

MINUTES OF THE LICENSING & GAMBLING ACTS CASEWORK SUB-COMMITTEE

Monday 5 October 2015

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COUNCILLORS PRESENT: Councillors Coulter, Gotch and Wade.

- 6. OXFORD KEBAB STOP & BITE - APPLICATION FOR A VARIATION OF A PREMISES LICENCE: (STREET TRADER), GEORGE STREET, OXFORD - 15/03620/PREM.**
- 7. CASTLE TAVERN (BABY LOVE) - APPLICATION FOR A NEW PREMISES LICENCE: 24 PARADISE STREET, OXFORD (15/03409/PREM)**

The meeting started at 6.00 pm and ended at 8.30 pm

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Notification of determination

Hearing under Sections 35 and 36 of the Act, and the Licensing Act 2003 (Hearings) Regulations 2005 In respect of an application made to the Oxford City Council for a Variation of a Premises Licence

Date of hearing: **5th October 2015**

Place: **Town Hall, Oxford**

Case No: **15/03620/PREM**

Applicant: **Mr Allal Lamzini**

Premises: **Oxford Kebab Stop and Bite**

Premises address: **Street Trader, George Street, Oxford**

Licensing Sub-committee Councillors: **Mike Gotch (Chair), Van Coulter, Liz Wade**

Legal Advisor: **Daniel Smith**

Licensing Officer: **Allan Hibberd**

Clerk: **Emma Thompson**

Decision and Reasons of the Sub-Committee

1. The Sub-Committee considered all submissions, both written and oral. It also had regard to the relevant Home Office Guidance and the Council's Statement of Licensing Policy in particular policy PP10 (Late Night Refreshment).
2. The Sub-Committee were mindful of the high levels of crime and disorder indicated by the Thames Valley Police statistical evidence, particularly between the hours 01.00 and 0400. The Sub-Committee accepted the Police case that allowing a one hour extension of operation during this peak period is likely to hinder the dispersal of people away from the City Centre and exacerbate crime and disorder.
3. Whilst accepting Mr Lamzini's good record of operation, the Sub-Committee felt that the applicant had not shown he had sufficient measures in place to address incidents of crime and disorder or nuisance should they occur.
4. The Sub-Committee found that granting the additional hour applied for would be contrary to the licensing objective of preventing crime and disorder and not in accordance with Policy PP10.

5. There was no criticism of Mr Lamzini's current operation which appeared to be responsible and well run.
 6. The Sub-Committee accepted that the management of crime and disorder problems during May Day celebrations was different and the later hours of operation sought until 05.00 on May Morning could be permitted without aggravating the licensing objectives.
- I. The Application for Late night refreshment until 04.00 Wednesday – Saturday is **REFUSED**.
 - II. The Application for Late night refreshment on April 30th annually until 05.00 the following morning is **GRANTED**.

Signed: *Councillor Mike Gotch*

Chair of Licensing Sub-committee

Notes:

- A. The applicant, and any responsible authority or interested party that has made representations upon the application has a right of appeal to the Magistrates' Court against this decision. If you wish to appeal you must do so within 21 days of being notified of the decision.

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: **5 October 2015**

Place: **Town Hall, Oxford**

Case No: **15/03409/PREM**

Applicant: **Crown and Castle Ltd, Abdelsalam El-Megrisi and
Martin Forde**

Premises: **Castle Tavern / Baby Love**

Premises address: **24 Paradise Street, Oxford, OX1 1LD**

Licensing Sub-committee Councillors: **Mike Gotch (Chair), Van Coulter, Liz Wade**

Legal Advisor: **Daniel Smith**

Licensing Officer: **Allan Hibberd**

Clerk: **Emma Thompson**

Decision and Reasons of the Sub-Committee

1. The Sub-Committee considered all submissions, both written and oral. It had regard to the relevant Home Office Guidance, in particular paragraph 9.12 (Representations from police), and the Council's Statement of Licensing Policy, in particular policies LH1, LH2 and LH3 concerning Licensing hours and LH6 (Dispersal procedures).
2. The Sub-Committee noted the amendments made to the application during the hearing.
3. The Sub-Committee accepted that the premises are not within the area of the City Centre Special Saturation policy and there is therefore no presumption against granting the application.
4. Nevertheless, the Sub-Committee were satisfied that the evidence of Thames Valley Police and the interested parties showed that the premises are within an area of high crime and disorder, together with problems of public nuisance from dispersing customers.
5. The Sub-Committee found that there is a significant risk that additional crime & disorder and public nuisance would result from the premises operating even until

the amended last hour of 03.30. The Sub Committee reached this conclusion for the following reasons:

- a) The aggregate increase in the time available for consumption of alcohol.
 - b) The dispersal of customers at a later and more noise sensitive hour.
 - c) The dispersal of intoxicated customers into the city centre at a time of peak crime and disorder.
 - d) The reports of previous incidents occurring at late opening events at the premises.
6. The Sub-Committee also agreed with Inspector Thompson that later hours of operation would only increase the risk of conflict between dispersing customers and vulnerable residents of Simon House and would therefore exacerbate crime & disorder and nuisance problems.
7. The Sub-Committee considered the measures proposed by Mr Forde but found them insufficient to address the risks made out in the Police and Interested party evidence.

The Sub-Committee found that the application did not therefore promote the licensing objectives of preventing crime & disorder and preventing public nuisance and should be **REFUSED**.

Signed: ***Councillor Mike Gotch***

Chair of Licensing Sub-committee

Notes:

- A. The applicant, and any responsible authority or interested party that has made representations upon the application has a right of appeal to the Magistrates' Court against this decision. If you wish to appeal you must do so within 21 days of being notified of the decision.