no live music.
3. There will be additional insulation applied to the ceiling of the property and also to the party wall between the property and the adjacent ground floor flat for further soundproofing to ensure minimum disturbance to neighbouring premises, with particular attention paid to the premises adjacent and above the property.
4. The licence application states that late night refreshment will take place up to 2 a.m. on Friday and Saturday each week, this is an option that is offered with the application but we will not be open until 2 a.m. on any Friday or Saturday. The only possible exception being one night a year for late night opening, and that would be New Years eve.
5. The area immediately in front of the property will be swept and cleaned every morning and during the day as necessary.
6. Refuse collection will be daily, by a private contractor.

Signed:



Karen Adams

Mrs. A. M. Wilson, Alder House, Silk Mill Lane, Winchcombe, Cheltenham GL54 5HZ

Telephone: 01242 352489

Dear Sirs,

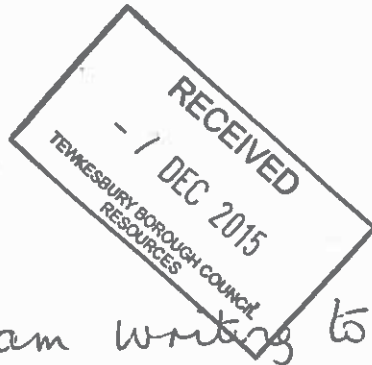
I am writing as a resident of
Winchcombe to object to the application for
change of use of The Emporium, High Street.

I feel the suggested use would be a very
disruptive & quite out of character for the
centre of this town

Yours
A.M. Wilson

11 Great Road
Winchcombe Appendix D
Glos
GL545JT
03.12.15

Rec'd 18 DEC 2015
Ack'd
Ans'd 15/00484
File



Dear Sirs, I am writing to express my concern regarding the application for a late night licence by K. Adams in the High Street, Winchcombe for a Brasserie.

Where there is drinking until 2 am can only lead to noise and disruption in what is normally a quiet and respectable small town.

There are residents living above the premises and nearby who will obviously be affected.

Winchcombe is not the kind of town that will welcome 'night life'. So many people are concerned which makes me hope that you have received other letters of complaint. Yours faithfully
(Mrs) P. Horton.

UNISON
Gloucestershire
Local Government

RECEIVED ON THE 8TH AT MY DESK
BUT DATE STAMPED 7TH
HAVE ADDED ALTHOUGH IT DOESN'T
REALLY QUALIFY AS IT DOES NOT
MENTION ANY OF THE OBJECTIVES.

branch.office@unisongloucsig.org.uk

Appendix D

Mr R Molesworth,
Hydaway Cottage,
Silk Mill Lane,
Winchcombe,
Glos.
GL54 5HZ

RECEIVED

17 NOV 2015

14 November 2015

TEWKESBURY BOROUGH COUNCIL
OPERATIONS

Dear Sirs,

Re. The Emporium, High Street, Winchcombe

I read with some concern that The Emporium is seeking to have a licence to sell alcohol until midnight, and 2am on Fridays and Saturdays.

My main concern is for people who wish to smoke, standing around on the High Street. This is the main thoroughfare through the town (formerly the A46) and the pavement is not particularly wide. I fear that people who might be under the influence of alcohol and who wander along the pavement might risk stepping into the road and cause an accident.

I will also point out that there are flats above the building and opposite. I am sure that the people living there will not appreciate the additional noise from music and revellers in the street. I already suffer from noise from the White Hart and the Wesley when they have special events (mainly during the summer); I find it hard to get to sleep with the 'drumming' sound of base and percussion.

I am also aware of a recent increase in the level of night-time disturbances (including assault) within Winchcombe, and I suspect that the change of use of these premises will do nothing to ease the situation; more likely adding to the nuisance.

Please consider very carefully before granting this licence. Thank you.

Yours faithfully,



Miss Joanne Vigus
21 Godwin Road
Winchcombe
Glos
GL54 5LA

Licensing Department
Tewkesbury Borough Council
Council Offices
Gloucester Road
Tewkesbury
Glos
GL20 5TT

TEWKESBURY BOROUGH COUNCIL OPERATIONS	
Officer	
Scanned	
Rec'd	18 NOV 2015
Ack'd	
Ans d	
File	

17 November 2015

Dear Sirs

RE: LICENSE APPLICATION AT THE EMPORIUM, WINCHCOMBE

I have seen the License Application Notice for Ms Karen Adams to sell alcohol and play music at The Emporium, High Street, Winchcombe during the hours of 10am to 11pm weekdays and 10am to 2am at weekends.

