

Agenda

www.oxford.gov.uk



Licensing & Gambling Acts Casework Sub-Committee

Date: **Tuesday 28 November 2017**

Time: **5.30 pm**

Place: **Council Chamber, Town Hall**

For any further information please contact:

John Mitchell, Committee and Member Services Officer

Telephone: 01865252217

Email: jmitchell@oxford.gov.uk

As a matter of courtesy, if you intend to record the meeting please let the Contact Officer know how you wish to do this before the start of the meeting.

Licensing & Gambling Acts Casework Sub-Committee

Membership

Chair

Vice-Chair

Councillor Christine Simm

Councillor Elizabeth Wade

Councillor Nigel Chapman

Cowley;

St. Margaret's;

Headington Hill and Northway;

Please note that this agenda and report supplements the agenda previously published for this meeting

HOW TO OBTAIN A COPY OF THE AGENDA

In order to reduce the use of resources, our carbon footprint and our costs we will no longer produce paper copies of agenda over and above our minimum internal and Council member requirement. Paper copies may be looked at the Town Hall Reception and at Customer Services, St Aldate's.

A copy of the agenda may be:-

- Viewed on our website – mycouncil.oxford.gov.uk
- Downloaded from our website
- Subscribed to electronically by registering online at mycouncil.oxford.gov.uk
- Sent to you in hard copy form upon payment of an annual subscription.

AGENDA

Pages

- | | | |
|---|--|--------|
| 1 | GOT 2 EAT, CRIPLEY ROAD, OXFORD, OX2 0AH | 5 - 42 |
| | Premises licence to permit sale of late night refreshments | |

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed “Declarations of Interest” or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council’s area; licences for land in the Council’s area; corporate tenancies; and securities. These declarations must be recorded in each councillor’s Register of Interests which is publicly available on the Council’s website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members’ Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members’ Code of Conduct says that a member “must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself” and that “you must not place yourself in situations where your honesty and integrity may be questioned”. What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those of the member’s spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

To: Licensing and Gambling Acts Sub-Committee
Date: 28th November 2017
Report of: Head of Community Services
Title of Report: Got 2 Eat - Application for a New Premises Licence:
 Got 2 Eat, Cripsey Road, Oxford, OX2 0AH
Application Ref: 17/04541/PREM

Summary and recommendations	
Purpose of report:	To inform the determination of the application by Mrs Sophia Struenker for a New Premises Licence for Got 2 Eat, Cripsey Road, Oxford, OX2 0AH
Corporate Priority:	A vibrant and sustainable economy
Recommendation(s): That the Licensing and Gambling Acts Sub-Committee resolves to:	
1. determine Mrs Sophia Struenker's application taking into account the details in this report and any representations made at this Sub-Committee meeting.	

Appendices	
Appendix 1	Application for a New Premises Licence
Appendix 2	Representations from Interested Parties
Appendix 3	Location Map

Introduction and background

1. This report is made to the Licensing & Gambling Acts Casework Sub- Committee so it may determine in accordance with its powers and the Licensing Act 2003 whether to grant a Premises Licence to Mrs Sophia Struenker.

Application Summary

2. An application for a New Premises Licence has been submitted by Mrs Sophia Struenker. A summary of the licensable activities applied for and the time proposed for these activities can be found detailed below:

Late Night Refreshment (Indoors only):

Monday to Sunday 23:00 hours until 03:00 hours

3. Both the application and the steps that the applicant intends to take to promote the licensing objectives (as set out in the operating schedule) can be found at **Appendix One**.

Relevant Representations

4. No representations have been received from the Responsible Authorities.

Responsible Authority	Response	Licensing Objective(s)
Thames Valley Police	No Representation	
Fire and Rescue Service	No Representation	
Environmental Health	No Representation	
Health and Safety	No Representation	
Planning	No Representation	
Trading Standards	No Representation	
Child Safeguarding	No Representation	
Licensing Authority	No Representation	

5. Valid representations have been received from Interested Parties as detailed in the table below. A copy of this representation is attached at **Appendix Two**.

