

To: Licensing and Gambling Acts Committee

Date: 14 June 2010 **Item No:**

Report of: Head of Environmental Development

Title of Report: Update on Licensing Authority Activity
April 2009 – March 2010

Summary and Recommendations

Purpose of report: To inform Committee of the progress made by the Licensing Authority under the Licensing Act 2003 and Gambling Act 2005 between April 2009 and March 2010.

Report Approved by:

Finance: Gillian Chandler

Legal: Daniel Smith

Policy Framework: Statement of Licensing Policy

Recommendation(s):

The Committee recommended to

(i) note the contents of the report, and

(ii) make comments and recommendations regarding the future work of the Licensing Function.

1. This report informs Committee of progress made by the Licensing Authority ("the Authority") under the duties of the Licensing Act 2003 and Gambling Act 2005 between January 2010 – March 2010. The Committee will have noted the contents of previous Updates during the period April 2009 – December 2009, however statistics have been included to cover the whole 12 month period. Under Policy GN10 of the Statement of Licensing Policy, the Licensing Authority should report to the Committee on matters determined by the Head of Environmental Development with delegated authority.
2. The report covers data on service volumes; details of Licensing hearing decisions; decisions made under delegated powers; information on Temporary Event Notices ("TENS") and enforcement activity.

3. The table below provides data on licence applications received and processed during the period January 2010 – March 2010, and the totals for April 2009 to March 2010.

Applications Received	Jan 2010	Feb 2010	Mar 2010	Total	Total Since April 2009
Gambling	4	2	8	14	38
Club/ Premises	3	4	3	10	28
Variations	0	0	5	5	26
Personal Licences	10	8	17	35	123
Administrative Changes	28	29	22	79	311
TEN's	25	26	44	95	468

4. To date the Licensing Authority has processed; 1,162 Personal Licences; 821 New Premises Licences; 208 Variations on Premises Licences; 348 Premises Transfer Applications and 88 New and Variations of Club Certificates.

Applications Granted by the Licensing Authority

5. A hearing is not required where an application has been lawfully made and no Responsible Authority or Interested Party has made a representation. 15 licences in this category were issued by the Head of Environmental Development under delegated authority, details are listed in Appendix 1.

Temporary Event Notices

6. A Temporary Event Notice (TEN) is a notification given by an individual to Oxford City Council giving notice of an event that is to take place. Only the Police can object to a TEN. If, as in most cases, there is no objection and the application does not exceed the maximum number of events in a year, the TEN is simply acknowledged and returned to the applicant. Should the Police object then the TEN will go to a hearing.
7. Temporary Event Notices relate to temporary events with less than 500 attendees where 'licensable activities' are planned to take place. Attached in Appendix 2 is a list of the 106 TENs applied for between January 2010 – March 2010.

Representations and Licensing Sub-Committee Hearings

8. When Relevant Representations are received from Interested Parties or Responsible Authorities then the application is determined at a Licensing Sub-Committee Hearing.
9. Relevant Representations were received for 13 Premises Licence and Club Certification applications processed during January 2010 – March 2010. This resulted in 5 of the applications being determined by hearings.
10. Representations were made as follows:

Interested Parties	62
Thames Valley Police	10
Fire Officer	1
Other Responsible Authorities	0

The details of these applications and decisions of the hearings are attached in Appendix 3. It should be noted that one of applications received during this period was heard at Sub-Committee Hearing during April 2010, and will appear on the details of the next Update Report.

Reviews of Licensed Premises

11. Under the 2003 Act it is possible for the Authority to review a Premises Licence at any time if a representation is received from a Responsible Authority or an Interested Party. The Authority has no powers to initiate its own review. Reviews may only arise in connection with a failure or failures in the premises connected to the licensing objectives.
12. Between January 2010 and March 2010 there were no applications for Premises Licence Reviews.

Appeals under the Licensing Act 2003

13. The Licensing Authority received notification from the Magistrates' Court of an appeal lodged by the Reverend Vaughn Roberts.
14. The appeal is against the decision made by The Licensing and Gambling Acts Committee to grant the variation applied for by Thirst Lodge (Pennyfarthing Place) on 10th December 2010.
15. A pre-trial review was convened on 12th April 2010, and an appeal date set for 28th June 2010. The Judge has indicated that a further pre-trial review may be convened before the appeal date, as he has requested the time from the original pre-trial review date to explore whether or not the documents submitted by Revered Roberts and others supporting his appeal do in fact contain any evidence that would lead to the appeal being heard.

Enforcement Activity

16. Between January 2010 and March 2010, the Licensing Team members have instigated:

- 129 Inspections of premises
- Issued 70 warning letters to businesses or licence holders for breaches of premises licence conditions. These have been predominantly for licences not displayed on the premises, noise complaints, or perceived poor management of premises.