There are 4 residential flats within The Emporium building and I own Flat 4 which is on the ground floor, some walls of which are adjoining the proposed "bar". I am currently trying to sell my flat and am objecting to the application as aforementioned.

The noise from the proposed "bar" will be extremely disturbing for all the residents of The Emporium. I know the walls are not sound proofed as when I lived at Flat 4, I could often hear the door bell of the previous shop, the radio playing and even whole conversations held in the shop!

Having a "bar" adjoining my flat will basically devalue my flat and effectively make it unsellable.

I request that the application is refused please.

Thanking you in anticipation of your assistance.

Yours faithfully


Miss Joanne Vigus

18 November 2015

Licensing Department,
Tewksbury Borough Council
Council Offices
Gloucester Road,
Tewksbury
Gloucestershire
GL20 5TT

Officer	.....
Search	.....
Rec'd	19 NOV 2015
Ack'd	.....
Ans'd	.....
File	.....

Dear Sir/Madam,

Ref: Application for Alcohol License at The Emporium, High Street, Winchcombe

I write with reference to application to serve Alcohol at the above premises. As a resident of Winchcombe I wish to object to this change of use and propose license to sell alcohol.

The town of Winchcombe is already served by a reasonable number of premises serving Alcohol including pubs, restaurants and clubs. A further outlet is not necessary or desirable.

In addition the location on a narrow busy road, adjacent to a blind junction will result in danger to persons using the premises, pavement and highway

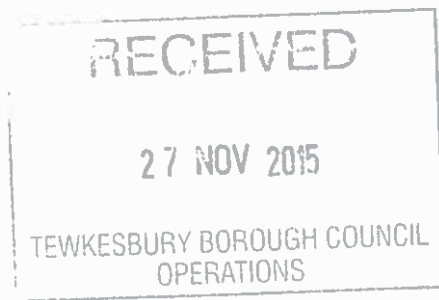
The premises are not only directly below residential units but there are a significant number of other flats and houses close by that any additional noise from arriving or departing clients will be disruptive and distressing

This is not the location for such a facility and I urge the committee to refuse a licence.

Yours sincerely,



Mike Hill



Fernleigh
The Reddings
Cheltenham
Glos GL51 6RY

20th November 2015

Sir/Madam,

I am writing to object to the application for an alcohol and music licence for Shops 1 and 2, The Emporium, High Street, Winchcombe. GL54 5LJ.

My husband and I own a flat in the same building, which we currently rent to tenants. We have lived there ourselves in the past and may wish to do so again in the future. The residents in the building are currently either retired persons or families with very young children. We therefore have considerable anxiety about the building being used as a licensed premises.

We have concerns based on the following grounds and object to the licence being granted in the strongest terms:

Likely Disorder & Public nuisance - The side alley and the front of the property will have excessive noise from smokers/revellers/people relieving themselves at the side of our property/leaving late at night. Up-market establishment or not, this will happen if they sell alcohol. We do not want this at the side of our property.

The Emporium is Grade II listed and all windows are single-glazed and therefore won't provide any soundproofing for the flats. All buildings in that part of town have listed status and so the same issue will be true for those in the neighbouring properties.

Additionally, there is very little space in the side alley and a cafe/bar will produce much waste - bottles, packaging, food waste etc. There is no space in the surrounding area for the bins needed for such waste. This will end up with access being blocked and smell from old bottles. The people applying for this licence claim to have systems in place to deal with this, however, if the licence is granted, future owners of the bar may not be so inclined. Inevitably, it will lead to more rubbish in the area.

Noise Disturbance - the building is old - late 1700s - and, in addition to thin windows, it is also inadequately soundproofed between floors and walls. The building is mostly residential with four flats. All flats will experience some noise from a coffee shop/bar and flats 2 and 4 will directly have excessive noise from people and music, however 'background'. Tenants in Flat 2, particularly will find life unbearable if this goes ahead with no let-up from noise and music - it will be so much worse if they have a late licence. Also, the ceiling void above Flat 4, which connects directly to the shops, will act as a conduit for sound from the bar piping directly into their home. Even with additional soundproofing in the building, it is unlikely to be sufficient and there will be considerable noise leak via the windows.

Harm to children - smokers and drunks will congregate in the side alley, where there is also the sole access to the Girl Guide hall. This will prove a safeguarding issue for the

Guides and will mean the children having to 'run the gauntlet' through what will, inevitably, become smokers' alley as they come to/from the hall.