Name	Address	Licensing Objective(s)
Ms Sinead Moloney	22 Cripsey Road, Oxford	Crime and Disorder, Public Nuisance, Public Safety
Mr Marshall Walker	23 Barrett Street, Oxford	Crime and Disorder, Public Nuisance, Public Safety
Mr Julian Le Vay	31 Abbey Road, Oxford	Crime and Disorder, Public Nuisance
Dr Paul Spencer-Longhurst	25 Abbey Road, Oxford	Crime and Disorder, Public Nuisance, Public Safety
Councillor Pressel	Oxford City Council	Crime and Disorder, Public Nuisance, Public Safety, protection of children from harm
Dr Fran Fieldhouse	Address not supplied	Public Nuisance

Location

6. A map is attached at **Appendix Three** showing the general location of the applicant's premises, and the proximity to the premises of those who have raised objections to the application.

Statement of Licensing Policy

7. The Sub-Committee is referred to the Council's Statement of Licensing Policy. In particular, the following paragraphs have a bearing upon the application:

Relevant Policy Matters	Section	Policy
Crime & Disorder:	8.5.1 to 8.5.3	OS9
	7.5.16 – 7.5.19	PP10
Public Nuisance:	7.3.1 to 7.3.6	LA3 to LA5
	7.3.8	
	7.3.10	
	7.5.1 to 7.5.2	PP1
	7.5.16 – 7.5.19	PP9
Public Safety:	8.2.1 to 8.2.3	OS 1 to OS 4 & OS 6

8. A copy of the Statement of Licensing Policy may be obtained from the Council Offices or found online at:
https://www.oxford.gov.uk/downloads/file/1303/statement_of_licensing_policy

Home Office Statutory Guidance

9. Members are also referred to the statutory guidance issued by the Home Office. Of particular relevance to this application are the following matters:

Relevant Sections	Relevant Paragraph
Crime & Disorder:	2.1 to 2.5
Public Nuisance:	2.14 to 2.20
Public Safety:	2.6 to 2.8

10. A copy of the Home Office Statutory Guidance may be found online at:
www.gov.uk/government/publications/revised-guidance-issued-under-section-182-of-the-licensing-act-2003

Other Relevant Considerations

11. The Sub-Committee is reminded of its responsibilities under the Crime and Disorder Act 1998 (to co-operate in the reduction of crime and disorder in Oxford) and the Human Rights Act (which guarantees the right to a fair hearing for all parties in the determination of their civil rights, and also provides for the protection of property, which may include licences in existence, and the protection of private and family life) when considering the fair balance between the interests of the applicant and the rights of local residents. Any decision taken by the Sub-Committee must be necessary and proportionate to the objectives being pursued.

12. Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a duty to act with a view to promoting the licensing objectives.
13. When considering any representations, only those issues relating to the four licensing objectives should be considered and appropriate weight given to the importance and relevance of each representation.
14. In making its decision, Members must also have regard to the Home Office statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy.
15. The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
 - a) **Grant the licence in accordance with the application.**
 - b) **Modify the conditions of the operating schedule by altering or omitting or adding to them.**
 - c) **Exclude or restrict from the scope of the licence any of the licensable activities to which the application relates.**
 - d) **Reject the whole of the application.**

The Sub-Committee may also grant the licence subject to different conditions for different parts of the premises or the different licensable activities.

16. Members are asked to note that they may not modify the conditions or reject whole or part of the application merely because they consider it desirable to do so. It must be appropriate to do so in order to promote the licensing objectives. Any such step must relate to a relevant representation made.
17. If Members grant the application, the details of the operating schedule will be incorporated into the licence as conditions. The licence will also be subject to certain mandatory conditions.
18. Members should note that the applicant or persons making representations have the right of appeal against the decision made by the Sub-Committee.

