

Agenda

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Licensing and Gambling Acts Committee

Date: **Monday 28 May 2012**

Time: **5.30 pm**

Place: **Oxford Town Hall**

For any further information please contact:

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Licensing and Gambling Acts Committee

Membership

Chair

Vice-Chair

Councillor Alan Armitage	North;
Councillor Jim Campbell	St. Margaret's;
Councillor Mary Clarkson	Marston;
Councillor Colin Cook	Jericho and Osney;
Councillor Van Coulter	Barton and Sandhills;
Councillor Steve Curran	Northfield Brook;
Councillor John Goddard	Wolvercote;
Councillor Rae Humberstone	Blackbird Leys;
Councillor Shah Khan	Cowley;
Councillor Mark Lygo	Churchill;
Councillor Helen O'Hara	Cowley;
Councillor Gwynneth Royce	St. Margaret's;
Councillor Scott Seamons	Northfield Brook;
Councillor Dee Sinclair	Quarry and Risinghurst;
Councillor David Williams	Iffley Fields;

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AGENDA

Pages

1 ELECTION OF CHAIR FOR THE COUNCIL YEAR 2012/13

2 ELECTION OF VICE-CHAIR FOR THE COUNCIL YEAR 2012/13

3 APOLOGIES FOR ABSENCE

No substitutes are allowed and the Quorum is 5 Members.

4 DECLARATIONS OF INTEREST

Councillors serving on the Committee are asked to declare any personal or prejudicial interests they may have in any of the following agenda items.

5 POWERS AND DUTIES OF THE COMMITTEE

The Head of Law and Governance will report on this item.

6 LICENSING AND GAMBLING ACTS COMMITTEE - APPOINTMENT OF SUB-COMMITTEES

1 - 4

The Head of Law and Governance has submitted a report, the purpose of which is to establish licensing casework sub-committees for the 2012 - 13 Council Year to deal with casework flowing from the Council's responsibilities under the Licensing Act 2003 and the Gambling Act 2005.

The Committee is asked:

- (a) To appoint as many casework licensing sub-committees of three members as there are combinations of three members in the total number of members of the Committee;
- (b) To agree that the Sub-Committees' powers and duties be as set out in the Annex to the report.

7 WARD MEMBERS ON LICENSING SUB-COMMITTEE

5 - 8

The Head of Law and Governance has submitted a report which seeks agreement for the removal of the restriction preventing ward Members from sitting on Licensing Hearings concerning applications for premises within the Members ward.

The Committee is asked to agree to the removal of the current convention of disqualifying Members from sitting on casework sub-committees to determine applications which concern premises within their own ward.

8 UPDATE ON LICENSING AUTHORITY ACTIVITY - JANUARY - MARCH 2012

9 - 28

The Head of Environmental Development has submitted a report the purpose of which is to inform Committee of activities undertaken by the Licensing Authority under the Licensing Act 2003 and Gambling Act 2005 between January 2012 and March 2012.

The Committee is asked:

- (a) To note the contents of the report; and
- (b) To make any comments and recommendations regarding the future work of the Licensing Function.

9 MINUTES

29 - 32

Minutes of the meeting held on 22nd February 2012.

10 DATES OF FUTURE MEETINGS

The Committee is asked to note that it will meet on the following dates at the Town Hall:

Wednesday 17th October 2012
Tuesday 19th February 2013

DECLARING INTERESTS

What is a personal interest?

You have a personal interest in a matter if that matter affects the well-being or financial position of you, your relatives or people with whom you have a close personal association more than it would affect the majority of other people in the ward(s) to which the matter relates.

A personal interest can affect you, your relatives or people with whom you have a close personal association positively or negatively. If you or they would stand to lose by the decision, you should also declare it.

You also have a personal interest in a matter if it relates to any interests, which you must register.

What do I need to do if I have a personal interest?

You must declare it when you get to the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you. You may still speak and vote unless it is a prejudicial interest.

If a matter affects a body to which you have been appointed by the authority, or a body exercising functions of a public nature, you only need declare the interest if you are going to speak on the matter.

What is a prejudicial interest?

You have a prejudicial interest in a matter if;

- a) a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgment of the public interest; and
- b) the matter affects your financial interests or relates to a licensing or regulatory matter; and
- c) the interest does not fall within one of the exempt categories at paragraph 10(2)(c) of the Code of Conduct.

What do I need to do if I have a prejudicial interest?

If you have a prejudicial interest you must withdraw from the meeting. However, under paragraph 12(2) of the Code of Conduct, if members of the public are allowed to make representations, give evidence or answer questions about that matter, you may also make representations as if you were a member of the public. However, you must withdraw from the meeting once you have made your representations and before any debate starts.

To: Licensing and Gambling Acts Committee

Date: 28th May 2012

Report of: Head of Law and Governance

Title of Report: LICENSING AND GAMBLING ACTS COMMITTEE – APPOINTMENT OF SUB-COMMITTEES

Summary and Recommendations

Purpose of report: To establish licensing casework sub-committees for the 2012 - 13 Council Year to deal with casework flowing from the Council's responsibilities under the Licensing Act 2003 and the Gambling Act 2005.

Report approved by:

Legal: Jeremy Thomas

Policy Framework: Not applicable

Recommendation(s): The Committee is RECOMMENDED to:-

- (1) appoint as many casework licensing sub-committees of three members as there are combinations of three members in the total number of members of the Committee;
- (2) agree that the Sub-Committees' powers and duties be as set out in the Annex to this report.

1. All licensing authorities must establish a Licensing Committee under the Licensing Act 2003. The Licensing Committee may appoint one or more sub-committees, for example to deal with licensing casework, (i.e. applications for licences of one sort or another under the Act). The sub-committees are also responsible for any casework that might arise under the Gambling Act 2005. The sub-committees must consist of no more and no less than 3 members. The sub-committees do not need to be politically balanced. Last year the Committee appointed licensing and gambling casework sub-committees to discharge licensing casework under the two Acts.

2. In order to spread the casework across members of the Licensing and Gambling Acts Committee, the Committee is being recommended this year to appoint as many sub-committees as there are combinations of three members in the total number of members of the Committee. In that way any three members of the Committee will constitute a sub-committee.
3. The recommended powers and duties of the Sub-Committees (as contained in the Council's Constitution) are as set out in the Annex to this report.
4. Hearings of the Sub-Committee have been programmed for approximately every three/ four weeks, starting on 31st May. All the meetings are programmed to start at 5.00 pm.

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Background papers: None

Version number: 1

LICENSING AND GAMBLING ACTS CASEWORK SUB-COMMITTEES

Powers and duties – Licensing

- decide whether to give, change or transfer premises licences or club registration certificates when there are objections
- decide whether to give a temporary premises licence to a replacement licence holder when there are objections
- review premises licences and club registration certificates after a closure order
- decide valid applications for a review of a premises licence or club registration certificate
- deal, when there are objections, with applications for a statement saying the council expects to give a licence to premises that are yet to be built or converted
- decide whether to prevent one-off events or to impose conditions when there are objections from the police or the Responsible Authority for Environmental Health*

**Wording has been updated to follow changes in the law*

- decide applications to change the premises supervisor or appoint a temporary supervisor when there are objections from the police
- decide applications for personal licences when there are objections from the police
- decide whether to withdraw a personal licence on hearing of a conviction
- respond to consultation on an application by another body that gives licences.

