

To: Licensing & Gambling Acts Casework Sub-Committee

Date: 26 May 2015 Item No: 1

Report of: Head of Environmental Development

Title of Report: Co-operative Food Group Ltd – Application for a New

Premises Licence: Co-operative Food, 25-27 Littlemore

Road, Oxford, OX4 3SS

Application Ref: 15/01094/PREM

Summary and Recommendations

Purpose of report: To inform the determination of Co-operative Food Group Ltd's application for a New Premises Licence for Co-operative Food, 25-27 Littlemore Road, Oxford, OX4 3SS.

Report Approved by:

Legal: Daniel Smith

Policy Framework: Statement of Licensing Policy

Recommendation(s):

Committee is requested to determine Co-operative Food Group Ltd's application taking into account the details in this report and any representations made at this Sub-Committee meeting.

Additional Papers:

Appendix One: Application for a New Premises Licence

Appendix Two: Representations from Interested Parties

Appendix Three: Location Map

Introduction

 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 New Premises Licence to Cooperative Food Group Ltd.

Application Summary

2. An application for a New Premises Licence has been submitted by Cooperative Food Group Ltd. A summary of the licensable activities applied for and the times proposed for these activities can be found detailed below.

Supply of Alcohol (off sales only):

Sunday – Saturday	07:00	Until	23:00
Suriuay — Saluruay	07.00	Offilii	23.00

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 valid representations have been received from the Responsible Authorities as detailed in the table below.

Responsible Authority	Response	Licensing Objective(s)
Thames Valley Police:	No Representation	
Fire & 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. One valid representation has been received from an Interested Party as detailed in the table below. Copies of these representations are attached at **Appendix Two.**

_Name	Address	Licensing Objective(s)
Councillor John Tanner	Ward Member	Crime & Disorder, Protection of Children from Harm

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	Sections	Policy
	7.5.20 to 7.5.21	PP12
Crime and Disorder:	8.1.1 to 8.1.3	OS3
	8.3.1	OS7
Protection of Children from Harm:	6.2.1 to 6.2.2	CH5
Licensing Hours:	5.5.1 to 5.5.2	LH8

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- 8. A number of changes have been made to the Licensing Act 2003 in recent times by the Police Reform and Social Responsibility Act 2011, the Live Music Act 2012 and the Deregulation of Schedule 1 of the 2003 Act.
- 9. The Authority's Statement of Licensing Policy has not yet been revised following the introduction of these changes, the above sections from the current Policy do not reflect these changes which include removing the "vicinity test" for interested parties and amending the wording of the 2003 Act so that conditions imposed on licences must now be "appropriate to the promotion of the Licensing Objectives" rather than "necessary".
- 10. A copy of the Statement of Licensing Policy may be obtained from the Council Offices or found online at: www.oxford.gov.uk/licensing

Home Office Statutory Guidance

11. 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 Paragraphs
Crime and Disorder:	2.1 to 2.5
Protection of Children From Harm:	2.21 to 2.31

12. 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

- 13. 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.
- 14. 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.
- 15. 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.
- 16. 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.
- 17. 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.

- 18. 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.
- 19. 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.
- 20. Members should note that the applicant or persons making representations have the right of appeal against the decision made by the Sub-Committee.

Name and contact details of author: Julian Alison

Licensing Manager

Environmental Development

Tel: 01865 252381

Email: jalison@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 Co-operative Group Food Ltd (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 Co-operative Food (Former Nuffield Arms Public House) 25-27 Littlemore Road, Cowley 1 8 MAR 2015									
Post to	wn	Oxford		Postcode	OX4 3SS				
Teleph	ione ni	umber at premises (if any)							
Non-de	omesti	c rateable value of premises	£20,750.00 (Band	d B)					
		icant Details whether you are applying for a pren		ck as appropriate					
a)	an inc	dividual or individuals *		please complet	te section (A)				
b)	a pers	son other than an individual *							
	i.	as a limited company	\boxtimes	please comple	te section (B)				
	ii.	as a partnership		please comple	te section (B)				
	iii.	as an unincorporated association o	r 🗌	please comple	te section (B)				
	iv.	other (for example a statutory corp	oration)	please comple	te section (B)				
c)	a rec	ognised club		please comple	te section (B)				
d)	a charity								