Report author	Allan P. Hibberd
Job title	Licensing Officer
Service area or department	Community Services
Telephone	01865 252565
e-mail	licensing@oxford.gov.uk

**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 SOPHIA STRUENKER
(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			
"GOT 2 EAT" CRIPLEY ROAD OXFORD OX2 0AH		The Licensing Authority Oxford City Council 20 OCT 2017	
Post town	OXFORD	Postcode	OX2 0AH
Telephone number at premises (if any)		01865 728693	
Non-domestic rateable value of premises		£ 3500	

Part 2 - Applicant details

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

- | | |
|--|---|
| a) an individual or individuals * | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> 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 (by ticking yes to one box below):

- 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 checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname		STRUENKER			
First names		SOPHIA			
Date of birth	[REDACTED]		I am 18 years old or over	<input checked="" type="checkbox"/> Please tick yes	
Nationality	GERMAN				
Current residential address if different from premises address	[REDACTED]				
Post town	OXFORD		Postcode	[REDACTED]	
Daytime contact telephone number	[REDACTED]				
E-mail address (optional)	[REDACTED]				

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		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
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
11	22	017

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)

Got 2 Eat is a detached, 30m², newly refurbished shop situated on Cripsey Road, Oxford. We do not have direct neighbours, there is a solid distance from residential housing. It is ground floor, single storey, serving hot and cold food & refreshments. We do not sell alcohol.

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all 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 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
				Please give further details here (please read guidance note 4)	
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
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 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed					
Thur			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 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			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 (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Wed					
Thur			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 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon				
Tue				
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)	
Thur				
Fri			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 (please read guidance note 6)	
Sat				
Sun				

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed					
Thur			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 6)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue			State any seasonal variations for the performance of dance (please read guidance note 5)		
Wed			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 (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			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 3)	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 4)		
Wed					
Thur					
Fri			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Sat					
Sun			<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 6)		

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors
Day	Start	Finish		Outdoors
Mon	5 AM	03:00	Please give further details here (please read guidance note 4)	<input checked="" type="checkbox"/>
Tue	05:00	03:00		<input type="checkbox"/>
Wed	05:00	03:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)	<input type="checkbox"/>
Thur	05:00	03:00		<input type="checkbox"/>
Fri	05:00	03:00	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 6)	
Sat	05:00	08:00		
Sun	05:00	03:00		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue			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 6)		
Wed					
Thur					
Fri					
Sat					
Sun					
Sun					

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

□□□□

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 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			<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 6)</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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 10)

Strong management controls and effective training for all staff members.

b) The prevention of crime and disorder

- CCTV 24 hours next to entrance and other parts of the premises.
- Staff will be trained in asking customers to use premises in an orderly and respectful manner.

c) Public safety

- Appropriate staff training.
- Internal & external lighting fixed to promote the public safety objective.
- Regular maintenance checks of all equipments
- Accident log book.

d) The prevention of public nuisance

- Prominent, clear & legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the area quietly.
- Deliveries will be dealt with at appropriate times.

e) The protection of children from harm

- Shop barrier so children are unable to be anywhere near cooking equipment.

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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	13/10/2017
Capacity	OWNER

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14)			
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. In terms of specific regulated entertainments please note that:

From: [HIBBERD Allan](#)
To: [HIBBERD Allan](#)
Subject: FW: Application for late license: Got 2 Eat
Date: 07 November 2017 14:44:13

From: Sinead Moloney [<mailto:sineadnmoloney@hotmail.com>]
Sent: 06 November 2017 12:30
To: licensing
Subject: Application for late license: Got 2 Eat

Dear Sir

As a resident of Cripsey Road I wish to object to the application of a license for continual refreshment night from 5 am to 3 am. I think the application is excessive and not in the best interests of the local environs. Specifically I set out my concerns below:

Crime and disorder

The area at the bottom of the Abbey Road is, as the police are aware, being the subject of increased criminal activity (drug related). Any plan to attract more people to the area after hours, particularly where alcohol has been taken, must add to the risk of increasing such activity even further.