Powers and duties – Gambling

- deal, when there are objections, with premises licence applications, changes and transfers
- review premises licences
- deal, when there are objections, with applications for a statement saying the council expects to give a licence to premises that are yet to be built, converted or occupied

- decide whether to prevent temporary events or uses when there are objections
- deal, when there are objections, with applications for club gaming, or club machine permits and cancellation of such permits
- deal, when there are police objections or officers would want to refuse them, with applications for prize gaming permits
- deal with anything else that needs a hearing or that cannot legally be delegated to officers

To: Licensing and Gambling Acts Committee

Date: 28 May 2012 **Item No:**

Report of: Head of Law and Governance

Title of Report: Ward members on licensing Sub Committee

Summary and Recommendations

Purpose of report: To seek agreement to the removal of the restriction preventing ward members from sitting on licensing hearings concerning applications for premises within the members own ward.

Report Approved by:

Finance: James Marriot

Legal: Head of Law and Governance

Policy Framework: Statement of Licensing Policy 2011- 2014

Recommendation(s):

Committee is recommended to agree the removal of the current convention of disqualifying members from sitting on Licensing & Gambling Act Casework Sub Committees to determine applications which concern premises within their own ward.

Background

1. When selecting members for licensing casework sub committees the Council currently operates a blanket disqualification of ward members from deciding applications concerning premises within their own ward. This disqualification has been applied since 2005 when the Council first took on the licensing responsibilities set out in the Licensing Act 2003. The rule was originally applied as a safeguard to help avoid accusations of pre-

determination and ensure ward members remain free to represent their constituents as 'interested parties'.

2. It appears that the rule derives from some guidance notes on licensing published by LACORS (Local Authority Coordinators of Regulatory Services) which is part of the Local Government Association. However, even within that guidance the restriction on ward members is discretionary and a matter for each licensing authority to decide for itself. The restriction is not a legal requirement, there is no provision in the Licensing Act 2003, in case law, or Home Office guidance which requires a restriction on ward members, nor is it mentioned in the Council's own Statement of Licensing Policy or Constitution. The restriction has been applied as a matter of convention rather than as a legal or constitutional rule.
3. The underlying principles relating to suitability of members for sub committees are those of personal and prejudicial interests, as set out in the Members Code of Conduct, and the risk of *apparent bias or pre-determination*. The current test for *apparent bias* is whether a *fair minded observer aware of all the facts would conclude there was a real possibility of bias*. Members should be awake to these principles and consider their position in each case when volunteering for sub committees. However, they are matters best dealt with on the facts of each case and not necessarily by way of a blanket ward member disqualification.

Relevant Considerations

4. In a number of recent licensing hearings the ward member disqualification has created difficulties in convening a quorate sub committee and led to unnecessary delay where there was in fact no reason for the relevant member to be disqualified.
5. Being ward member does not in itself constitute an interest in an application or create a risk of *apparent bias*. Providing there is no reason to indicate any interest or risk of bias a ward member's local knowledge may in fact give an additional insight to an application and its implications on the licensing objectives.
6. Restrictions on the make up of sub committees should be based on genuine reasons. Unless a genuine need for the blanket disqualification on ward members can be shown it should be removed.
7. One of the original grounds for the restriction as set out in the LACORS guidance was to allow ward members the freedom to represent their 'interested party' constituents. However, amendments to the Licensing Act now mean that all members of the Council, whether ward member or not, may make representations on licensing applications.

8. For reasons of *apparent bias* a member who makes a representation on an application or who represents an interested party may not also sit on the sub committee to decide that application.

Financial Implications

9. There are no financial implications arising from the recommendation. The Council has a statutory duty to determine licensing applications and application fees are fixed by law.

Legal Implications

10. The current disqualification of ward members is not a legal requirement, nor is it covered in the Constitution or Statement of Licensing Policy. Therefore, there is no legal process required to remove it.
11. The legal principles in relation to apparent bias and members interests should be addressed on the basis of the facts in each case.
12. Members should consider their position in relation to each application when volunteering and may seek advice from the Head of Law and Governance if in any doubt.

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Background papers: none

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To: Licensing and Gambling Acts Committee

Date: 28 May 2012 **Item No:**

Report of: Head of Environmental Development

Title of Report: Update on Licensing Authority Activity
January 2012 – March 2012

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 January 2012 and March 2012.

Report Approved by:

Finance: Paul Swaffield

Legal: Daniel Smith

Policy Framework: Statement of Licensing Policy

Recommendation(s):

The Committee is recommended to

(i) note the contents of the report; and

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

Introduction

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 2012 and March 2012. 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. There are no financial requirements for consideration contained within this report.

Applications Received by the Licensing Authority

4. The table below provides data on licence applications received and processed during the period January 2012 and March 2012, and the totals for this period; and the totals for the year end.

Applications Received	JAN	FEB	MAR	TOTAL
Gambling	0	1	0	1
New (Premises / Clubs)	2	0	1	3
Variations (Premises / Clubs)	3	1	4	8
Personal Licences	9	7	8	24
Administrative Changes	17	17	13	47
TEN's	38	49	42	132

5. To date (since November 2005 when the Licensing Act 2003 came in to effect) the Licensing Authority has processed; 1,350 Personal Licences; 886 New Premises Licences and Club Premises Certificates; 288 Variations on Premises Licences and Club Premises Certificates; 834 Premises Transfer / Amendment to Premises Licence Applications.

Applications Granted by the Licensing Authority

6. A hearing is not required where an application has been lawfully made and no Responsible Authority or Interested Party has made a representation. 23 licences in this category were issued by the Head of Environmental Development under delegated authority, details of which are listed in **Appendix One**.

Temporary Event Notices

7. 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.
8. Temporary Event Notices relate to temporary events with less than 500 attendees where 'licensable activities' are planned to take place. Attached at **Appendix Two** is a list of the 132 TENs applied for between January 2012 and March 2012.
9. Members will note that 132 TENs were applied for, but only 129 were accepted. This is because 3 applications were refused due to late submission of the Notification to the Licensing Authority.

Representations and Licensing Sub-Committee Hearings

10. When Relevant Representations are received from Interested Parties or Responsible Authorities then the application is determined at a Licensing Sub-Committee Hearing.
11. A total of 4 Relevant Representations were received for 3 Premises Licence applications processed between January 2012 and March 2012. This resulted in all of the applications being determined by hearings (details of which are attached as **Appendix Three**).
12. Representations were made as follows:

Sainsburys, Banbury Road: 2 x Interested Party
Thirst, Park End Street: 1 x Interested Party, Thames Valley Police
Oxford Kebab House, Manzil Way: 1 x Interested Party

Reviews of Licensed Premises

13. 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.
14. Between January 2012 and March 2012 one application for a Premises Licence Review was received, details of which can be found at **Appendix Three**.