A family with very young children live in Flat 2 and they will not be able to sleep with late night noise coming up through the floor and via the old, single-glazed windows at the front. Certainly people leaving the bar will disturb them. Flat 3 currently has an 10 week old baby, and with the nursery directly over the alley, noise will almost certainly disturb his sleep. If the new buyer of Flat 4 has children, they will also suffer from noise with people hanging around outside the back door and in the alley, near their windows, as well as suffering from direct noise coming through the building. This will also lead to more people hanging around the front door to the property, as it is immediately left of the shop frontage.

A full time kitchen in the building increases fire risk and, as with many old buildings with flats above, the potential loss of life would be far greater if a fire broke out in the ground floor shops.

Waste glass from beer bottles, glasses etc will lead to broken glass around the side of the building. This is hugely harmful where children congregate.

I understand the applicant is applying for the licence with a view to only opening on New Year's Eve. I find it hard to believe activities and late opening will be limited to these times. Additionally, if the licence is granted, any future owners may decide to open the full hours 7 days a week and nothing could be done to prevent this. This sets an unhealthy precedent for the town.

A property with an alcohol licence and music licence in this part of town, and in this particular, mostly residential, historic building is completely inappropriate. The town already has 7 licensed establishments (including a bar opposite - do we need to double the noise and disturbance?) and other coffee shops. It is not good for residents in the building, those living in close proximity or for Winchcombe as a whole. The town needs more shops, not licensed properties. This is neither wanted nor needed.

We therefore object to both the alcohol licence and also to the playing of 'background' music.

We understand the Borough Council have used good judgement and rejected similar applications in the past and we trust that our grave and well-founded concerns will be heard and acted upon in this situation.

Yours faithfully,

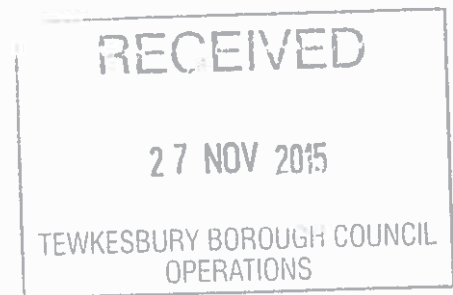


Clare Benton (Mrs)

5 Hailes Street
Winchcombe
GL54 5 HU

26 November 2015

Dear Sir



I am anxious that the application by Karen Adams for a license to convert the Emporium, High Street, Winchcombe into a Retail Bar be refused.

The High Street is a narrow main road through a beautiful Cotswold town. Immediately opposite the Emporium are three licensed premises where customers already stand outside on the pavement when they need to smoke.

Although this is a high street with shops on the ground floor, there are many private flats above them as well as the accommodation provided by the Wesley House and the White Hart, essential to the economy of this beautiful town.

Surely Winchcombe is well provided with food and drink (seven licensed premises within a mile, as well as tea and coffee rooms). Customers will not all be local to the town and the parking, which is already a problem, will be exacerbated.

Yours faithfully

Jean Crush

141. Gretton Road.
Winchcombe.
Glos. GL54 5EL

Licensing Dept.
Tewkesbury Borough Council,
Gloucester Road,
TEWKESBURY.
Glos. GL20 5TT

24 November 2015

Dear Sirs,

I write to ask you to refuse the application by Karen Adams for a licence to sell alcohol from 10.00am to 12 midnight Sundays to Thursdays and 10.00 am to 2.00 a.m. on Fridays and Saturdays - all this to accompanied with "background music".

My reasons are as follows:-

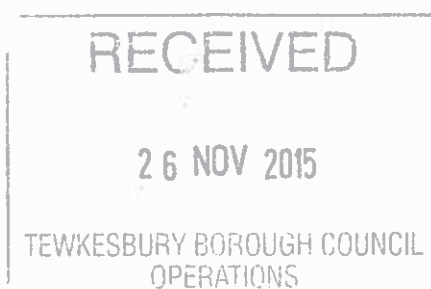
- 1 There is no need for a drinking establishment of this type in Winchcombe. There are already 5 such establishments within 100 yards of the Emporium along this very street, not to mention the others in Winchcombe. Incidentally I do not think they are open for such long hours except for special occasions.
- 2 Directly above this proposed establishment there are residential flats making it a completely unsuitable venue for late night noise.
3. Opening from 10 in the morning until midnight for 5 days in the week and then till 2.00 in the morning is both unnecessary and unwelcome in a town of the size and type of Winchcombe.
4. Such hours would need to carefully policed. We basically have no police presence in Winchcombe - only on special occasions such as the Mop Fair and the Remembrance Parade (mainly for control of the traffic) are they to be seen.
5. As I suspect most of the clientele would be coming from the outside of the town this could well encourage drunken driving - something to be avoided at all costs.