Public nuisance

As far as I am aware Got to Eat has no customer toilets. It is not hard to imagine with the lack of them that customers may act in a way that constitutes a public nuisance.

Public safety:

The premises applying is a very small venue with most of the seating outside on the edge of a very busy road. Any business after 11pm will be in the main the post pub trade with customers under the influence of alcohol. Congregating on the edge of a main thorough at night such as the Botley Road can only increase the risk of traffic accidents and harm to cyclists and pedestrians.

As a single woman who would have to walk/cycle pass this, I can say that I would find this intimidating.

I look forward to hearing the outcome of the application.

Sinead Moloney
22 Cripsey Road
OX2 0AH

Sent from [Outlook](#)

--
This email was Malware checked by UTM 9. <http://www.sophos.com>

From: [HIBBERD Allan](mailto:HIBBERD.Allan)
To: [HIBBERD Allan](mailto:HIBBERD.Allan)
Subject: FW: Local neighbour comment on Appl 17/04541/PREM Got2Eat
Date: 07 November 2017 14:43:50

From: M W [<mailto:j.marshall.walker@hotmail.com>]
Sent: 06 November 2017 16:44
To: licensing
Subject: Local neighbour comment on Appl 17/04541/PREM Got2Eat

Dear Licensing Authority for Oxford,

I am writing to voice my objection to the new premises licensing application for Got2Eat on Cripsey Road, Application: 17/04541/PREM, because of potential escalation of Crime, Disorder, Public Nuisances, as well as potential detrimental impact on Public Safety. I shall explain below, but please permit me to begin with a personal anecdote for the purpose of illustration.

About 12 or 13 years ago I lived in Grandpont in a house shared with other postgraduate students. I had invited a friend whose studies overlapped mine up from London for a taste of the Oxford experience at a collegiate dinner. We were making our way home down St Aldates when I was 'roughed up' by a small group of 3 drunken, rowdy, youths waiting at a kebab van outside Pembroke college. My friend and I were not stopping at the kebab van; one of three young men singled me out for violence because I wore a hat. He demanded I give him my hat, and when I refused he turned belligerent, ultimately grabbing me by the throat in a choke- hold, and took the hat off my head by force. Fearing now for his own safety, my colleague from London dragged me away, down St Aldates, sacrificing a hat for our safety.

With this experience in mind it came as no surprise to me that this 'hot spot', with two kebab vans set up outside Christ Church and Pembroke, became a source of conflict, and Pembroke embarked on a protracted but ultimately unsuccessful campaign against having the two kebab vans together. Indeed, as my own friend and I found, we traversed High Street without threat where late night refreshment stops are permitted singly, but where two were stationed together, a concentration of rowdy revellers collected, and incidents like the one I experienced increased. Subsequently, and for different but similar reasons, Oriel College, too, had reason to object to the disturbing nuisance of a particular kebab van.

(On the college - kebab van conflict, for example, see:

http://www.oxfordtimes.co.uk/news/9596383.College_takes_on_kebab_van/)

So, back to Cripsey Road

As a local resident, of course I am pleased to witness investment and improvement in the community as we have recently seen with the refurbishment of the former Mick's Cafe into Got2Eat. Although, personally I have yet to find it open in the mid morning when I am looking for a coffee, it's facebook page boasts that its hours are already from 6:00-23:00 (17 out of 24 hours continual operation). (<https://en-gb.facebook.com/Got-2-Eat-1905297509734895/>)