Appeals under the Licensing Act 2003

15. The Licensing Authority received late notification from the Magistrates' Court of 1 appeal lodged by an Interested Party.
16. The appeal was lodged by a resident of Jack Straw Lane against the Licensing Sub-Committee's decision made on 10th November 2011 to grant a new Premises Licence to Oxford Brookes University Faculty of Health and Life Sciences as applied for and amended at the hearing. Whilst the appeal was lodged with the Court on 29th November 2011, within the statutory time limit, neither the Court nor the Appellant notified the Council until 27th March 2012.
17. At the time of writing this report, a date of 21st May has been set for an initial hearing. In the meantime the Head of Law and Governance has been in correspondence with the Appellant, Oxford Brookes and the Court with a view to resolving the appeal.

Enforcement Activity

Normal Working Hours

18. Between January 2012 and March 2012, the Licensing Team has carried out:

- 41 Routine Compliance Check inspections of licensed premises.

Of these 41 compliance checks, 23 premises were found to be fully compliant with the conditions of their premises licences and the regulations of the Licensing Act 2003, however the following issues were found regarding those that were non-compliant:

- 16 premises failed to have the Premises Licence or Summary on the premises.
- 2 premises were found to not be employing the person previously specified as the Designated Premises Supervisor.

All of these premises rectified the matters brought to their attention by completing the necessary administrative changes required to comply with the regulations.

Non-Standard Hours

19. Between January 2012 and March 2012, the Licensing Team has instigated:

- 3 Multi-Agency Operations
- 3 Enforcement Operations targeting high-risk premises (i.e. nightclubs, large capacity bars, etc)
- 3 Targeted Operations at premises which have caused concern to NightSafe partners.
- 1 Alcohol Test Purchase Operation

A total of 112 premises (from an overall number of 775 licensed premises throughout the City) were visited. 88 premises were found to be fully compliant with the Licensing Act 2003, however the following issues were found regarding those that were non-compliant:

- 6 premises were found to not have a Premises Licence or Summary available on inspection when visited by the Licensing Officers. All 6 premises have rectified this matter.
- 5 premises were found to be holding regulated entertainment at excessive volumes when inspected by the Licensing Officers and Environmental Health Officers during Multi-Agency Operations.
- 3 premises gave rise to concern with regard to crowd control and dispersal when inspected by the Licensing Officers, and advised accordingly.
- 3 premises were found by the Licensing Officers to be failing to uphold the licensing objective of promoting public safety (poor lighting on stairwell, spilt liquids on wooden stairwell, and a blocked fire escape), and advised accordingly.

- 1 premises was found to be carrying on a licensable activity (sale of alcohol) beyond the hours permitted by the Premises Licence and without having obtained a Temporary Event Notice, which led to a PACE interview being arranged with the Premises Licence holder.
 - 1 premises was found by the Licensing Officer to be under new management and the new owner had neither sought a transfer of the existing premises licence nor sought to change the person specified as the Designated Premises Supervisor. This has since been rectified.
 - 1 premises was found by the Licensing Officer on route to another premises to be open and carrying on a licensable activity (late night refreshment after 11.00 pm) without having obtained a Premises Licence or Temporary Event Notice. Advice was provided to the business owner who has since obtained a Premises Licence for a late night refreshment venue.
 - 1 premises was found by the Licensing Officer to be permitting its customers to be causing excessive noise outside the rear of the premises, and advised accordingly.
 - 1 premises was found to be not adhering to requirements of a “voluntary management plan” to assist with issues that had previously come to light. Such a “management plan” is used to provide a “step-by-step” method for Premises Licence holders to run their businesses with a greater awareness of the licensing objectives. This premises has improved gradually, but is still in regular meetings with both the Licensing Authority and Thames Valley Police.
 - 1 premises was found to be in breach of the mandatory condition requiring alcoholic drinks to be available in small measures when inspected by the Licensing Officer, and advised accordingly.
 - 3 premises visited caused Officers concerns in relation to potential underage drinkers, sales of prohibited substances and sales of alcohol to persons who may already be intoxicated. These concerns were passed on to the relevant Responsible Authorities to carry out further investigations.
20. Further to the pro-active compliance checks, and the late night enforcement inspections, the following actions were taken:
- 10 Advisory Warnings were issued
 - 3 Verbal Warning was issued
 - 11 Written Warnings were issued
 - 1 Final Warning was issued
 - 1 PACE interview was conducted.

All of the premises issued with Warnings were subsequently revisited and found to be compliant.

21. In addition to the pro-active enforcement, service requests were received by the Licensing Authority from members of the public, or referred to the Authority by the Responsible Authorities. These related to complaints about noise disturbances or failures to uphold the licensing objective of the prevention of crime and disorder. The reactive work resulted in the following actions being taken:
 - 12 Advisory Warnings were issued
 - 7 Written Warnings were issued
22. PACE (Police and Criminal Evidence Act) interviews are conducted when investigating failures by the Premises Licence holder or Designated Premises Supervisor to adequately uphold conditions of the Premises Licence. They are also held when any offence is witnessed by a Licensing Officer that warrants such an intervention.
23. The Licensing Authority initiated 1 PACE interview between January 2012 and March 2012. The failure related to the sale of alcohol beyond permitted hours. This was the second instance of such a breach of licence condition in a short timeframe. Having consulted with Law & Governance in relation to seeking to prosecute the Premises Licence holder, it was deemed appropriate to issue a Formal Warning based on there not being sufficient evidence to either seek issuing a Formal Caution or to prosecute.

Future Work & Notable Achievements

24. Members will be aware through the weekly updates sent to them by the Licensing Team Leader, that amendments occurred on 25th April 2012 to the Licensing Act 2003 as a result of the Police Reform & Social Responsibility Act 2011.
25. It is proposed to brief the Committee Members with further details of these amendments at the Bespoke Member Training later this year, however details of the amendments can be found on the Council website and have been previously reported to this Committee.
26. One significant change worth detailing in this report is that the Licensing Authority itself has become a Responsible Authority. It is proposed that following the success of the enforcement procedures implemented in the Taxi Licensing function (i.e. a tiered system of warning levels), that a similar approach be adopted for the Licensing Act 2003.
27. The Licensing Authority is considering the option of providing some funding to Oxford City Community Safety Partnership to assist with the Street Pastor scheme (in order to cover the cost of flip-flops and bottles of water). Members may wish to consider if they feel this is an appropriate cause.
28. The Licensing Team has produced a Service Level Agreement with Thames Valley Police for Test Purchase Operations. The Authority will fund the Operations, and have an equal input with intelligence and premises to be tested.

29. On 4th July 2012, Oxford will host the “BIIAB Award for Licensing Practitioners”, provided by the Institute of Licensing. The course is open not only to the staff of the Licensing Team and members of the Licensing & Gambling Acts Committee, but also to staff and members of Licensing Authorities nationally.
30. On 18th July 2012, Jim Hunter from the Institute of Licensing will provide the Authority with this years Bespoke Member Training. The day will be split in order to facilitate the needs of both this Committee and those of the General Purposes Licensing Committee.

Legal Implications

31. There are no legal implication contained within this report.

Financial Implications

32. There are no financial implications contained within this report.

Recommendations

33. The Committee is recommended to:
 - (i) note the contents of the report; and
 - (ii) make any comments and recommendations regarding the future work of the Licensing function.