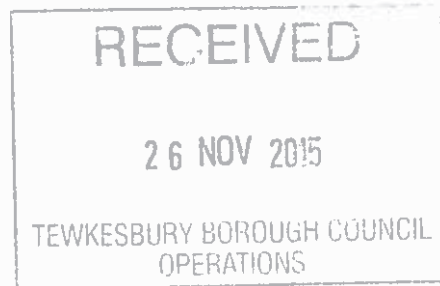
I therefore reiterate my request ask that you refuse this application by MsAdams

Yours sincerely,



(Mrs. Cairine Lee)





Fernleigh
The Reddings
Cheltenham
Glos GL51 6RY

20th November 2015

Sir/Madam,

I am writing to object to the application for an alcohol and music licence for Shops 1 and 2, The Emporium, High Street, Winchcombe. GL54 5LJ.

My wife and I own a flat in the same building, which we currently rent to tenants. We have lived there ourselves in the past and may wish to do so again in the future. The residents in the building are currently either retired persons or families with very young children. We therefore have considerable anxiety about the building being used as a licensed premises.

We have concerns based on the following grounds and object to the licence being granted in the strongest terms:

Likely Disorder & Public nuisance - The side alley and the front of the property will have excessive noise from smokers/revellers/people relieving themselves at the side of our property/leaving late at night. Up-market establishment or not, this will happen if they sell alcohol. We do not want this at the side of our property.

The Emporium is Grade II listed and all windows are single-glazed and therefore won't provide any soundproofing for the flats. All buildings in that part of town have listed status and so the same issue will be true for those in the neighbouring properties.

Additionally, there is very little space in the side alley and a cafe/bar will produce much waste - bottles, packaging, food waste etc. There is no space in the surrounding area for the bins needed for such waste. This will end up with access being blocked and smell from old bottles. The people applying for this licence claim to have systems in place to deal with this, however, if the licence is granted, future owners of the bar may not be so inclined. Inevitably, it will lead to more rubbish in the area.

Noise Disturbance - the building is old - late 1700s - and, in addition to thin windows, it is also inadequately soundproofed between floors and walls. The building is mostly residential with four flats. All flats will experience some noise from a coffee shop/bar and flats 2 and 4 will directly have excessive noise from people and music, however 'background'. Tenants in Flat 2, particularly will find life unbearable if this goes ahead with no let-up from noise and music - it will be so much worse if they have a late licence. Also, the ceiling void above Flat 4, which connects directly to the shops, will act as a conduit for sound from the bar piping directly into their home. Even with additional soundproofing in the building, it is unlikely to be sufficient and there will be considerable noise leak via the windows.

Harm to children - smokers and drunks will congregate in the side alley, where there is also the sole access to the Girl Guide hall. This will prove a safeguarding issue for the

Guides and will mean the children having to 'run the gauntlet' through what will, inevitably, become smokers' alley as they come to/from the hall.

A family with very young children live in Flat 2 and they will not be able to sleep with late night noise coming up through the floor and via the old, single-glazed windows at the front. Certainly people leaving the bar will disturb them. Flat 3 currently has an 10 week old baby, and with the nursery directly over the alley, noise will almost certainly disturb his sleep. If the new buyer of Flat 4 has children, they will also suffer from noise with people hanging around outside the back door and in the alley, near their windows, as well as suffering from direct noise coming through the building. This will also lead to more people hanging around the front door to the property, as it is immediately left of the shop frontage.

A full time kitchen in the building increases fire risk and, as with many old buildings with flats above, the potential loss of life would be far greater if a fire broke out in the ground floor shops.

Waste glass from beer bottles, glasses etc will lead to broken glass around the side of the building. This is hugely harmful where children congregate.

I understand the applicant is applying for the licence with a view to only opening on New Year's Eve. I find it hard to believe activities and late opening will be limited to these times. Additionally, if the licence is granted, any future owners may decide to open the full hours 7 days a week and nothing could be done to prevent this. This sets an unhealthy precedent for the town.

