

LICENSING ACT 2003 HEARINGS

Wednesday 21 January 2015

COUNCILLORS PRESENT: Councillors Cook (Chair), Gotch and Wade.

OFFICERS PRESENT: Allan Hibberd, Daniel Smith (Law and Governance) and Annie Cheung (Licensing Officer)

- 1. APPLICATION FOR A NEW PREMISES LICENCE: HUNGRY HORSE OXFORD: 14/03812/PREM**

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Notification of determination

Hearing under Sections 17 and 18 of the Act and The Licensing Act 2003 (Hearings) Regulations 2005 In respect of an application made to the Oxford City Council for a Premises Licence

Date of hearing: **21st January 2015**

Place: **Town Hall, Oxford**

Case No: **14/03812/PREM**

Applicant: **Greene King Brewing and Retailing Limited**

Premises: **Hungry Horse Oxford**
Premises address: **Unit 1G Templars Shopping Park, Between Towns Road, Cowley, OX4 3JP**

Licensing Sub-committee Councillors: **Cook (Chair), Gotch, Wade**

Legal advisor: **Daniel Smith**

Licensing Officer: **Allan Hibberd**

Clerk: **Annie Cheung**

Decisions and reasons of the Licensing Sub-Committee:

The Sub-Committee considered all submissions, both written and oral, it took into account the Secretary of State's Guidance and the Council's own Statement of Licensing Policy; in particular policies PP1 (Pubs, Restaurants, Hotels, Guest Houses); LH5 (Closing times); GN16 ('Need' for licensed premise) and LH3 (Licensing Hours not Limited).

The Sub-Committee noted the agreed noise limit condition which would transfer to the operating schedule of the proposed premises. The amendments to the hours applied for were also noted.

The Sub-Committee understood the concerns of the Interested Parties but found that it could only consider those which directly concerned the licensing objectives. Where the concerns were relevant, the Sub-Committee found they were largely speculative given the premises did not yet operate.

The Sub-Committee found that, with the reduced hours and the attachment of the agreed noise condition, the risk of any public nuisance was low. The risk of crime and disorder was also low and it was particularly significant that Thames Valley Police had not objected to the application.

There was insufficient evidence to show the application would otherwise aggravate the licensing objectives.

If operation of the premises were to result in problems which compromised the licensing objectives an application to review of the licence would be possible.

The Application, as amended, was therefore **GRANTED** :

For the avoidance of doubt the amended hours were noted as:

All licensable activities;

- 11:00 hours to 23:00 hours on Sunday to Thursday.
- 11:00 hours to 00:00 hours on Friday & Saturday.
- (the hours on public holiday and saints days remained as set out in the Application and were granted as such)

And the agreed noise conditions would transfer to the premises operating schedule as:

Noise emanating from the premises as a result of regulated entertainment shall not exceed 40dB (A) as measured 1 metre from any residential building

The Sub-Committee also encouraged the Applicant to be a good neighbour and be involved with the Neighbourhood Action Group and to give that group contact details including a mobile number and email address.