Comment. The number of warnings issued has markedly increased due to (i) a procedural change and (ii) a more proactive approach to safeguarding the public. The Licensing Team now undertake all initial actions when dealing with complaints. Previously the complaint had been passed to the relevant responsible authority in the first instance, and as a result this led to delays and in sometimes the loss of opportunity for early licensing enforcement.

- On 29th January 2010 and 5th March 2010, the Licensing Team carried out enforcement of late night venues. A total of 36 premises were visited. Some minor problems were found during these late night visits that resulted in further enforcement action being taken to rectify matters found. These operations will be carried out monthly, covering the various areas of the District. Premises visited are determined on historical data and present intelligence..

17. Between January 2010 – March 2010, joint test-purchasing operations with Thames Valley Police and the Licensing Authority took place on 4 occasions. 27 premises were targeted during the operations, and 9 of the premises failed the test purchase operation.

18. Of those that failed the Test Purchase Operations, Thames Valley Police have made 2 applications for Reviews of the premises licences (to be heard at a future date), 5 fixed penalty notices were issued by the Police at the premises, and on 3 occasions the Designated Premises Supervisor (who failed the Test Purchase) was reported for potential prosecution.

Nightsafe

19. The NightSafe initiative contributes to the licensing objectives. This includes intelligence sharing and quarterly joint inspections with the Police, Fire Authority and Trading Standards. 10 premises were visited during an operation in East Oxford on 18th March 2010. Some very minor issues were found during these inspections with 3 of the premises, and were followed up and resolved immediately afterwards.

Future Work

20. The Licensing Team will alternate late night enforcement between the City Centre late night venues, and premises located throughout the District. Premises located away from the City Centre will be visited because of complaints received by the Team, or from historical data that indicates that the way a premises has been managed leads to the need for it to be inspected.
21. The Team will carry out joint enforcement visits with members of the Responsible Authorities and Nightsafe Manager in order to help gather evidence that may lead to reviews or prosecutions of problem premises.
22. The frequency of test purchase operations with Thames Valley Police will be increased to monthly operations. There have been several premises that have failed the operations on consecutive visits, and therefore the need to promote the licensing objective of the protection of children from harm has become of very high importance.
23. A discussion forum (City Centre Late Night Partnership) with the City Centre licensees, the Licensing Team, Thames Valley Police and the City Centre Manager is being formed. The purpose of the forum is to identify the business needs of the licensees, to help promote a united approach to tackling the problems associated with those consuming alcohol and the effects of those persons when dispersing from a City Centre, and attracting new development to Oxford.
24. The Licensing Team will be actively engaged with all Neighbourhood Action Groups, Residents Associations, and Business Links to help promote the whole of the District as a safe place for people to live and work, and provide initiatives on how to resolve issues through open forums and proactive enforcement.
25. The Licensing Team is working with the Events Officer and the Safety Advisory Group to develop a procedure for event organizers to follow and prescribed criteria that must be met to ensure the safety of all persons connected with events held within the District, and to promote Oxford as a city that welcomes events and diversity.

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Background papers:
Version: 1.0

Premises Licenses Granted Under Delegated Authority

1. Rice & Peas, 260 Cowley Road, Oxford, OX4 1UH

Application granted for: New Premises Licence application: Late night refreshment only. Conditions agreed between applicant and Thames Valley Police.

2. Linton Lodge Hotel, 11 - 13 Linton Road, Oxford, OX3 6UJ

Application granted for: Variation of Premises Licence: Half an hour increase in permitted times for sales of alcohol on Thursdays, Fridays and Saturdays and the addition of live and recorded music, provision for making music and provision for facilities for dance. Conditions agreed between applicant and Thames Valley Police.

3. Fort Box, Pony Road/Peterley Road, Oxford, OX4 2TZ

Application granted for: New Premises Licence: 24 hours alcohol storage and delivery service. Conditions agreed between applicant and Thames Valley Police.

4. The Chinese Restaurant, 148A London Road, Oxford, OX3 9ED

Application granted for: New Premises Licence: Sale of alcohol (on premises only) and late night refreshment until 2am. Karaoke until 3am. Conditions agreed between applicant and Thames Valley Police.

5. Jacobs & Field, 15 Old High Street, Oxford, OX3 9HP

Application granted for: New Premises Licence: Every day On / Off Sale of Alcohol 11am to 11pm, Recorded Music 8am – 11pm, and until 1am on New Years Day. Conditions agreed between applicant and Thames Valley Police.

6. Fireside Coffee, 103 - 104 St Clement's, Oxford, OX4 1AR

Application granted for: New Premises Licence: Sale of Alcohol (on and off sales) and Recorded Music from 8am to 10pm Monday to Sunday.