A property with an alcohol licence and music licence in this part of town, and in this particular, mostly residential, historic building is completely inappropriate. The town already has 7 licensed establishments (including a bar opposite - do we need to double the noise and disturbance?) and other coffee shops. It is not good for residents in the building, those living in close proximity or for Winchcombe as a whole. The town needs more shops, not licensed properties. This is neither wanted nor needed.

We therefore object to both the alcohol licence and also to the playing of 'background' music.

We understand the Borough Council have used good judgement and rejected similar applications in the past and we trust that our grave and well-founded concerns will be heard and acted upon in this situation.

Yours faithfully,



Tim Benton

15/00884

Appendix D

3 Royle Mews

Cowl Lane

Winchcombe

GL54 5SF

1st December 2015

Rec'd	13 DEC 2015
Ack'd	.....
Ans'd	.....
File	.....

Licensing Department
Borough Development
Tewkesbury Borough Council
Council Offices Gloucester Road
Tewkesbury
GL20 5TT

Dear Sirs,

Objection to: Licensing Application dated 9/11/2015

The Emporium High Street Winchcombe GL54 5LJ

We would like to formally object to the above license application, whereby a previous antique shop/art gallery is now to be turned into a bar and nightclub.

In general terms we feel that the High Street does not need another bar, there are already three within a 150 metre vicinity of the proposed venue – the White Hart, the Wesley and the Plasterers Arms.

More specifically, as residents of Cowl Lane, we are concerned about the music, attendant noise and consequent disturbance coming from the bar, which, under the proposal, is envisaged to open until 2am on Fridays and Saturdays – we live approximately 70 metres from the proposed venue.

It will also increase both vehicle and pedestrian traffic on Cowl Lane during evening and night-time hours with the attendant noise and tempt people to park illegally on Cowl Lane which is very narrow.

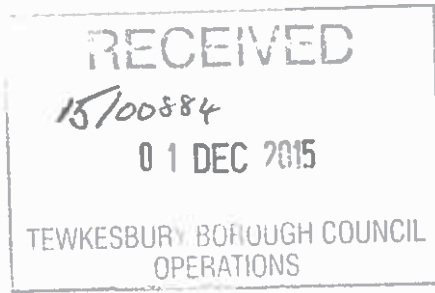
The impact on the relative peace and quiet that we and our neighbours currently enjoy does not bear thinking about.

We would be grateful if you could pass these objections on to the requisite department/committee.

Yours faithfully,



David and Christine Wilson



57 Hailes Street
Appendix D
Wouchcombe
GL54 5HU

Re: Karen Adams application for an alcohol licence at
The Emporium, High Street, Wouchcombe GL54 5LT

An objection:

We feel that Wouchcombe does not need another licensed premises, be it bar, café or club when there are already several of these in close proximity in the High Street.

We do see at nearby licensed premises, smokers standing drinking outside. These customers then leave cigarette ends, cans of beer, glasses and broken glass on the pavements and it is not unusual to see trails of vomit nearby. This can all be seen the following morning whilst dog walking and before contract cleaners, if any, arrive.

The objection is to the granting of an alcohol licence and the possibility of being able to sell alcohol up to 2AM. It is Ms Adams choice, once granted there can be no objection.

It has been noted that in an open letter to objectors, attached to the window next to the application notice on the premises, Ms Adams states that she will only open annually on New Years eve until 2AM!

R. S. Mountstephen - Chairman

8 Royal Mews

Cowl Lane, Winchcombe GL54 5SF

Dear Sirs,

Objection to : Licensing Application dated 9/11/15

The Emporium High Street Winchcombe GL54 5U

I would like to formally object to the above license application, where by a previous Art Gallery is to be turned into a bar and nightclub.

As a near neighbour I am concerned about the likelihood of noise and disturbance that this proposed venture will create.

Winchcombe does not need another bar. If the licence is granted to the Emporium the noise and disturbance will affect the residential dwellings in Royle Mews and the many flats above the Emporium and the adjacent shops. *These properties were purchased on the assumption t of a peaceful situation. I hope the rights of the residents will be given due consideration.*

Also I would like to know that the appropriate checks have been made to establish the suitability of the sponsor and the operator of the proposed bar and nightclub.

I would be grateful if you could pass these objections to the appropriate department/committee.

Yours faithfully,

Bette Galloway. November 21st 2015.