My objections, like some of my neighbours, arise from the New Application to extend the hours of operation, both earlier than heretofore, and later, by a total of 5 hours, to operation 22 out of 24 hours a day. The greatest concerns arise from expanding the late night service. While the application

before you pertains to only one premises, it cannot be considered in a vacuum, but must be seen in the local context. Got2Eat is located across the street from a restaurant, The One, which incorporates a pub, across the other street from a cafe in the Westgate Hotel, and a block from the revamped pub, now steakhouse, The Porterhouse. None of these establishments is a late night venue. Got2Eat does, however, practically share its location with a late night refreshment premises already in operation, the Botley Kebab van. Got2Eat has more in common with the kebab van than the established venues. Despite decorative alterations, there are no toilet provisions in Got2Eat, and while there are a few seats under cover from the elements, it is designed to serve far more people than it can seat. It must be reckoned that Got2Eat intends to do much, if not most of its trade in take-away food. Granting this New Application for late serving would thus create two late night refreshment stands together on the Botley Road. This is why I raised the anecdote of my own harassment - creating two late night refreshment spots in the same space leads to problems. The city and the licensing authorities are well aware of this from the historic problems faced on St Aldates.

It is true that there was at first some confusion as to whether or not this application was to be licensed to serve alcohol. But in my own experience, late night refreshment stands attract drunken revellers whether alcohol is being served there or not. As with the experience outlined above, the result can be serious. My own experience would qualify for what the Crown Prosecution Services defines as "Violent Disorder": where, "Three or more persons, present together, used or threatened, unlawful violence, so that the conduct of them (taken together) would cause; a person of reasonable firmness, present at the scene, to fear for his or her personal safety." Fortunately, that has not arisen with the kebab van already serving late night on the Botley Rd site, but to increase the risk by licensing another after-hours venue which would necessarily turn many of its clientele out into the street with the others would make me concerned. If not about Violent Disorder, I am worried certainly by the threat of Affray, which does not presuppose a minimum number of participants, but the CPS outlines as "unlawful violence, towards another; and his conduct is such as would cause; a person of reasonable fitness, present at the scene, to fear for his personal safety."

Littering

As there already is a late night refreshment venue at the corner of Botley and Cripsey Roads, the nearby residents are already accustomed to the unwelcome discovery of detritus from late night binging being left strewn along the pavement or occasionally in front gardens. This is an unsightly Public Nuisance. It can only increase if the overall volume of late night eaters turned out onto the streets of this residential neighbourhood is increased. But, please, do not forget: littering is not only a nuisance, it is a crime in and of itself. The Environmental Protection Act (EPA) 1990 already makes it an offence for a person to drop, throw down, leave or deposit litter in a public place.

Unlike the nearby commercialised zone of Frideswide Square, and Park End and Hythe Bridge streets, home to many of the late-night night clubs, Got2Eat is located on the spit of green land separating Cripsey Road and Roger Dudman Way. Residents of Cripsey Road and Mill St look after their properties, and rightly are concerned about potential detriment to their property. But the placement of Got2Eat as it is - on unattended public, or semi-public land - increases the likelihood of people littering in these shady spots, where a lack of attentive cleaning and removal of the litter would lead to a build up of the refuse. There is no way to perceive an increase in litter as anything but a nuisance and detriment to a community. Indeed, it has been speculated that an increase in litter can itself lead to an increase in other anti-social behaviour, such as defacing property, vandalism or other violence.

The late night revellers stopping for refreshment on the way home are bound to need to make room

for this new refreshment by relieving themselves of some of the former refreshments they have already enjoyed. Neither Got2Eat nor Botley kebab provide toilet facilities. In point of fact, the public conveniences were closed and turned into an office and this very eatery. That same bit of dark shady, leafy ground will no doubt be the chosen spot for late night revellers to leave their bodily secretions, whether parted with voluntarily, or involuntarily. The residents of Cripely and Abbey Roads are not currently seeking a preservation order on this important strip of urban greenery in order to create an open collection point for human effluent.