7. Gamezone Peartree. Peartree Roundabout, Woodstock Road, Oxford

Application granted for: New Premises Licence: Adult Gaming Centre 24 hours daily. 6 gaming machines.

8. **Museum of Modern Art, 30 Pembroke Street, Oxford, OX1 1BT**

Application granted for: New Premises Licence (increased public area following building extension – no change to current hours or activities). Condition agreed with Fire Officer.

9. **Oxford Express, 51 Between Towns Road, Oxford, OX4 3LR**

Application granted for: New Premises Licence: Sale of Alcohol (off sales only) 08.00 hrs – 23.00 hrs daily.

10. **Akiport Café and Shop, 192 Abingdon Road, Oxford, OX1 4RJ**

Application granted for: Variation of Premises Licence: Sale of Alcohol (on and off sales – currently only off sales) but to reduce the licensable hours from 11pm to earlier at 9.30pm

11. **St Antonys College, 62 Woodstock Road, Oxford, OX2 6JF**

Application granted for: Minor Variation of Premises Licence: To amend the current Premises Licence permission of a Commemoration Ball every 3 years, to annually.

12. **The Oxford Wine Co. Ltd, 165-167 Botley Road, Oxford, OX2 0PB**

Application granted for: New Premises Licence: Sale of Alcohol (off – sales only) from 10.00 hrs to 20.00 hrs Saturday to Sunday.

13. **Real China Ltd, 41 Oxford Castle, New Road, Oxford, OX1 1AY**

Application granted for: Minor Variation of Premises Licence: Minor amendments to layout only.

14. **Wahoo, 3-5 Hythe Bridge Street, Oxford, OX1 2EW**

Application granted for: Minor Variation to Premises Licence: Alterations to seating and floor plans.

15. **Bottega, 123 Walton Street, Oxford, OX2 6AH**

Application granted for: Minor Variation to Premises Licence: Removal of unenforceable conditions of Premises Licence. Addition of conditions agreed with Thames Valley police regulating vertical drinking venues.