Bette Galloway

Licensing Department

Borough Development

Tewkesbury Borough Council

Council Offices Gloucester Road

Tewkesbury GL20 5TT

24 NOV 2015	
Ack'd	.....
Ans'd	.....
File	.....

Licensing Department
Borough Development
Tewkesbury Borough Council
Council Offices Gloucester Rd
Tewkesbury
GL20 5TT

S & EA Howarth
1 Royle Mews
Cowl Lane
Winchcombe
GL54 5SF
19/11/2015

Dear Sirs,

**Objection to: Licensing Application dated 9/11/15
The Emporium High St Winchcombe GL54 5LJ**

We would like to formally object to the above license application, whereby a previous art gallery is now to be turned into a bar and nightclub.

In general terms we feel that the High Street does not need another bar; there are already three within a 150 metre vicinity of the proposed venue – The White Hart , the Wesley and the Plasterers Arms.

More specifically, as residents of Cowl Lane, we are concerned about the music, attendant noise and consequent disturbance coming from the bar, which, under the proposal, is envisaged to open until 2am on Fridays and Saturdays - we live approx. 70 metres (as the crow flies) from the proposed venue. The impact on the relative peace and quiet that we and our neighbours currently enjoy does not bear thinking about.

We would be grateful if you could pass these objections on to the requisite department/committee.

Yours faithfully,



Stephen Howarth

TEWKESBURY BOROUGH COUNCIL OPERATIONS	
Officer	.....
Scanner	.....
Rec'd	23 NOV 2015
Ack'd	.....
Ans'd	.....
File	.....

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 3:22 PM on 07 Dec 2015 from Not Available.

Application Summary

Address: The Emporium High Street Winchcombe
Cheltenham Gloucestershire GL54 5LJ

Proposal: Premises Licence

Case Officer: Mr Colin Hault

[Click for further information](#)

Customer Details

Name: Not Available

Email: bobturner@uwclub.net

Address: 32 North Street, Winchcombe, Cheltenham,
Gloucestershire GL54 5PS

Comments Details

Commenter Type: Members of the Public

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 3:22 PM on 07 Dec 2015 My Objection is on the grounds of safety (specifically for children) and nuisance. The location entrance is only approx. 5 metres from the passage entrance to the Guide Hall. Patrons (a proportion of) of the proposed premises have no provision to smoke externally, which will result in them smoking either immediately outside (on a very narrow pavement) which put other pedestrians at risk of vehicle injury as they have to step off the pavement to pass by, or in inclement weather they will take shelter in the narrow passage way (which is the Guide hall entrance). This will cause safety issues and nuisance for Brownies and Rainbows, and their parents. To summarise I object not to the principle of the application, but to its location on these specific premises, in too close a proximity to a road junction and the Guide Hall.

42 North Street, Winchcombe, Glos, GL54 5PS

Dear Sir or Madam,

I own the property behind The Emporium building and am a long term resident of Winchcombe. The only access to my Cottage is via the pedestrian alley that leads to the Guide Hall. This alley is immediately next to the Emporium building.

I believe the premises in question are totally unsuitable for this licensing application.

I should state that Mr Michael Keeling has made his backing interest in Rosie's Bar/café know to me, and that I have some texts from his trying to allay my fears and concerns. I remain totally unconvinced and have suffered insomnia and now IBS, since sight of this application.

1. the location is inappropriate due to its proximity to the nearby T junction. We already have a traffic issues at this point in Winchcombe, with vehicles frequently having to reverse outside The Emporium building to allow lorries and busses to negotiate this junction. I myself know from attempting to drop off furniture and household goods etc., how easy it is to impeded traffic flow. I would expect the increased deliveries and rubbish collections needed to support this type of business would ad further to these problems.

Although there are similar businesses nearby, they are further down the High Street away from the T junction, so have less impact.

2. The premises have no outside space of their own. thus many customers who smoke will have to go outside the front of the building to do so.

Mr Keeling has stated in a text to me that the designated smoking area will be the small right hand doorway, however I feel that it is more likely that smokers will naturally gravitate to under the more spacious archway at the head of the alley to the Guide Hall. I have seen smokers from the Wesley wine bar further down the opposite side of the road, which also does not have an outside smoking area, use the archway in inclement weather.

I am worried this potential use of this area will be a vast nuisance and inconvenience, not just to me, but to the community that uses the Guide Hall, both during the day, and for the young Brownies, and Rainbows etc.that use the Hall in the evening.

