

**APPLICANT'S OBSERVATIONS ON
THE OBJECTIONS IN CONNECTION WITH THE APPLICATION
FOR A FULL ON LICENCE IN RELATION TO
"THE GREENHOUSE" THE PAVILION ROUNDWOOD WAY
CORSHAM WILSTHIRE SN13 9FN**

Introduction

These representations together with oral submissions are made in respect of the application for a Licence to be granted under the provisions of the Licensing Act 2003 in respect of premises known as "The Greenhouse", The Pavillion, Roundwood Way, Corsham, Wiltshire, SN13 9FN, and are made on behalf of Rangeford Holdings Limited who are experienced and dedicated operators of retirement living schemes for the over 55's.

The ethos of Rangeford Holdings Limited (the Company) is to create a dynamic living environment for those entering the time of life when children have left home and when they have the time to enjoy a vibrant and varied lifestyle in beautiful surroundings in a development which provides a wide range of leisure and other activities and services on site, and support for such residents where needed.

The Shareholders and Directors of the Company have extensive experience in developing and operating such retirement living schemes to suit the continuing needs of its clientele.

The Company and the General Manager are aware of the Licensing objectives as set out in the Council's Licensing Statement.

The Greenhouse Restaurant

The Greenhouse Restaurant (The Greenhouse) is a Gastro Pub type environment designed to provide a high standard of food at an affordable price primarily for the residents their children and grandchildren and also to make the facilities available to the wider community who will be encouraged to visit and enjoy the same.

A copy of the current Menu is annexed at *Exhibit A*.

Wadswick Green is a Retirement Living Scheme for the over 60's. There are two floors of Apartments above the Restaurant and a further 86 independent living apartments in the first phase in the landscaped grounds surrounding so by its design and proximity to the residents the level of noise generated will naturally be restrained because the Company will not wish to cause a nuisance or annoyance to any of its clientele. It is essentially the heart of a community of older and retired residents and is designed to enhance their lifestyle rather than damage the ambience of Wadswick Green.

The Restaurant has no dance floor nor does it incorporate anything similar in its design, and it will not be allowed to be used as a Nightclub for the reasons hereinafter set out.

The Objections

The objections all refer to the level of noise which could be generated by events which are proposed to be run throughout the year to enhance the residents' quality of living. Such events will include New Year's Eve dinners and similar functions throughout the year so that the residents can continue with an active and varied lifestyle.

There is no intention to operate anything akin to a Nightclub or to create excessive noise from The Greenhouse because the Company fully understands not only its duty to the residents who occupy the Apartments but also to the wider community. It is envisaged that The Greenhouse will become an integral part of the wider community for the benefit of older persons and the residents thereof will be encouraged to use the same, and the residents will be encouraged to use the facilities which the wider community has to offer so that the development is fully integrated into "Village and Community life".

Also attached is a copy of the Planning Permission and Section 106 Agreement (*Exhibit B*) in respect of the Development which the Licensing Committee can see is restrictive in its Use and the Company is sure that any attempt to "change the use" granted by the Planning Permission would be met with firm opposition not only by the local planners but also by the Community. Some of the objections refer to the "old" Licensing regime and establishments closing at 10.30pm-11pm. The whole thrust of the Licensing Act 2003 was to make the Licensing Laws more flexible and in line with "modern living" requirements, and it is for this reason that the application has stated the hours requested.

It is not envisaged that there will be many events that run on until the end of licensing hours but the Company has sought to maintain a high degree of flexibility so that residents (and members of the public) can utilise the facilities for family parties and other social occasions (all of which will be strictly controlled insofar as noise is concerned).

Obviously it is open to the Company to make an application for a Temporary Event Notice (TEN) but this harks back to the old Licensing regime with applications for occasional permissions and bar extensions being required. The idea behind applying for an alcohol licence with a finish at 1am is to allow flexibility.

Conclusion

Whilst the owners and operators of Wadswick Green understand the concerns of those who have made valid objections they would asking the Licensing Committee to consider the "wider" position and the duty that will be owed first and foremost to those that live in the Development. The residents will acquire their Apartments for between £365,000 and £560,000 on a long Lease and will have to pay a Service Charge for the provision of the services which are provided. The General Manager, Jose Afonso, will obviously do his best to ensure that "noise nuisance" does not affect either the residents or the local community.

Representatives of the Company and their legal advisors will attend to address the Licensing Committee on 9 December next but it is hoped that this brief outline of the rationale and ethos of the Development will assist them in their deliberations. The brochure for Wadswick Green is annexed at *Exhibit C*.