e)	the proprietor of an edu	cational establishmen		please comple	ete section (B)			
f)	a health service body			please comple	ete 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							
ga)	a person who is registered under Chapter 2 of Part 1 please complete section (B) of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England							
h)	the chief officer of police of a police force in England please complete section (B) and Wales							
* If yo	u are applying as a perso	on described in (a) or	(b) please co	onfirm	:			
Please	tick yes							
licensa	arrying on or proposing table activities; or		which invol	lves the	e use of the pro	emises for	\boxtimes	
I am making the application pursuant to a statutory function or a function discharged by virtue of Her Majesty's prerogative								
(A) IN	DIVIDUAL APPLICA	-						
Mr	☐ Mrs ☐	Miss	Ms 🗌		r Title (for aple, Rev)			
Surna	me		First nar	nes				
I am 1	8 years old or over				Plea	se tick yes		
	nt postal address if ent from premises							
Post to	own				Postcode			
Dayti	me contact telephone nu	umber		-				
E-mai (optio	il address nal)							

${\bf SECOND\ INDIVIDUAL\ APPLICANT\ (if\ applicable)}$

Miss

Mrs

Mr

Mr 📙	Mrs _	Miss	Ms 📙	example, Rev)	
Surname			First nar	mes	
I am 18 years	old or ove	er		Pleas	e tick yes
Current postal different from address					
Post town				Postcode	
Daytime cont	act telepl	hone number			
E-mail addre (optional)	ss				
registered nu	le name a mber. In	and registered addres	rship or other joi	full. Where appropr nt venture (other tha concerned.	
Name Co-operative	e Group	Food Ltd			
Address Dept 10227 1 Angel Squ Manchester M60 0AG					
Registered nu IP26715R	mber (wh	ere applicable)	1		
Description of Company	f applican	t (for example, partne	ership, company, ui	nincorporated associat	tion etc.)
Telephone nu	mber (if a	nny)			
E-mail addres	ss (optiona	al)			

Ms

Other Title (for

Part 3 Operating Schedule	
When do you want the premises licence to start?	DD MM YYYY
If you wish the licence to be valid only for a limited period, when do want it to end?	you DD MM YYYY
Please give a general description of the premises (please read guidance	ce note 1)
Proposed convenience retail store, to trade 7 days a week, sand alcohol for consumption off the premises only.	selling groceries, sundry items
If 5,000 or more people are expected to attend the premises at any one please state the number expected to attend.	e time,
What licensable activities do you intend to carry on from the premise	s?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule	es 1 and 2 to the Licensing Act 2003)
Provision of regulated entertainment	Please tick any 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 (if ticking yes, fill in box H)	r (g)

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	_
Supply of alcohol (if ticking yes, fill in box J)	\boxtimes
In all cases complete boxes K, L and M	
A	

Plays Standard days and timings (please read guidance note		_	Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
(picase 6)	read guid	arice note	guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for performing plays (note 4)	please read guid	ance
Thur			-		
Fri			Non standard timings. Where you intend to use the performance of plays at different times to those listed the left, please list (please read guidance note 5)	premises for the	<u>ne</u> n on
Sat					
Sun			-		

	d days and read guida		Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for the exhibition of fill guidance note 4)	ms (please read	
Thur					
Fri			Non standard timings. Where you intend to use the exhibition of films at different times to those listed in left, please list (please read guidance note 5)	premises for th the column on	<u>e</u> the
Sat					
Sun					

C

Standar	sporting of d days and read guida	timings	Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
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 5)
Fri			
Sat	***************************************		
Sun			

D

Boxing or wrestling entertainments Standard days and timings			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
(please 6)	read guida	ince note		Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for boxing or wrestling (please read guidance note 4)	entertainment	
Thur					
Fri			Non standard timings. Where you intend to use the or wrestling entertainment at different times to those column on the left, please list (please read guidance not be column on the left, please list)	e listed in the	xing
Sat					
Sun					

Live music Standard days and timings (please read guidance note			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
(piease 6)	read guide	mee note	read gardanee note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for the performance of read guidance note 4)	f live music (ple	ase
Thur					
Fri			Non standard timings. Where you intend to use the performance of live music at different times to those on the left, please list (please read guidance note 5)		
Sat					
Sun					