At the time of consideration of this new application, Cripely and Abbey Roads are already experiencing elevated levels of aggressive anti-social behaviour, including harassment and violence from rough sleepers on Fiddlers Island, dangerous result of reckless driving when a car crashed through the wall at the end of Abbey Road into the river, and the vandalism of a car's tyres and paintwork, to name just the most recent. The concerns of the neighbourhood are justified by experience. It is very important to us, and important at this particular time, to take every step to discourage any further chance of criminal, or nuisance behaviour, and to object to the increase of late-night refreshment served on the door step of a residential quarter.

Early Morning

The early morning increase in hours, asking for a 5 am start, leaves only a 2 hour break in the operation. One presumes the intention with this extension is to capitalise on some perceived 'breakfast market'; but I am not entirely certain who that would be.

Trains do start running from Oxford station as early as 4 am, but it is not a full time table, nor is it the type of fast service that characterises the commuter crowd. At present, by Got2Eat's own announcement, service already begins as early as 6 am. What breakfast market is to be gained in that extra hour? GWR operates a 05:01 and an 05:42 service to Paddington, but not until 05:59 is there a train that takes under 1hr10 min. Chiltern offers a Marlybone service only from 05:36 within that extra hour. And interestingly even GWR doesn't deem a buffet service a necessary eye-opener to commuters until their 06:30 service to Paddington. Other than this limited commuter market I don't know what breakfast crowd is envisioned for a cafe with limited seating and no toilet.

What I can imagine is the potential for some unpleasantness in a fraught overlap between late night reveller crowds, to whom 2 hours may not have been enough to sober up -- or worse, drunken patrons pushed out of Plush, for example, whose latest closing time is 4 am, waiting that one hour for Got2Eat to open -- and the earliest of the early morning risers in search of their caffeine fix. That Got2Eat is not presently open for all the hours it is licensed to operate already is no consolation that it would not some time in the near future maximise its full and expanded potential. A two hour break in operations is not sufficient.

In Summary

So it is that I write to the Licensing Authority to ask that they turn down this new application 17/04541/PREM, of Got2Eat on the grounds of

Prevention of Crime - such as Violent Disorder, as I myself have incurred before at a spot where two late night refreshment venues were licensed beside one another; or such as Affray, which I worry to be all the more likely in the wake of increasing the operation by 5 more serving hours; as well as,

Prevention of Public Nuisance - such as Littering, which is both a crime and a nuisance, but may well give rise to an escalation of other behaviour that is a nuisance, telegraphing an erroneous message that crowding the pavement, or raised voices in the wee hours, or surreptitious defection would not be objected to by nearby residents; as well as,

Interest of Public Safety - both in terms of the physical environment becoming contaminated with waste of one form and another, and in terms of the safety of markedly different sets of clientele one from another and with the greater local public.

I thank you very much for taking the time to read through my case, which I haven taken care to try to accord with the procedures and expectations of the Licensing Authority. An acknowledgment of the receipt of this mail would be greatly appreciated.

Yours,

Marshall Walker

Sent from my iPad

--
This email was Malware checked by UTM 9. <http://www.sophos.com>

From: [HIBBERD Allan](#)
To: [HIBBERD Allan](#)
Subject: FW: 17/04541/PREM
Date: 09 November 2017 11:57:46

From: Julian Le Vay [<mailto:julianlevay@gmail.com>]
Sent: 08 November 2017 09:54
To: licensing
Subject: 17/04541/PREM

31 Abbey Road OX2 0AD

Sir

I object to this application as the premises are situated in a quiet residential area and the night operation is bound to lead to the congregation of drunken people, noise, strewing rubbish etc

Yours

--

Julian Le Vay

--

This email was Malware checked by UTM 9. <http://www.sophos.com>

From: planning
Sent: 13 November 2017 19:30
To: licensing
Subject: Comments for Licensing Application 17/04541/PREM

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

Comments were submitted at 7:30 PM on 13 Nov 2017 from Dr Paul Spencer-Longhurst.