TEMPORARY EVENT NOTICE APPLICATIONS
January 2010 - March 2010

Applicant	Premises	Date rec'd	Event dates
Ms Margaret Wong	Hang Chow, 148 London Road, Oxford, OX3 9ED	05/01/2010	18/01/2010-21/01/2010
Miss Florence McLean	Somerville College, Woodstock Road, Oxford, OX2 6HD	05/01/2010	23/01/2010-24/01/2010
Mr Ian Anthony Liddle	Royal Blenheim PH, 13 St Ebbe's Street, Oxford, OX1 1PT	11/01/2010	07/02/2010-08/02/2010
Miss Kerrie Chapman	The Jericho Tavern, 56 Walton Street, Oxford, OX2 6AE	11/01/2010	24/01/2010
Mr Andrew Charles Norton	The Jam Factory, 27 Park End Street, Oxford, OX1 1HU	11/01/2010	22/01/2010-24/01/2010
Mr Philip Davidson	Anuba, 11-13 Park End Street, Oxford, OX1 1HH	13/01/2010	28/01/2010
Mr Tim Stanbury	SS Philip & James Church of England Aided Primary School, Navigation Way, Oxford, OX2 6AB	14/01/2010	29/01/2010
Mr Andrew Charles Norton	The Jam Factory, 27 Park End Street, Oxford, OX1 1HU	14/01/2010	30/01/2010-31/01/2010
Mrs May Wylie	North Oxford Community Centre, Diamond Place, Oxford	15/01/2010	19/03/2010
Mr David Cole	Hawkwell House Hotel, Church Way, Iffley, Oxford, OX4 4DZ	18/01/2010	30/01/2010-31/01/2010
Ms Polly Jess McLean	Rotunda, Grove House, 44 Iffley Turn, Oxford, OX4 4DU	18/01/2010	29/01/2010
Mr Daniel Lowe	Corrmarket Street, Oxford, OX1	18/01/2010	20/02/2010
Dr Christopher Thomas Wilkes	Ruskin College, Walton Street, Oxford, OX1 2HE	19/01/2010	06/02/2010
Mrs Maureen Ridley	Oxford Greyhound Stadium, Sandy Lane, Oxford, OX4 6LJ	20/01/2010	26/02/2010-27/02/2010
Mr Robin Lipsey	Wolvercote Village Hall, Godstow Road, Wolvercote Green, Oxford, OX2 8BD	20/01/2010	12/02/2010
Mr Joss Saunders	North Site, Cherwell School, Marston Ferry Road, Oxford, OX2 7EE	21/01/2010	05/02/2010
Ms Daryl Back	Oxford High School, Bardwell Road, Oxford	21/01/2010	05/02/2010
Miss Emma Jane Louise Adlard	University College Sports Ground, Abingdon Road, Oxford, OX1 4SR	21/01/2010	07/03/2010
Mr Martin Forde	Baby Love Bar, 3 King Edward Street, Oxford, OX1 4HS	21/01/2010	07/02/2010
Mrs Julia Jane Horsnell	New College School, 2 Savile Road, Oxford, OX1 3UA	25/01/2010	05/02/2010
Mrs Krystina Hibbert	Nicholas Tingewick Hall, John Radcliffe Hospital, Headington, Oxford, OX3 9DU	25/01/2010	06/02/2010
Mrs Teresa Hudson	Rye St Anthony School, Pullens Lane, Headington, Oxford, OX3 0BY	26/01/2010	09/02/2010-11/02/2010
Mr Dominic Andrew Vickers	St Andrews Church Of England Primary School, London Road, Headington, Oxford, OX3 9ED	26/01/2010	26/03/2010
Mr Michael John Dean	The Frewen Club, 98 St Aldates, Oxford, OX1 1BT	26/01/2010	26/03/2010
Miss Iana Alexeeva	Cellar Bar, Wolfson College, Linton Road, Oxford, OX2 6UD	26/01/2010	13/02/2010-14/02/2010
Mr Christopher Proudfoot	The White House, 2 Botley Road, Oxford, OX2 0AB	28/01/2010	13/02/2010-14/02/2010
Mr Lance Anthony Cowan	James Street Tavern, 47 James Street, Oxford, OX4 1EU	28/01/2010	06/02/2010-07/02/2010
Mr Stephen D'Arcy Tingle	Kukui 42/43 Park End Street, Oxford, OX1 1JD	27/01/2010	14/02/2010
Mr Stephen D'Arcy Tingle	Kukui 42/43 Park End Street, Oxford, OX1 1JD	01/02/2010	18/02/2010
Mr Thomas Andrew Rush	The Honey Pot, 8 Hollybush Row, Oxford, OX1 1JH	01/02/2010	14/02/2010
Mr Peter Frank Zarecky	Coven II, Oxpens Road, Oxford, OX1 1RX	01/02/2010	18/02/2010
Miss Elisabeth Christine Hudson	Brewery Gate, 5 St Thomas Street, Oxford, OX1 1JJ	02/02/2010	14/02/2010
Mr Tom Stringer	Oddbins, 7 Little Clarendon Street, Oxford, OX1 2HP	04/02/2010	16/02/2010-17/02/2010
Mrs Natalie Peach	G&D's, 94 St Aldates, Oxford, OX1 1BT	04/02/2010	20/02/2010-21/02/2010
Mr Samuel Hellyer	Oddbins, 108 High Street Oxford, OX1 4BW	05/02/2010	23/02/2010
Mr Ian Anthony Liddle	Royal Blenheim PH, 13 St Ebbe's Street, Oxford, OX1 1PT	08/02/2010	24/02/2010
Mr Gavin Douglas Turner Park	Oddbins, 263 Banbury Road, Oxford, OX2 7HN	09/02/2010	24/03/2010
Mr Tom Stringer	Oddbins, 7 Little Clarendon Street, Oxford, OX1 2HP	09/02/2010	24/02/2010
Mr John Andrew Glasgow	East Oxford Community Centre, 44 Prince's Street, Oxford, OX4 1DD	09/02/2010	25/03/2010
Mr John Andrew Glasgow	East Oxford Community Centre, 44 Prince's Street, Oxford, OX4 1DD	09/02/2010	23/03/2010
Mr Lance Anthony Cowan	James Street Tavern, 47 James Street, Oxford, OX4 1EU	09/02/2010	13/03/2010
Mr Robert Charles John Hart	Herford College Boathouse, Donnington, Oxford	09/02/2010	27/03/2010-28/03/2010
Mrs Maureen Butler	West Oxford Democrats Club, 1 North Street, Oxford, OX2 0AY	10/02/2010	26/02/2010-27/02/2010
Miss Sally Louise Tee	George and Delia, 104 Cowley Road, Oxford	12/02/2010	06/03/2010
Mr Bartholomew David Ashton	Lady Margaret Hall & Trinity Boathouse, Christchurch Meadow, Oxford	12/02/2010	13/03/2010
Miss Ida Barlow	The Perch Public House, Binsley Lane, Oxford, OX2 0NG	12/02/2010	04/03/2010
Ms Jean Burrell	Pembroke College Boat Club, Christ Church Meadow, St Aldates, Oxford, Oxfordshire	15/02/2010	06/03/2010
Miss Iana Alexeeva	North Oxford Community Centre, Diamond Place, Oxford	17/02/2010	20/03/2010
Ms Barbara Jane Mercer	Cellar Bar, Wolfson College, Linton Road, Oxford, OX2 6UD	18/02/2010	17/04/2010
Professor John Stradling	South Oxford Community Centre, Lake Street, Oxford, OX1 4RP	19/02/2010	11/03/2010
Mrs Maureen Ridley	Nicholas Tingewick Hall, John Radcliffe Hospital, Headington, Oxford, OX3 9DU	19/02/2010	06/03/2010
Mrs Maureen Ridley	Oxford Greyhound Stadium, Sandy Lane, Oxford, OX4 6LJ	22/02/2010	20/03/2010-21/03/2010
Ms Daryl Back	Oxford Greyhound Stadium, Sandy Lane, Oxford, OX4 6LJ	22/02/2010	27/03/2010-28/03/2010
	Oxford High School, Belbroughton Road, Oxford, OX2 6XA	22/02/2010	12/03/2010