This business for allow for the increased potential for littering, e.g. cigarette ash, butts and papers in the alley. I myself have witnessed smokers littering on the ground in bar establishment even when there has been an available ashtray. People have used the entry of the alley in the past to throw up; increased nearby alcohol facilities are more likely to increase this nuisance. And then there is obviously, the increased potential for an overly-merry (drunk) customer to inappropriately choose to use the cover of the alley as a toilet whilst having a cigarette.

I am unable to see how the staff at Rosie's bar/café would be able to prevent these things happening.

3. Another concern for me is that, although I try to hide it, I personally find a large group of merry raucous smokers to be intimidating, and would not wish to have to pass my way through such a crowd. I should imagine that I am not the only person who feels this way. This is another reason why I think the location of these premises is unsuitable.

4. With regard to the late night music application, although it is claimed the music will not be very loud, the mere fact that music will be played, and could be played as late as midnight or 2am on other nights, will add to the likelihood of late night customers. I am sure a bar would not wish to turn away Race week customers. The late hours add to my other reservations about nuisance and inconvenience.

The Wesley bar already has a similar license in place, and although it does not play music loudly, I have seen a large gathering of smokers outside the front in summer having a (justifiable) good time attending the party inside. However they were chattering so loudly I could even tell which girl was talking when I was quite a long distance away at the Abbey Terrace car park. I am concerned that the addition of, yet another establishment in such close proximity, will more than double the nuisance opportunities.

5. I have personally witnessed smokers in the garden of another very local establishment roll and smoke joints there. One such customer was barred from that establishment for continuing to roll a joint at the main bar despite being asked to desist.

I am concerned that the alley by the Guide Hall would offer "cover" for customers of Rosie's. Again I cannot see how the staff at Rosie's would be able to prevent this, and I can see no reason why local residents should be placed in the position of being subjected to this.

6. I am also concerned that the terminology of a Bar/café implies cooked food, and although Mr Keeling has said in a text that there are no plans to install extraction, I have had no re-assurance provided that other mechanisms would be found that might similarly affect the local residents.

For all the above reasons I seriously hope that this alcohol and late night license application is refused, and that the local residents, and the users of the Guide Hall may enjoy quiet, legal, an unhindered use of this area.

Regards,
Ms G M Denby

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:50 AM on 05 Dec 2015 from Not Available.

Application Summary

Address: The Emporium High Street Winchcombe
Cheltenham Gloucestershire GL54 5LJ

Proposal: Premises Licence

Case Officer: Mr Colin Hoult

[Click for further information](#)

Customer Details

Name: Not Available

Email: kirsten.kaj.jorgensen@gmail.com

Address: flat 2, the emporium,high street, winchcombe
gl54 5lj

Comments Details

Commenter Type: Members of the Public

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 10:50 AM on 05 Dec 2015 I am currently renting the flat directly above premises in which this application is for. I have to small children whos bedroom is right above and my children also use the guide hall too. its not needed in Winchcombe and i worry for the safety of my children and the affected this will have on them.im totaly against this happening its wrong. Also bins mess and nosie theres enough nosie now WE DONT NEED MORE. Think of other people and poor small children. WE have to live with it

Dear Sirs

I am writing in relation to the Licensing Application for the above premises on Winchcombe High Street and would like to put forward an objection to this being granted.

Winchcombe High Street is a small High Street which is already adequately served by licensed premises that already create a certain amount of nuisance to those residents who live above the shops in the High Street, but also to passers by and I certainly would not wish this to be added to with the introduction of another licensed premises in less than a 100ft stretch of road.

Noise:

We are concerned about the further nuisance that could be created by the noise levels from such an establishment. There are several residents that occupy the flats directly above these premises, but also residents up and down the High Street.

We note that it is intended for 'background music', but what is 'background music' when a premises is full of people and in order for the 'background music' to be heard, the volume has to be raised which will interfere with the home environment of those living above, next to and opposite the premises.

There is also the noise created by customers who spill out of the pavement during licensing hours. As a result of the current smoking laws in this country, smokers now step outside to smoke their cigarettes and as is already the case with other licensed premises on Winchcombe High Street, unfortunately this can get quite rowdy and loud, as having enjoyed a drink, customers simply do not appreciate how loud they become, causing a disturbance.

Safety:

As already mentioned, Winchcombe is a very small High Street of narrow roads and narrow pavements. In my view, it simply isn't advisable to have a premises that will have, for example, smokers standing outside on the street pavement. There is no garden or suitable outside space other than the pavement directly outside the premises for customers to smoke etc.

There is also the very real possibility of customers taking glasses or glass bottles onto the pavement and the dangers associated with such a practise.