Application Summary

Address: Cripsey Road Oxford Oxfordshire OX2 0AH
Proposal: Premises Licence
Case Officer: Eleanor Draycott
[Click for further information](#)

Customer Details

Name: Dr Paul Spencer-Longhurst
Email: spencerlonghurst@btinternet.com
Address: 25 Abbey Road Oxford

Comments Details

Commenter Type: Neighbours
Stance: Customer objects to the Licensing Application
Reasons for comment:
- Amenities or Facilities required
- Crime and Disorder
- Protection of Children from Harm
- Public Nuisance
- Public Safety

Comments: 7:30 PM on 13 Nov 2017 This is a ridiculously unsuitable project for a quiet residential area with a mix of university postgraduates, young families, office workers and the elderly living all around. Such people need a safe, regulated, secure environment, free of noise, litter, pollution of various kinds, (including human in the absence of any toilets) and a menacing or rowdy atmosphere late at night. 11 pm. should be the very latest closing time for any such cafe. Sight-lines in Cripsey Road by the junction with Botley Road are often half-blocked by parked cars and coaches so that coming and going from these premises in the dark would also present a real threat to public safety from passing vehicles.

From: Councillor PRESSEL Susanna
Sent: 14 November 2017 19:22
To: DUMITRU Anna
Subject: RE: Application from Got 2 Eat -- 17/04541/PREM
Importance: High

I would like to object to this application, please.

My grounds are the prevention of crime, disorder and public nuisance and the protection of children from harm.

Even if alcohol is not served, this establishment is likely to be a magnet for drunken people coming back from town late at night – and for people looking to buy drugs, which is a huge problem in this area. It is likely to become the focus of a lot of anti-social behaviour.

This is a very quiet residential area after 11 pm and residents would like it to stay that way.

It is also right next door to the City's youth hostel, which has many guests who are under 18 and possibly away from home for the first time. To have places serving refreshments until 5 am would be quite unsuitable.

Does the café have any toilets? If not, we would certainly get a lot of problems of urination and defecation, exacerbated by some of the drugs people take in some of the city centre night clubs.

Susanna

Councillor Susanna Pressel
City and County Councillor for Jericho and Osney
7 Rawlinson Road
Oxford
OX2 6UE
01865 554001
www.oxford.gov.uk
www.oxfordshire.gov.uk

From: Fran Fieldhouse [<mailto:franfieldhouse@gmail.com>]
Sent: 15 November 2017 19:55
To: licensing
Subject: Re licence Got to Eat

Good evening,

I'd like to voice my objection to such a long licence being given to this premises. It sits on the edge of a residential area, already struggling with drug activity. Encouraging further people late at night into the area would be disastrous for the residents and peaceful nature of the adjoining streets. There are many food and drink establishments in central Oxford and a additional one in this vicinity is not required.
Thank you