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Background papers:

Version: 1.0

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APPENDIX ONE

Premises Licenses Granted Under Delegated Authority

1. **Londis,116-120 London Road, Headington, Oxford OX3 9AX**

Application for a New Premises Licence: For the off Sale of Alcohol from 06.00 hours to 22.00 hours Sunday to Saturday

2. **Byron, 33-35 George Street, Oxford OX1 2AY**

Application for a New Premises Licence: Sale of Alcohol on Sunday to Saturday from 11.00 hours to 00.00 hours, Recorded Music on Saturday to Sunday 11.00 hours to 00.30 hours and Late Night Refreshment on Sunday to Saturday from 23.00 hours to 00.30 hours.

3. **The Jericho, 56 Walton Street, Oxford, OX2 6AE**

Application for a Minor Variation of a Premises Licence: To carry out internal alterations to the premises. The alterations proposed will have no adverse impact on any of the licensing objectives due to their substantially decorative nature. There will be no change in the size of the area where alcohol may be consumed following the completion of the proposed works

4. **Hobgoblin, 172 Cowley Road, Oxford, OX4 1UE**

Application for a Minor Variation of a Premises Licence: To vary the layout and design of the premises in accordance with the submitted plan. Operating times and licensable activities will remain unaltered

5. **Shell Peartree, Peartree Roundabout, Woodstock Road, Oxford, OX2 8JZ**

Application for a New Premises Licence: The application is for the Sale of Alcohol on Sunday to Saturday from 00.00 hours to 23.59 hours and Late Night Refreshment on Sunday to Saturday from 23.00 hours to 05.00 hours.

6. **The Grapes, 7 George Street, Oxford, OX1 2AT**

Application for a Minor variation of a Premises Licence: The application is to remove conditions 8 and 14 relating to under 18's in the premises and to add the condition "Persons under the age of 18 are not to be permitted to, or allowed on the premises after 19.00 hours unless accompanied by an adult".

7. **Blackwell Bookshop, 48-53 Broad Street, Oxford, OX1 3BQ**

Application for a Minor Variation of a Premises Licence: The application is to add the licensable activities of live music, recorded music, performance of dance and anything similar to music and/or dance to the existing licence within the already granted hours

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Applicant	Premises	Date rec'd	Event dates
SIX APPLICATIONS PER PREMISES			
Mr Martin Forde	Baby Simple, 213 Cowley Road, Oxford	13/01/12	28/01/12
Mr Martin Forde	Baby Simple, 213 Cowley Road, Oxford	13/01/12	18/02/12
Mr Martin Forde	Baby Simple, 213 Cowley Road, Oxford	13/01/12	11/02/12
Mr Martin Forde	Baby Simple, 213 Cowley Road, Oxford	21/02/12	03/03/12
Mr Martin Forde	Baby Simple, 213 Cowley Road, Oxford	24/02/12	10/03/12
Mr Martin Forde	Baby Simple, 213 Cowley Road, Oxford	20/03/12	09/04/12
Mr Peter Mortimore	The Junction, 42-43 Park End Street, Oxford, OX1 1JD	04/01/12	20/01/12
Mr Peter Mortimore	The Junction, 42-43 Park End Street, Oxford, OX1 1JD	16/01/12	02/02/12
Mr Peter Mortimore	The Junction, 42-43 Park End Street, Oxford, OX1 1JD	16/01/12	14/02/12
Mr Peter Mortimore	The Junction, 42-43 Park End Street, Oxford, OX1 1JD	12/03/12	27/03/12
Mr Peter Mortimore	The Junction, 42-43 Park End Street, Oxford, OX1 1JD	12/03/12	02/04/12
Mr Peter Mortimore	The Junction, 42-43 Park End Street, Oxford, OX1 1JD	27/03/12	01/05/12
THREE APPLICATIONS PER PREMISES			
Miss Anna Pickvance	Ashmolean Museum of Art & Archaeology, Beaumont Road, Oxford, OX1 2PH	31/01/12	12/05/2012-13/05/2012
Miss Anna Pickvance	Ashmolean Museum of Art & Archaeology, Beaumont Road, Oxford, OX1 2PH	08/02/12	14/04/2012-15/04/2012
Miss Anna Pickvance	Ashmolean Museum of Art & Archaeology, Beaumont Road, Oxford, OX1 2PH	12/03/12	08/12/2012-09/12/2012
Mr Luis Carrera	Clementines, 15 St Clement's Street, Oxford, OX4 1AB	18/01/12	03/02/2012-05/02/2012
Mr Luis Carrera	Clementines, 15 St Clement's Street, Oxford, OX4 1AB	02/03/12	18/03/12
Mr Luis Carrera	Clementines, 15 St Clement's Street, Oxford, OX4 1AB	02/03/12	01/05/12
Mr Karl Sjoberg	Headington Farmers Market, Kennett Road, Headington, Oxford	11/01/12	27/01/12
Mr Karl Sjoberg	Headington Farmers Market, Kennett Road, Headington, Oxford	09/02/12	24/02/12
Mr Karl Sjoberg	Headington Farmers Market, Kennett Road, Headington, Oxford	12/03/12	23/03/12
Mrs Kim Griffiths	Nicholas Tingewick Hall, John Radcliffe Hospital, Headington, Oxford, OX3 9DU	06/01/12	28/01/12
Prof. John Stradling	Nicholas Tingewick Hall, John Radcliffe Hospital, Headington, Oxford, OX3 9DU	06/02/12	03/03/12
Mrs Belinda Bolton	Nicholas Tingewick Hall, John Radcliffe Hospital, Headington, Oxford, OX3 9DU	20/02/12	10/03/12
Mr Philip Gauron	St Andrews Church Of England Primary School, London Road, Headington, Oxford, OX3 9ED	12/01/12	27/01/12
Mr Philip Gauron	St Andrews Church Of England Primary School, London Road, Headington, Oxford, OX3 9ED	21/02/12	23/03/12
Mr Philip Gauron	St Andrews Church Of England Primary School, London Road, Headington, Oxford, OX3 9ED	21/02/12	09/03/12
TWO APPLICATIONS PER PREMISES			
Mr Martin Forde	Baby Love Bar, 3 King Edward Street, Oxford, OX1 4HS	13/01/12	04/02/12
Mr Martin Forde	Baby Love Bar, 3 King Edward Street, Oxford, OX1 4HS	13/01/12	04/03/12
Mr Edward Williams	Cherwell School North Site Hall, Marston Ferry Road, Oxford, OX2 7EE	11/01/12	27/01/12
Ms Elizabeth Shand	Cherwell School North Site Hall, Marston Ferry Road, Oxford, OX2 7EE	09/02/12	02/03/12
Ms Claire Thompson	Commarket Street, Oxford, OX1	31/01/12	18/02/12
Mr Eamon O'Sullivan	Commarket Street, Oxford, OX1	24/02/12	13/03/12
Miss Briony Resek	Purple Turtle, Frewin Court, Oxford, OX1 3JB	20/03/12	08/04/2012-09/04/2012
Miss Briony Resek	Purple Turtle, Frewin Court, Oxford, OX1 3JB	20/03/12	28/04/2012-01/05/2012
Mrs Teresa Hudson	Rye St Anthony School, Pullens Lane, Headington, Oxford, OX3 0BY	25/01/12	14/02/2012-16/02/2012
Mrs Teresa Hudson	Rye St Anthony School, Pullens Lane, Headington, Oxford, OX3 0BY	09/02/12	09/03/12
Mr Geddes-O'Dolan	Somerville College, Woodstock Road, Oxford, OX2 6HD	13/01/12	28/01/12
Mr Geddes-O'Dolan	Somerville College, Woodstock Road, Oxford, OX2 6HD	17/02/12	03/03/12
Mrs Melanie Trinder	St Gregory the Great Catholic School, Cricket Road, Oxford	23/01/12	10/02/12
Mrs Melanie Trinder	St Gregory the Great Catholic School, Cricket Road, Oxford	24/02/12	16/03/12
Dr David Thomas	The Magic Café, 110 Magdalen Road, Oxford, OX4 1RQ	20/01/12	18/02/12
Mr David Thomas	The Magic Café, 110 Magdalen Road, Oxford, OX4 1RQ	13/03/12	31/03/12
Mr Ian Nolan	The Old Boot Factory Area 1, 102 - 104 St Mary's Road, Oxford, OX4 1QD	14/03/12	10/04/12
Miss Georgina Bradley	The Old Boot Factory, Area 1, 102 - 104 St Mary's Road, Oxford, OX4 1QD	22/02/12	17/03/12
Mrs Maureen Butler	West Oxford Democrats Club, 1 North Street Oxford	08/03/12	05/05/12
Mrs Maureen Butler	West Oxford Democrats Club, 1 North Street, Oxford	08/03/12	21/04/12
Mr Benjamin Mullaney	Wolfson College, Linton Road, Oxford, OX2 6UD	06/01/12	21/01/2012-22/01/2012
Mr Benjamin Mullaney	Wolfson College, Linton Road, Oxford, OX2 6UD	23/02/12	10/03/2012-11/03/2012