TEMPORARY EVENT NOTICE APPLICATIONS
January 2010 - March 2010

Applicant	Premises	Date rec'd	Event dates
Mr Philip Davidson	Anuba, 11-13 Park End Street, Oxford, OX1 1HH	24/02/2010	11/03/2010
Mr Christopher Mannors	The Rusty Bicycle, 28 Magdalen Road, Oxford, OX4 1RB	25/02/2010	09/05/2010
Mrs Juliet Elizabeth Strother	SS Mary and John Primary School, Meadow Lane, Oxford	01/03/2010	19/03/2010
Mrs Teresa Torchia	South Oxford Community Centre, Lake Street, Oxford, OX1 4RP	01/03/2010	19/03/2010
Mr Dhanyal Shaftaq	Somerville College, Woodstock Road, Oxford, OX2 6HD	01/03/2010	12/03/2010-13/03/2010
Mr Imran Hashmi	Camera, 28-31 St Ebbe's, Oxford, OX1 1PT	01/03/2010	14/03/2010
Mr Nick Gladwin	Baby Simple, 213 Cowley Road, Oxford	01/03/2010	13/03/2010
Mrs Natasha Denness	St Peters College, New Inn Hall Street, Oxford, OX1 2DL	01/03/2010	26/06/2010-27/06/2010
Dr Christopher Thomas Wilkes	Ruskin College, Walton Street, Oxford, OX1 2HE	02/03/2010	12/03/2010
Mr Charles Andrew White	St Hugh's College, Ball Marquee 1, St Margaret's Road, Oxford, OX2 6LE	03/03/2010	09/05/2010
Mr Charles Andrew White	St Hugh's College, Ball Marquee 2, St Margaret's Road, Oxford, OX2 6LE	03/03/2010	09/05/2010
Mr Charles Andrew White	St Hugh's College, Ball Marquee 3, St Margaret's Road, Oxford, OX2 6LE	03/03/2010	09/05/2010
Mr Stephen Bent	Oxford Deaf & Hard of Hearing Centre, 10 Little Gate Street, St. Ebbe's, Oxford, OX1 1RL	03/03/2010	20/03/2010
Miss Claire Thompson	Worcester College, Worcester Street, Oxford	03/03/2010	20/03/2010-21/03/2010
Mrs Nicola Sullivan	St Nicholas First School, Raymond Road, Marston, Oxford, OX3 0PJ	04/03/2010	19/03/2010
Mrs Maureen Butler	West Oxford Democrats Club, 1 North Street, Oxford, OX2 0AY	05/03/2010	24/04/2010
Miss Amanda Tillson-Willis	Oxford Deaf & Hard of Hearing Centre, 10 Little Gate Street, St. Ebbe's, Oxford, OX1 1RL	04/03/2010	13/03/2010
Mrs Ann McArdle	St Gregory The Great School, Cricket Road, Oxford, OX4 3DR	05/03/2010	26/03/2010
Mr Matthew Peter Wood	Lincoln College Front Quad and The Grove, Turl Street, Oxford, OX1 3DR	08/03/2010	08/05/2010-09/05/2010
Mr Matthew Peter Wood	Lincoln College Chapel Quad and Deep Hall, Turl Street, Oxford, OX1 3DR	08/03/2010	08/05/2010-09/05/2010
Mr Harry George Brittain	The Cellar, Frewen Court, Oxford, OX1 3HZ	08/03/2010	28/03/2010
Miss Kerry Annette Skrzypliec	The Crown, 59A Cornmarket Street, Oxford, OX1 3HB	08/03/2010	24/04/2010
Miss Kerry Annette Skrzypliec	The Crown, 59A Cornmarket Street, Oxford, OX1 3HB	08/03/2010	27/03/2010
Miss Heidi Stancliffe	Cornmarket Street, Oxford, OX1	09/03/2010	29/04/2010-02/05/2010
Miss Anne Helen Cole	The Rookery, Old Headington, Oxford, OX3 9BZ	09/03/2010	25/03/2010-27/03/2010
Mr David Woodfine	Harris Manchester College, Mansfield Road, Oxford OX1 3TD	09/03/2010	30/04/2010-01/05/2010
Mrs Rebecca Harris	Grandpont Nursery School, 47 Whitehouse Road, Oxford, OX1 4QH	09/03/2010	26/03/2010