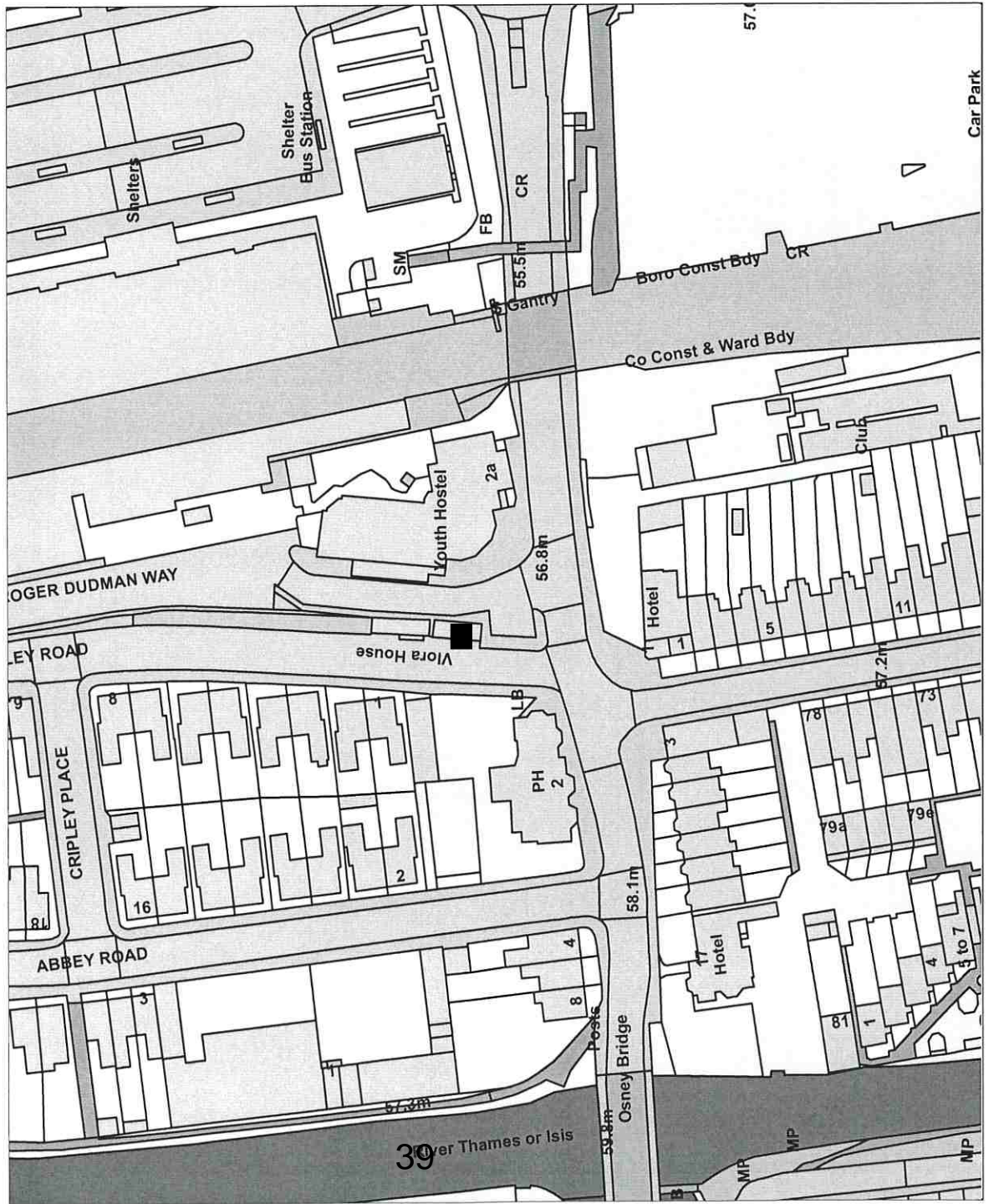
Dr Fran Fieldhouse

Got 2 Eat

Not Set



Legend



© Crown Copyright and database right 2013. Ordnance Survey 100019348.

1:1331

Organisation	Oxford City Council
Department	Licensing
Comments	Not Set
Date	09 November 2017
SLA Number	100019348

This page is intentionally left blank

Application Summary

Address: Cripsey Road Oxford Oxfordshire OX2 0AH

Proposal: Premises Licence

Case Officer: Eleanor Draycott

[Click for further information](#)

Customer Details

Name: Dr Karen Taylor

Address: 65 Abbey Road Oxford

Comments Details

Committer Type: Members of the Public

Stance: Customer objects to the Licensing Application

Reasons for comment:

- Crime and Disorder
- Public Nuisance
- Public Safety

Comments: 11:28 PM on 16 Nov 2017 The opening hours requested in this application are not required in a predominantly residential area, not heavily lived in by students. It will cause litter, noise and the problem of urination, where there are no public toilets.