Applicant	Premises	Date rec'd	Event dates
ONE APPLICATION PER PREMISES			
Mr Imran Hashmi	Anuba, 11-13 Park End Street, Oxford, OX1 1HH	09/03/12	25/03/12
Mr Greg Butler	Balliol College Junior Common Room, Broad Street, Oxford, OX1 3BJ	28/03/12	14/04/2012-15/04/2012
Mr Pakseresht Omid	Balliol College, Broad Street, Oxford, OX1 3BJ	27/01/12	02/03/2012-03/03/2012
Miss Katherine Lee	Brasenose College Boathouse, Christ Church Meadows, Oxford, OX1 4JD	03/02/12	24/02/2012-25/02/2012
Ms Susan Pueschel	Brookes Restaurant, Gypsy Lane Site, Oxford, OX3 0BP	03/02/12	03/03/12
Mr Clinton Pugh	Café CoCo (Royal Oxford), 17 Park End Street, Oxford, OX1 1HU	10/02/12	25/02/2012-26/02/2012
Ms Andrea Kastner	Cheney School, Cheney Lane, Oxford, OX3 7QH	03/02/12	15/03/2012-18/03/2012
Mrs Yael Rose	Chocolate Festival, Broad Street, Oxford	02/03/12	24/03/2012-25/03/2012
Mr Stuart Ferriday	City Arms, 288 Cowley Road, Oxford, OX4 1UR	13/03/12	02/04/12
Mr Kenneth Davies	David Lloyd Leisure Oxford, Oxford Business Park North, Garsington Road, Oxford, OX4 2JY	16/02/12	25/02/12
Mr John Glasgow	East Oxford Community Centre, 44 Prince's Street, Oxford, OX4 1DD	10/02/12	25/02/12
Mr John Mead	Examination Schools, High Street, Oxford, OX1 4BG	02/02/12	25/02/12
Miss Diana Pearsall	Frankie & Benny's, Unti 7A, Ozone Leisure Complex, Grenoble Road, Oxford, OX4 4XP	20/01/12	03/03/12
Mr Anthony Munsey	Frewen Club, 98 St Aldate's, Oxford, OX1 1BT	12/03/12	30/03/12
Miss Elizabeth McBain	Fusion Arts, East Oxford Community Centre, Oxford, OX4 1DD	23/03/12	07/04/12
Miss Sally Tee	G&D's, 104 Cowley Road, Oxford, OX4 1JE	18/01/12	02/02/12
Ms Elisabete Gomes	Gee's Restaurant, 61 Banbury Road, Oxford	15/02/12	25/08/12
Mr Nigel Woodley	Golden Ball, College Lane, Littlemore, Oxford, OX4 4LQ	17/02/12	03/03/12
Mrs Jo Lewis	Headington Prep School, London Road, Oxford	06/02/12	23/03/12
Mr Imran Hashmi	Hobgoblin, 172 Cowley Road, Oxford, OX4 1UE	05/03/12	17/03/2012-18/03/2012
Mr Nicholas French	St Huges's College, St Margaret's Road, Oxford, OX2 6LE	15/03/12	12/05/2012-13/05/2012
Mr Nicholas French	St Hugh's College, Area 3, St Margarets Road, Oxford, OX2 6LE	21/02/12	12/05/2012-13/05/2012
Mr Nicholas French	St Hugh's College, Area 4, St Margarets Road, Oxford, OX2 6LE	21/02/12	12/05/2012-13/05/2012
Mr Nicholas French	St Hugh's College, Area 1, St Margarets Road, Oxford, OX2 6LE	21/02/12	12/05/2012-13/05/2012
Mr Nicholas French	St Hugh's College, Area 2, St Margarets Road, Oxford, OX2 6LE	21/02/12	12/05/2012-13/05/2012
Mrs Alicia Goodey	Jacqueline Du Pre Music Building, St Hilda's College, Cowley Place, Oxford, OX4 1DY	31/01/12	18/02/12
Mr Franck LaHaye	Kassam Stadium, Grenoble Road, Oxford, OX4 4XP	17/02/12	03/03/12
Mr Francis McHugh	Keble College Boathouse, Christchurch Meadow, Oxford	30/03/12	24/05/2012-26/05/2012
Mr Charles McCreedy	Kiss Bar, 39 Park End Street, Oxford, OX1 1JD	22/03/12	06/04/2012-09/04/2012
Mr Edward Kiggins	Lola Lo, Oxenford House, 13-15 Magdalen Street, Oxford, OX1 3AE	09/03/12	25/03/12
Mrs Jessica Taylor	Meadowbrook Centre, Raymund Road, Marston, Oxford, OX3 0PJ	08/03/12	23/03/12
Mr Edmund Aldworth	Mortimer Hall, Oxford Road, Old Marston, Oxford, OX3 0PW	28/03/12	16/06/12
Miss Annabel Gilbert	New College Boathouse, Boat House Island, River Isis, Oxford	26/03/12	23/05/2012-26/05/2012
Mrs Julia Horsnell	New College School, 2 Savile Road, Oxford, OX1 3UA	17/02/12	02/03/12
Mr Steven Thomas	Nuffield Manor Hospital, Beech Road, Headington, Oxford, OX3 7RP	11/01/12	28/01/12
Mr Gursan Saini	Old Black Horse, 102 St Clements, Oxford, OX4 1AR	28/03/12	01/05/12
Professor Peter Heather	Oxford Centre for Mission Studies, St Philip and St James Church, Woodstock Road, OX2 6HR	13/02/12	15/03/2012-17/03/2012
Mr Peter Ryan	Oxford Deaf & Hard of Hearing Centre, 10 Little Gate Street, St Ebbe's, Oxford, OX1 1RL	09/02/12	05/03/12
Ms Daryl Back	Oxford High School For Girls, Belbroughton Road, Oxford, OX2 6XA	06/03/12	23/03/12
Mr David Jones	Oxford Ice Rink, Oxpens Road, Oxford, OX1 1RX	14/02/12	03/03/2012+04/03/2012
Mr Neil Tindall	Oxford Spires Four Pillars Hotel, Abingdon Road, Oxford, OX1 4PS	24/02/12	06/04/2012-07/04/2012
Miss Polly Cocker	Pembroke College Boathouse, Christchurch Meadow, Oxford	02/02/12	22/02/2012-25/02/2012
Mr Lee McAllister	Prince Of Wales, Horspath Road, Oxford, OX4 2QW	03/01/12	22/01/12
Mr Tom Ross	Quod Brasserie & Bar, 92/94 High Street, Oxford, OX1 4BJ	28/03/12	01/05/12
Mrs Sarah-Ann Fraser	Rileys Snooker and Pool Hall, Between Towns Road, Cowley, Oxford, OX4 3LZ	18/01/12	06/02/12
Mr Robert Davies	Room FG01, Oxford & Cherwell Valley College, Oxpens Road, Oxford, OX1 1SA	12/03/12	26/03/2012-29/03/2012
Mrs Saudia Hind	Saudia's Taste of Jamaica, 32 Cowley Road, Littlemore, OX4 4LD	03/02/12	18/02/2012-19/02/2012
Mrs Letitia Batten	South Oxford Bowls Club, Sunningwell Road, Oxford, OX1 4SY	25/01/12	25/02/12
Ms Sarah Sleet	SS Mary & John CE Primary School, Meadow Lane, Oxford, OX4 1TJ	06/01/12	21/01/12
Mrs Philippa Vose	St Aloysius Catholic Primary School, 143 Woodstock Road, Oxford, OX2 7PH	11/01/12	26/01/12
Mr David North	St Columbas Church, Alfred Street, Oxford, OX1 4EH	23/02/12	17/03/12
Mr Philip Doubtfire	St Ebbes Primary School, White House, Oxford, OX1 4NA	11/01/12	28/01/12
Mrs Jessica Taylor	St Nicholas Primary School, Raymund Road, Old Marston, Oxford, OX3 0PJ	09/01/12	24/01/12
Miss Natasha Denness	St Peters College, New Inn Hall Street, Oxford, OX1 2DL	20/02/12	16/03/12
Mr Guillaume Berdeaux	The Bridge, 6/9 Hythe Bridge Street, Oxford, OX1 2EW	09/03/12	25/03/12
Mr Harry Brittain	The Cellar, Frewin Court, Oxford, OX1 3HZ	31/01/12	25/02/12
Mrs Anne Blackmore	The Coach House, Quarry Road, Oxford, OX3 8NU	12/01/12	10/02/12
Mr Derek Sheerin	The Corridor, 119 Cowley Road, Oxford, OX4 1HU	22/03/12	01/05/12
Mr Samuel Knox	The Duke's Cut, 1 Park End Street, Oxford, OX1 1HH	20/01/12	05/02/2012-06/02/2012
Mr Stuart Scott	The Head of The River, Folly Bridge, St Aldates, Oxford OX1 4LB	15/03/12	30/04/2012-01/05/2012
Mr Harry Gregson	The King's Centre, Osney Mead, Oxford, OX2 0ES	24/02/12	29/03/12