Nuisance:

As we know only too well, those that smoke are not as considerate about disposing of their cigarette ends etc as they might be, even if a receptacle is provided. I would be concerned and saddened to see further smokers on Winchcombe High Street or any High Street for that matter, causing blockages on the pavements.

There are, of course, other unpleasant and unsanitary behaviours associated with licensed premises and the sometimes irresponsible nature of those drinking there. Again, as we already have licensed premises just a stone's throw away, I am concerned about the level of anti-social behaviour increasing in the vicinity.

For all of the above reasons, I would request that the Licensing Application be declined.

Yours faithfully

Fiona Thomas
Serendipity Shoes
18 High Street
Winchcombe
GL54 5LJ

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:54 AM on 26 Nov 2015 from Not Available.

Application Summary

Address: The Emporium High Street Winchcombe
Cheltenham Gloucestershire GL54 5LJ

Proposal: Premises Licence

Case Officer: Mr Colin Hault

[Click for further information](#)

Customer Details

Name: Not Available

Email: mark@newsumentiques.co.uk

Address: 2 High Street, Winchcombe, Cheltenham,
Gloucestershire GL54 5HT

Comments Details

Commenter Type: Members of the Public

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 10:54 AM on 26 Nov 2015 As a shop keeper and resident in Winchcombe I would like to strongly object to the planning application as being out of keeping with the character of the town. We are well provided for with three pubs and a wine bar within 50 yards of the proposed application. All of these businesses are allowed music/late night opening hours from time to time, and I would not like to see a further extension of late night boozy drinking. As a shop keeper with a retail premises I have experienced regular low level anti-social behaviour during race week, Christmas time and other festive occasions when bar extensions are provided; broken bottles, the odd broken window and other petty vandalism. The entire street is mixed residential housing with flats above the retail units. The inevitable rowdiness, cigarette smokers gathering and drinking outside the premises is not in keeping with this quiet Cotswold town. This proposed development would be much more suitable for a Cheltenham or Tewkesbury town location.

I have a very smart antiques shop, several of the other shops around the proposed development have large plate glass windows and a lot of upmarket stock attractive to thieving. I would certainly not wish to tempt fate with a development of this nature.

Dear Council,

I would like to voice my objection to the granting of an alcohol and music license to the premises known as The Emporium in the high street Winchcombe.

The High Street has many residential dwellings with bedrooms and sitting rooms facing the street some of which are directly above, behind and in front of the premises. The playing of music, drinking and smoking on the pavement till Midnight during the week and till 2am Friday and Saturday will result in a nuisance level unacceptable.

Also, the Guild Hall is directly next door to the Emporium where children are dropped off and collected from the various children,s events that take place there.

We do not want to add to the empty cans and bottles, half drunk glasses of beer and cigarette butts that regularly litter our street only to be picked up in the morning by people like myself who live and work here.

On a personal note my wife and I live directly opposite the Emporium. Our bedroom over looks the street. We have lived here for twenty six years and do not wish to be driven away by the noise and nuisance that will inevitably accrue.

Regards,

Keith Prichard

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PRICHARD ANTIQUES

16 High Street

Winchcombe

Cheltenham

Gloucestershire

GL54 5LJ

Ph 01242 603566

Mandatory Conditions

1. No supply of alcohol may be made under the premises licence:
 - (a) at a time when there is no Designated Premises Supervisor in respect of the premises licence, or
 - (b) at a time when the Designated Premises Supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - 1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - 2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol); or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
 - (i) the outcome of a race, competition or other event or process; or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

6.
 - 1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - 2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
7. The responsible person shall ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) Beer or Cider: ½ pint;
 - (ii) Gin, Rum, Vodka or Whisky: 25 ml or 35 ml; and
 - (iii) Still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.
8.
 - 1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - 2) For the purposes of the condition set out in paragraph 1)-
 - a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6); .
 - b) “permitted price” is the price found by applying the formula:-

$$P=D+(D \times V)$$
 where-
 - i) P is the permitted price,
 - ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence-
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - iv.
 - d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(7).
 - 3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 - 4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on

the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Exhibition of films

1. Admission of children must be restricted in accordance with any recommendation made by the film classification body.

Door supervision (where applicable)

1. All individuals at the premises to carry out a security activity must be licensed by the Security Industry Authority.
2. For the purposes of this section—
 - a) “security activity” means an activity to which paragraph 2(1)(a) of The Private Security Industry Act 2001
 - b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.