Mr Bonafacio Matos	Oxford Sea Cadets Corp. Meadow Lane, Oxford	10/03/2010	24/04/2010-25/04/2010
Mr Stephen Tingle	Kukui 42/43 Park End Street, Oxford, OX1 1JD	11/03/2010	05/04/2010
Mr David Brewerton	The Nelson, 55a Between Towns Road, Oxford, OX4 3LR	12/03/2010	02/04/2010-05/04/2010
Mr Craig Barlow	Maroon, 44 St Thomas Street, Oxford, OX1 1JP	15/03/2010	27/03/2010
Mr Stephen Ramos	The Bear, 6 Alfred Street, Oxford, OX1 4EH	16/03/2010	01/05/2010
Mr Dumitru Radu Negru	Templars Square Shopping Centre, 129 Pound Way, Oxford	16/03/2010	03/04/2010
Miss Victoria Lindholt	University College Oxford Boat House, Oxford	16/03/2010	24/04/2010
Mr Robert Yue Opher	Thirst Bar, 7-8 Park End Street, Oxford, OX1 1HH	17/03/2010	28/03/2010
Mrs Julia Emelyanova	The Lodge, Pennyfarthing Place, Oxford, OX1 1QF	17/03/2010	28/03/2010
Mr Thomas David Evans	SS Philip & James Church of England Aided Primary School, Navigation Way, Oxford, OX2 6AB	18/03/2010	29/04/2010
Mr Thomas David Evans	Jericho Tavern, 56 Walton Street, Oxford, Oxfordshire, OX2 6AE	19/03/2010	04/04/2010
Mr Lance Anthony Cowan	Jericho Tavern, 56 Walton Street, Oxford, Oxfordshire, OX2 6AE	19/03/2010	18/04/2010
Mr Craig Barlow	James Street Tavern, 47 James Street, Oxford, OX4 1EU	19/03/2010	03/04/2010-04/04/2010
Mr John Westendorp	Maroon, 44 St Thomas Street, Oxford, OX1 1JP	22/03/2010	03/04/2010-04/04/2010
Mr John Andrew Glasgow	Catholic Chaplaincy, The Old Palace, Rose Place, St Aldates, Oxford, OX1 1RD	23/03/2010	16/04/2010-17/04/2010
Mrs Maureen Ridley	East Oxford Community Centre, 44 Prince's Street, Oxford, OX4 1DD	24/03/2010	30/04/2010-01/05/2010
Mrs Teresa Hudson	Oxford Greyhound Stadium Sandy Lane, Oxford, OX4 6LJ	25/03/2010	10/04/2010-11/04/2010
Ms Daryl Back	Rye St Anthony School, Pullens Lane, Headington, Oxford, OX3 0BY	25/03/2010	13/06/2010
Mr Ian Anthony Liddle	Oxford High School, Beibroughton Road, Oxford, OX2 6XA	29/03/2010	23/04/2010
Mr Ian Anthony Liddle	Royal Blenheim PH, 13 St Ebbe's Street, Oxford, OX1 1PT	29/03/2010	01/05/2010
Mr Andrew Charles Norton	Royal Blenheim PH, 13 St Ebbe's Street, Oxford, OX1 1PT	29/03/2010	14/05/2010
Mr Skender Drizi	The Jam Factory, 27 Park End Street, Oxford, OX1 1HU	30/03/2010	10/04/2010
Ms Ruth Stavris	Milano Bar(formally The Blue Room), 92 Cowley Road, Oxford, OX4 1JB	31/03/2010	17/04/2010
	Milano Bar(formally The Blue Room), 92 Cowley Road, Oxford, OX4 1JB	31/03/2010	01/05/2010
	West Oxford Community Centre, Botley Road, Oxford, OX2 0BT	31/03/2010	24/04/2010

Sub-Committee Hearings

1. Formerly S.I.P., 102 Walton Street, Oxford, OX2 6EB (Variation)

7th January 2010

Application for a new Premises Licence: for sale of alcohol Sunday to Saturday 12.00 noon to 22.30 hours.

Decisions and reasons of the Licensing Sub-Committee:

The Sub Committee took into account all submissions and evidence presented, both written and oral, and considered both the Council's Statement of Licensing Policy and relevant government guidance.