Applicant	Premises	Date rec'd	Event dates
ONE APPLICATION PER PREMISES			
Mr Edward Owen	The New Pavilion, Herbert Close, Oxford	15/02/12	09/03/2012-11/03/2012
Mr Ian Nolan	The Old Boot Factory Area 2, 102 - 104 St Mary's Road, Oxford, OX4 1QD	14/03/12	19/05/12
Mr David Jones	The Oxford Academy, Sandy Lane West, Oxford, OX4 6JZ	14/02/12	02/03/2012-03/03/2012
Mr Samuel Knox	The Red Lion, 130 Godstow Road, Oxford, OX2 8PG	27/02/12	22/04/12
Mr Daniel Stone	The River Thames, Oxford, OX1 4LB	16/03/12	23/05/2012-26/05/2012
Mrs Stella Berry	The Turf Tavern, Bath Place, Oxford, OX1 3SU	15/03/12	01/05/12
Mr Simon Hogarth	The Wheatsheaf, 129 High Street, Oxford, OX1 4DF	02/03/12	17/03/2012-19/03/2012
Mr Robert Opher	Thirst Bar, 7-8 Park End Street, Oxford, OX1 1HH	01/03/12	25/03/12
Mr David Smith	Trinity College Boat Club, Boat House Island, Oxford,	29/02/12	26/05/12
Mr David Smith	Trinity College, Broad Street, Oxford, OX1 3BH	29/02/12	07/09/12
Mr Carl Smithson	Truck Store, 101 Cowley Road, Oxford, OX4 1HU	26/01/12	11/02/2012-12/02/2012
Miss Elizabeth Harrall	United Reform Church Hall, Collinwood Road, Risinghurst, Oxford	10/02/12	25/02/12
Mr Scott Chamberlain	University College Boathouse, Thames Towpath, Oxford	16/02/12	26/05/12
Ms Julie Monahan	University College Sports Ground, Abingdon Road, Oxford, OX1 4SR	17/02/12	04/03/12
Miss Kay Hogg	University of Oxford, Examination School, 75-81 The High Street, OX1 4BG	22/03/12	14/04/2012-15/04/2012
Mr Ervist Shehi	Wadham, St Anne's & St Hugh's Boathouse, Christchurch Meadows, Oxford	29/03/12	23/05/2012-26/05/2012
Mr Peter Mortimore	Wahoo, 3-5 Hythe Bridge Street, Oxford, OX1 2EW	04/01/12	06/02/12
Mr Andrew Brammer	Wolvercote Village Hall, Wolvercote Green, Oxford, OX2 8BD	10/02/12	31/03/12
Miss Samantha Watts	Zizzi, 59 George Street, Oxford	12/01/12	27/01/12

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Sub-Committee Hearings

19th January 2012: Chair: Cllr Brett

Sainsbury's Supermarket, 263 Banbury Road, Oxford, OX2 7HN

Application for a New Premises Licence: For off-sales of alcohol, Sunday to Saturday 07.00 hrs to 23.00 hrs

Decisions and reasons of the Licensing Sub-Committee:

The Sub-Committee took all submissions and evidence presented, both written and oral, into account. It considered the relevant parts of the government guidance and the Council's Statement of Licensing Policy, in particular policy LH8 (Hours for off sales) and LH3 (Licensing hours not limited).

The Sub-Committee found it significant that the premises had in the past, and until quite recently, been an off licence. There was therefore a background record from which it could assess the effects of selling alcohol from this location. There was no evidence that the former off licence had caused any significant crime and disorder or nuisance. The Sub-Committee also found it very relevant that Thames Valley Police, the Responsible Authority for preventing crime and disorder, did not object to the application.

The Sub-Committee found that the representation from the interested party, suggesting that the premises would cause problems of crime and disorder and harm to children were largely speculation and did not contain any substantial evidence that the premises are likely to become a focus for crime, disturbance or public nuisance.