The evidence of the Interested Parties related to past problems associated with a previous licence and licence holder, whereas, other evidence indicated that the Applicant was an experienced licensee who operated other premises in the area without problems.

The use of the premises as a restaurant was already established and in any event was a planning not a licensing issue. A planning permission existed for the restaurant and planning conditions were in place.

The application was for retail sale of alcohol and the Sub-Committee was satisfied that it could be granted without any increase to crime and disorder or public nuisance.

The conditions imposed as part of the planning permission would mitigate the concerns raised by the interested parties and if problems of nuisance did occur in the future they would properly be addressed under the Council's planning and environmental protection powers.

In order to prevent the restaurant being used as a bar and the impact on the licensing objectives of that, the Sub-Committee found it necessary to impose a licensing condition restricting the premises to restaurant use.

The application was GRANTED with the following condition: **The Premises shall operate as a restaurant. Alcohol shall only be served to customers who have ordered food from the restaurant or who are waiting to order.**

2. VCR-R & Co, 33 Oxford Road, Littlemore, Oxford, OX4 4PF

7th January 2010

Application for a New Premises Licence for sale of alcohol (off sales) from 07.00 hrs to midnight Saturday to Sunday.

Decisions and reasons of the Licensing Sub-Committee:

The Sub Committee took into account all submissions and evidence presented, both written and oral, and considered both the Council's Statement of Licensing Policy and relevant government guidance.

The Sub-Committee had particular regard to Policy LH8 of the Statement of Licensing Policy (hours for 'off sales') and considered whether the evidence demonstrated any reasons for restricting the application. In light of the Interested Parties concerns over potential for alcohol related nuisance, crime and disorder and the Applicants willingness to cease alcohol sales at 11pm, the Sub Committee found it necessary to permit the sale of alcohol only until 11pm and to impose a condition requiring that 2 members of staff be on duty when alcohol is being sold.

The other concerns of the Interested parties over the potential for parking problems and their view that there was not a need for such premises in this area, were not matters relevant to the licensing objectives.

The Sub Committee found that the application, with the conditions already agreed with Thames Valley Police, was otherwise in accordance with the Licensing objectives.

The application was GRANTED with the following restriction: **The Sale of Alcohol will be permitted between the following hours: Monday-Sunday 0700 - 2300**

The following condition was imposed by the Sub Committee: **There shall be at least two members of staff in the shop when alcohol is being sold.**

The Sub-Committee noted that all the conditions previously agreed with Thames Valley Police would be transferred onto the premises operating schedule.

3. Londis, 116-120 London Road, Oxford, OX3 9AX

7th January 2010

Application to Vary the Premises Licence to extend the hours for sale of alcohol (06.00 hrs to 05.00 hrs the following morning Sunday to Saturday).

Decisions and reasons of the Licensing Sub-Committee:

The Sub-Committee took all submissions and evidence presented into account. It had regard to the Council's Statement of Licensing Policy and to Government Guidance.

The Sub-Committee found that the Premises appeared to be well run with a very low incidence of reported crime and disorder.

In accordance with Policy LH8 (hours for 'off sales' of alcohol) the Sub-Committee considered whether there were good reasons for restricting the additional hours applied for. The Sub-Committee observed that whilst there may have been problems of crime and disorder in parts of Headington in the past there was no evidence that these problems were attributable to the Premises, and Government Guidance was clear that nuisance and disorder beyond the vicinity of the Premises should not be made the responsibility of the licence holder.

The Sub-Committee found that it had not been presented with evidence that the extension of hours applied for would result in additional crime, disorder or public nuisance.

For the reasons indicated below the Sub-Committee found that it was necessary to attach all the conditions suggested by Thames Valley Police and, in light of concerns over late night queuing, a further condition requiring the installation of a second service window.

The variation application was therefore GRANTED subject to the following conditions:

1. All Staff shall be suitably trained for their job function at the Premises. The training shall be written into a programme which shall be ongoing, kept under review and must be available for inspection by Responsible Authorities or the Licensing Authority on request.
2. Prominent, clear notices shall be displayed at all exit points to advise customers that the Premises fall within an Alcohol Free Zone.
3. All staff shall be aware of the law regarding the refusal of alcohol to any person who is drunk or is underage, and shall be aware of how to seek identification from anyone who appears to be underage.
4. A Premises Daily Register shall be kept at the Premises. This Register will be maintained and kept for a minimum of 12 months. The Register should record:-
 - The name of the person responsible for the Premises on each day.

- All calls made to the Premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made, and any actions taken.
 - Any refusals on grounds of age and/or intoxication, including date, time, member of staff and brief description of the person refused.
 - Any use of force by staff to remove people from the premises, including date, time, member of staff and brief description of the person removed.
 - Any calls made to Thames Valley Police in respect of any issue.
 - The Premises Daily Register will be available for inspection by any authorised representative of the Licensing Authority or Thames Valley Police.
5. All members of staff shall seek 'credible photographic proof of age evidence' from any person who appears to be under the age of 25 years and who wishes to purchase alcohol from the premises. Such credible evidence, which shall include a photograph of the holder, will be either a passport, photographic driving licence or proof of age card carrying the 'PASS' logo.
6. A second service window shall be installed at the premises within three months of the date of this decision notice and shall be available for use to alleviate queuing on the pavement.

The Sub-Committee noted that the existing conditions on the premises licence were unchanged and would continue to apply.

4. Madeira Supermarket, 5 The Roundway, Oxford, OX3 8DH

28th January 2010

Application for a New Premises Licence for the sale of alcohol both on and off sales Monday to Saturday 08.00 hrs to 23.00 hrs and Sunday 09.00 hrs to 22.30 hrs.

Decision and Reasons of the Sub Committee

The Sub Committee took all representations into account, both written and oral. The Sub Committee noted the conditions that had been agreed with the Police and the application was GRANTED, subject to those conditions and the additional conditions outlined below:-

- (1) An adequate number of waste receptacles, for use by patrons, shall be provided in positions to be agreed in writing with the licensing authority.
- (2) No person shall be allowed to leave the premises whilst in possession of any open drinking vessel, glass or bottle, whether empty or containing a beverage.
- (3) The Licensee shall submit a written dispersal policy, to be approved by the licensing authority. This shall be submitted and approved before the licence comes into effect.

5. Milano Bar, 92 Cowley Road, Oxford, OX4 1JE

28th January 2010

Application to Vary the Premises Licence to increase hours for sale of alcohol Sunday through Thursday 10.00 hrs to 24.00 hrs (1 extra hour). Sunday to Thursday 24.00 hrs to 02.00 hrs on any 2 days total per month only to those consuming a substantial meal as part of ' Food delicacy and tasting evenings'.

Late night refreshment Sunday to Thursday 24.00 hrs to 02.00 hrs on any 2 days total per month only to those consuming a substantial meal as part of ' Food delicacy and tasting evenings'.

To modify condition No 16: The use of glassware to be made Monday through Sunday 10.00 hrs to 20.00 hrs. Plastic/polycarbonate thereafter.

To modify condition No 25:

- 1) The provision of 2 SIA registered Door staff when the basement is in use from 21.00 hrs until 1 hour after the last sale of alcohol.
- 2) The provision of 1 SIA registered Door staff at any time when the premises is open after midnight until 1 hour after the last sale of alcohol.

Provision of live music, recorded music, provision of facilities for dancing, provision of facilities for making music, provision of entertainment of a similar nature: Sunday to Thursday 10.00 hrs to 24.00 hrs ie 1 hour extra. Sunday to Thursday 24.00 hrs to 02.00 hrs on any 2 days total per month only to those consuming a substantial meal as part of ' Food delicacy and tasting evenings'.

New plans have also been submitted.

Decisions and reasons of the Licensing Sub-Committee:

The Sub Committee considered all representations, both written and oral. Having heard the evidence of Thames Valley Police and the Interested Parties and also considering the background evidence to the Special Saturation Policy (SSP) for East Oxford, the Sub Committee were satisfied that serious crime & disorder and nuisance problems exist in the vicinity of the premises. The Sub Committee found that any variation which increased the time available for the consumption of alcohol was likely to result in an increase in crime & disorder and nuisance in the area and adversely affect cumulative impact. Therefore the Special Saturation Policy was engaged and there was a presumption against the granting of a variation to the licence.

The Sub Committee also took into account the Police comments concerning the way in which the premises were currently being run.

The Sub Committee found nothing in the Applicant's evidence to convince it that the variations sought could be made without aggravating cumulative impact. The Sub Committee did not accept that the existence of later hours at other premises in the area in any way supported the Applicant's case, the hours operated at one premises were not a reason to apply the same hours to another, the situation at each premises had to be considered on its own merits.

The Sub Committee felt that the application for a variation of the premises licence should not be granted because:-

- (1) It accepted the Police submission that the application was ambiguous;
- (2) The Police expressed an overall lack of confidence in the management of the premises by the licence holder. This was shared by the Sub Committee;
- (3) It accepted the Police evidence that the application would have a detrimental effect on the area, and that therefore it was in conflict with the SSP for East Oxford, and would add to the problems of the cumulative impact;
- (4) The Sub Committee also took the view that the variation as applied for did not sufficiently address the licensing objectives related to crime and disorder and public nuisance.

The application, including the change to the provision of door staff, was therefore REFUSED.