The petition submitted by the Interested Party was not taken into account by the Sub-Committee as its subject was not relevant to any of the licensing objectives.

The Sub-committee was satisfied that the applicant had adequately answered all the concerns raised by the interested parties.

With all this in mind the Sub-Committee found that there was insufficient evidence to show that any problems relevant to the licensing objectives would be caused by the grant of a licence at this location, and that the measures proposed by the Applicant would be sufficient to address the four objectives. Given the location of the premises within the Oxford Alcohol Free Zone, the Sub-Committee found it necessary to impose a condition that notices be displayed advising customers of this.

The Application was therefore GRANTED as applied for but with the following condition:

CD10	Prominent, clear notices shall be displayed at all exit points to advise customers that the premises fall within an Alcohol Free Zone.
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Note

It was also agreed, but not made a condition of the licence, that a sign should be displayed giving details on how to contact the management should residents wish to raise concerns about licensable activities at the premises.

1st March 2012: Chair: Cllr Goddard

Thirst, 7-8 Park End Street, Oxford. OX1 1HH

Application to Vary a Premises Licence: for the extension of the terminal hour on all licensable activities to 02.30 hours Sunday to Wednesday.

Decisions and reasons of the Licensing Sub-Committee:

The Sub-Committee considered all the submissions, both written and oral, including that from the Interested Party who was not present. The Sub-Committee took into account the Home Office Guidance concerning hours of operation and the Council's own Statement of Licensing Policy, in particular policies GN19 (Special Saturation Policy (SSP)), GN17 (Need for Evidential Basis), and LH3 (Licensing Hours Not Limited).

The Sub-Committee found that the premises were within the area of the City Centre SSP and that an application to increase licensing hours, even for only 30 minutes, was one capable of amounting to a '*material variation*'. However, the Sub-Committee noted there was no dispute between the parties that Thirst was a well run premises and that there was no evidence that it directly contributes to problems of crime and disorder. The Sub-Committee found it particularly significant that the premises already operate until 03.00 (a later hour than that applied for) on other nights of the week without any apparent increase in crime and disorder.

The Sub-Committee noted the Police argument that, even without any direct evidence of crime and disorder problems, a 30 minute increase in the availability of alcohol at Thirst would, in itself, add to the problems of cumulative impact in the City Centre.

Whilst the Sub-Committee respected the Police opinion and their role in tackling crime and disorder it found that, in this case, that opinion was not sufficient to demonstrate that the variation would in fact add to cumulative impact problems. The Sub-Committee reached this view having balanced the Police case against the other evidence and the good record of the premises. Therefore, the variation sought was not a '*material variation*' within the meaning of the SSP and there was no presumption against granting it.

The Sub-Committee noted the requirement in paragraph 2 of the SSP and went on to consider the individual merits of the application against the representations made. It found that, given the good record of the premises, the limited increase in hours applied for and the fact the premises already operated until a later hour on other days of the week, it was unlikely that granting the variation would add significantly to cumulative impact or the problems complained of by the Interested Party.

Policy LH3 (Licensing Hours Not Limited) made clear that applications should not be reduced in terms of the hours sought unless there was evidence showing that was necessary. The Sub-Committee was not satisfied there was such evidence.

There were no other representations or reasons to indicate the variation sought was incompatible with licensing objectives.

The application was therefore GRANTED as applied for.

1st March 2012: Chair: Cllr Brett

Oxford Kebab House, 1 Manzil Way, Cowley Road. OX4 1XD

Application for a New Premises Licence: for Live music 19.00 hrs to 01.00 hrs Monday to Sunday, Recorded music 07.00 hrs to 01.00 hrs Monday to Saturday, 11.00 hrs to 01.00 hrs Sunday and Late night refreshment 23.00 hrs to 01.00 hrs Sunday to Thursday and 23.00 hrs to 03.00 hrs Friday and Saturday. Activities provided indoors only. Extended hours on New Years Eve, Christmas Day and Persian New year until 03.00 hrs.

Decisions and reasons of the Licensing Sub-Committee:

The Sub-Committee considered all submissions, both written and oral. It took into account the Home Office Guidance and the Council's Statement of Licensing Policy, in particular policy PP10 (Late Night refreshment). The Sub-Committee noted that certain conditions had already been agreed with Thames Valley Police who did not object to the application and that there were no representations from any other responsible authorities.

The Sub-Committee noted the concerns of the Interested Parties. The commercial nature of the premises in the proposed location was a matter for the planning authority and not a licensing issue (*see note B*).

The Sub-Committee found that the other concerns expressed were largely speculative at this stage. The measures set out by the applicant in section P of his application, and which the Sub-Committee noted would be transferred to the premises operating schedule, appeared adequate to address the issues set out in PP10. If problems did occur in the future the licence could be reviewed.

The Sub-Committee were otherwise satisfied that the application met the licensing objectives and decided to **GRANT** the application as applied for.

1st March 2012: Chair: Cllr Brett

Hi-Lo Jamaican Eating House, 68-70 Cowley Road, Oxford. OX4 1JB

Application for a Review of a Premises Licence: Sought by Environmental Protection following consistent breaches of the licensing objective: prevention of public nuisance

Decision and reasons of the Licensing Sub-Committee

The Sub-Committee took all the representations into account, both written and oral. It considered the Home Office Guidance in particular paragraph 11.9 (*the importance of co-operation*), 11.19 (*the need to establish the cause of concerns*) and the Council's Statement of Licensing Policy in particular policies LA3 (*Regulated Entertainment*) and LA4 (*Noise control to suit late night trading*).

The Sub-Committee found that the primary cause of the review concerns was noise nuisance as a result of regulated entertainment and that the nuisance was aggravated by inadequate sound insulation of the premises. The Sub-Committee was satisfied that the evidence showed a series of breaches of condition 11. of the premises licence which required regulated entertainment to be inaudible at the boundary of any neighbouring residential property. The Sub-Committee also found that the Premises Licence Holders had been operating regulated entertainment beyond the permitted hours on 'Function days' and appeared to be unaware as to the extent of their licence in this respect.

In order to address these problems the Sub-Committee found that appropriate and effective sound proofing is required at the Premises and that regulated entertainment should not be carried on until this has been completed. Whilst the Licence Holder's evidence was that sound proofing had now been fitted, the measures had not been assessed by Environmental Protection. The Sub-Committee also found that the late night operation on 'Function days' did not promote the licensing objectives and should be removed from the licence.

The Sub-Committee noted that Environmental Protection had also recommended a reduction in the permitted hours for late night refreshment and the sale of alcohol, but it was not satisfied that there was sufficient evidence to show that these aspects of the licence caused any public nuisance.

Therefore the Sub-Committee decided that it was necessary and proportionate and in the promotion of the licensing objectives to resolve the review application by taking the following actions:-

- 1. Remove the provision for "Function Days" from Part 1 of the Licence. Remove Condition 3. of Annex 2 of the Licence ('function nights') and amend Condition 8. to remove reference to 'function nights';**
- 2. Suspend the licensable activities of live music and recorded music from Part 1 of the Licence.**

The period of suspension shall be until the completion of an effective sound proofing scheme at the premises, approved in writing by

Environmental Protection, or a maximum of 3 months from the date this decision comes into effect, whichever is sooner. The Licensing Authority is authorised to remove the suspension on receipt of written confirmation that Environmental Protection is satisfied by the sound proofing work.

In making this decision the Sub-Committee considered the potential financial impact on the Premises but were satisfied the measures were necessary and proportionate to promote the prevention of public nuisance.

Note

The Sub-Committee advised, but not made a condition of the licence, that if the noise insulation is not confirmed as adequate by Environmental Protection within three months then the license holders are advised to refrain from playing music at licensable levels if they want to avoid the risk of another premises licence review application.

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LICENSING AND GAMBLING ACTS COMMITTEE

Wednesday 22 February 2012

COUNCILLORS PRESENT: Councillors Clarkson (Chair), Brett (Vice-Chair), Brundin, Goddard, Lygo, Sanders, Sinclair and Campbell.

OFFICERS PRESENT: Mathew Metcalfe (Democratic and Electoral Services), Julian Alison (Licensing Team Leader), Tony Payne (Licensing and Development Manager) and Daniel Smith (Law and Governance)

12. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Colin Cook, Gwynneth Royce, Bob Timbs, and David Williams.

13. DECLARATIONS OF INTEREST

None declared.

14. CITY CENTRE POLICE INSPECTOR - KATY BARROW-GRINT

The Committee welcomed Katy Barrow-Grint, City Centre Police Inspector, to the meeting.

Katy Barrow-Grint said that she had joined the Team in June 2011 and had spent six months reviewing the Team. Her key priority was to reduce crime that was important to the community by working in partnership with the community and other bodies. She said that her Team had been working with the Council on multi-agency visits to premises and making it clear that these premises had to work with the Police. This had resulted in quarterly meetings now taking place and greater communication with the premises.

Katy Barrow-Grint said that a recent operation called "Operation Bedtime" had taken place, whereby Officers attended premises specifically to deal with fake ID's. When these were found, Officers tried to establish where they had come from and informed the parents of those with fake ID's. She also highlighted the issue of thefts in licensed premises which linked in with Pub Watch, which was now fully operational in the City centre with 26 premises in the scheme. She added that while the Police supported Pub Watch this was a scheme run by the trade.

Other initiatives being worked on included the "Best Bar None Scheme" which was much like the Purple Flag Scheme, and to ensure that incidents of racism were reported as this was currently an under reported crime. She added that Thames Valley Police had recently reviewed their approach to the Council's Special Saturation Policy and that in relation to licensing hearings Officers would now present information to the Council which was focused on cumulative impact, remembering that if an increase to cumulative impact was likely there was a presumption against granting.

Councillor Brett asked what happened when a taxi driver was arrested for a serious crime. In response Katy Barrow-Grint said that while the system currently in place had worked well so far, there would now be specific Officers who would be informed who would then pass this information to the Council. She further added that she was looking to implement further changes to improve the process.

Councillor Brett asked what the Police was doing to reassure premises that when an incident was reported, it would not be held against them. In response Kay Barrow-Grint said that this would not be the case and it was about open communication between the premises and the Police.

Councillor Campbell said with regard to the Special Saturation Policy (SSP) that he would be concerned if Police evidence was to be limited because of the presumption within the SSP. It was difficult for Councillors to make a decision on a presumption rather than on data. In response Katy Barrow-Grint said that each case was dealt with on a case by case basis.

Councillor Goddard welcomed the initiatives outlined by Katy Barrow-Grint, but was concerned that Officers tended to move from one position to other on a frequent basis. In response Katy Barrow-Grint said that this was the nature of the service, but hoped that the initiatives would become entrenched and continue.

Councillor Goddard asked what was being done to ensure that the priorities for Oxford were not lost in the priorities for the wider area. In response Katy Barrow-Grint said that any priorities for Oxford were part of the wider priorities for the whole of the Thames Valley Police Force.

Councillor Sinclair welcomed the quarterly meetings held with licensed premises, but asked how many attended. In response Katy Barrow-Grint said that her meeting was primarily directed towards the City centre pubs and clubs.

Councillor Sinclair raised the issue of language schools and their impact on the City centre. In response Katy Barrow-Grint said that there were a number of initiatives that the Police were involved in with other agencies in a multi-agency approach.

The Committee agreed:

- (a) To thank City Centre Inspector Katy Barrow-Grint for attending the meeting;
- (b) To invite City Centre Inspector Katy Barrow-Grint to attend a further meeting of the Committee in six months time;
- (c) To ask City Centre Inspector Katy Barrow-Grint if minutes from the quarterly meetings could be made available to members of the Licensing and Gambling Acts Committee for information.

15. UPDATE ON LICENSING AUTHORITY ACTIVITY BETWEEN SEPTEMBER 2011 AND DECEMBER 2011

The Head of Environmental Development submitted a report (previously circulated, now appended) which informed the Committee of the progress made by the Licensing Authority under the Licensing Act 2003 and Gambling Act 2005 between September 2011 and December 2011.

Julian Alison introduced the report and took the Committee through the activities.

Councillor Brett asked why Councillors could not hear licensing applications if the applications were for premises in their own wards, yet they could decide planning applications within their own wards. He suggested that this difference be dropped from the Policy.

In response Daniel Smith said that he would take the request back to the Head of Law and Governance and seek advice and inform Members of the outcome.

Councillor Goddard pointed out that the note of the Licensing Sub Committee decision shown on page 35 of the Agenda did not include the Chair of that hearing. Daniel Smith said that he recalled the hearing had been chaired by Councillor Cook and that Councillor Goddard had been one of the other members.

The Committee agreed to note the report.

16. RESPONSE TO HOME OFFICE CONSULTATION: RELAXATION OF LICENSING HOURS FOR QUEENS JUBILEE

The Head of Environmental Development submitted a report (previously circulated, now appended) which updated members regarding the response sent by the Licensing Authority to the Home Office consultation: Relaxation of Licensing Hours for the Queen's Diamond Jubilee.

The Committee agreed to note the report.

17. PROPOSALS TO EXAMINE HOW TO DEAL WITH THE PROBLEMS OF LATE NIGHT DRINKING

The Head of Environmental Development submitted a report (previously circulated, now appended) which asked the Committee to consider and respond to the Government's consultation on its proposals to deal with "the problems of late night drinking".

The Committee agreed:

- (a) To note the report;
- (b) To delegate authority to the Head of Environmental Development to draft a response and present to the Chair and Vice-Chair of the Licensing and Gambling Acts Committee for final approval before submitting to the Home Office.

18. FEES AND CHARGES 2011/12

The Head of Environmental Development submitted a report (previously circulated, now appended) which sought agreement of the licence fees for 2012/13 where the Council had discretion over the level of fee charged.

The Committee agreed:

- (a) To note the licence fees set by statute;
- (b) To approve the Licence Fees for 2012/13 as set out in the report subject to the Head of Environmental Development seeking clarification on the percentage increase of either 4% or 4.5% so as to bring these in line with the Licence Fees set by the General Purposes Licensing Committee.

19. MINUTES

The Committee agreed to approve the minutes (previously circulated) of the meeting held on 19th October 2011.

20. DATES OF FUTURE MEETINGS

The Committee noted that its next meeting would be on Monday 28th May 2012.

The meeting started at 6.20 pm and ended at 7.25 pm