Recorded music Standard days and timings (please read guidance note			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for the playing of recorread guidance note 4)	rded music (plea	ise
Thur					
Fri			Non standard timings. Where you intend to use the playing of recorded music at different times to those on the left, please list (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note		timings	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)	caa garaa		<i>S</i>	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	_
Tue					
Wed			State any seasonal variations for the performance of guidance note 4)	f dance (please r	ead
Thur					
Fri			Non standard timings. Where you intend to use the performance of dance at different times to those list the left, please list (please read guidance note 5)		
Sat					
Sun					

descrip within Standar	ng of a sin tion to that (e), (f) or d days and read guida	at falling (g) I timings	Please give a description of the type of entertainment yo	ou will be provid	ing
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance	Indoors	
Mon			note 2)	Outdoors	
				Both	
Tue			Please give further details here (please read guidance	note 3)	
Wed					
Thur			State any seasonal variations for entertainment of a to that falling within (e), (f) or (g) (please read guidan		<u>tion</u>
Fri					
Sat	************	*************	Non standard timings. Where you intend to use the entertainment of a similar description to that falling at different times to those listed in the column on the (please read guidance note 5)	within (e), (f) o	r (g)
Sun					

I

Late night refreshment Standard days and timings (please read guidance note		timings	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
(piease 6)	read guida	nce note	(please read guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for the provision of lat (please read guidance note 4)	e night refreshi	ment
Thur					
Fri			Non standard timings. Where you intend to use the provision of late night refreshment at different time the column on the left, please list (please read guidan	s, to those listed	<u>ie</u> l in
Sat					
Sun					

_					
Supply of alcohol Standard days and timings (please read guidance note		l timings	Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	
6)	read garda	arce more		Off the premises	\boxtimes
Day	Start	Finish		Both	
Mon	07:00	23:00	State any seasonal variations for the supply of alcoholic guidance note 4)	ol (please read	
Tue	07:00	23:00	None		
Wed	07:00	23:00			
Thur	07:00	23:00	Non standard timings. Where you intend to use the supply of alcohol at different times to those listed in		
			left, please list (please read guidance note 5)	the column on	<u></u>
Fri	07:00	23:00			
Sat	07:00	23:00			
Sun	07:00	23:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Simon Griffith	ns
Postcode	
Personal licence	te number (if known) PL/891
Issuing licensing	ng authority (if known) West Oxfordshire District Council

	_
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 8).	
None	

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)		d timings	State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
			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,
Thur			please list (please read guidance note 5) No opening hours prescribed.
Fri			The opening hears presented.
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 9)
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The applicant has given thought to the potential impact of the grant of this application on the four licensing objectives and, having regarding to the locality, considers that the following conditions are appropriate.

b) The prevention of crime and disorder

- 1. The premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon the receipt of a request by an authorised Officer of the Police or the Local Authority.
- 2. There shall be "CCTV in Operation" signs prominently displayed at the premises.
- 3. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.
- 4. The premises shall operate a proof of age scheme, such as a Challenge 25, whereby the only forms of acceptable identification shall be either a photographic driving licence, a valid passport or any other recognised form of photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the secretary of the state.
- 5. The premises will be fitted with a burglar alarm system
- 6. The premises will be fitted with a panic button system for staff to utilise in the case of an emergency.

c) Public safety

The premises licence holder shall ensure that the appropriate fire safety, and health and safety regulations are applied at the premises.

d) The prevention of public nuisance	
A complaints procedure will be maintained, details of which will be made available in and upon request.	store
e) The protection of children from harm	
1. All staff will receive comprehensive training in relation to age restricted products an particular the sale of alcohol. No member of staff will be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training	icted
2. An age till prompt system will be utilised at the premises in respect of age restr products.	ricted
3. A refusals register (whether kept and written or electronic form) will be maintained a premises and will be made available for inspection upon request by an authorised Office the Police or the Local Authority	at the cer of
Checklist:	
Please tick to indicate agree	ement
 I have made or enclosed payment of the fee. 	\boxtimes
 I have enclosed the plan of the premises. 	\boxtimes
 I have sent copies of this application and the plan to responsible authorities and others where applicable. 	\boxtimes
	\boxtimes
 I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. 	
	\boxtimes
supervisor, if applicable.	\boxtimes
 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 	⊠ iG 2003,
 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. IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 	⊠ iG 2003,
 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. IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION 	⊠ IG 2003,

Signature	ward Hadaway
Date	17 March 2015
Capacity	Solicitor acting on behalf of the applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

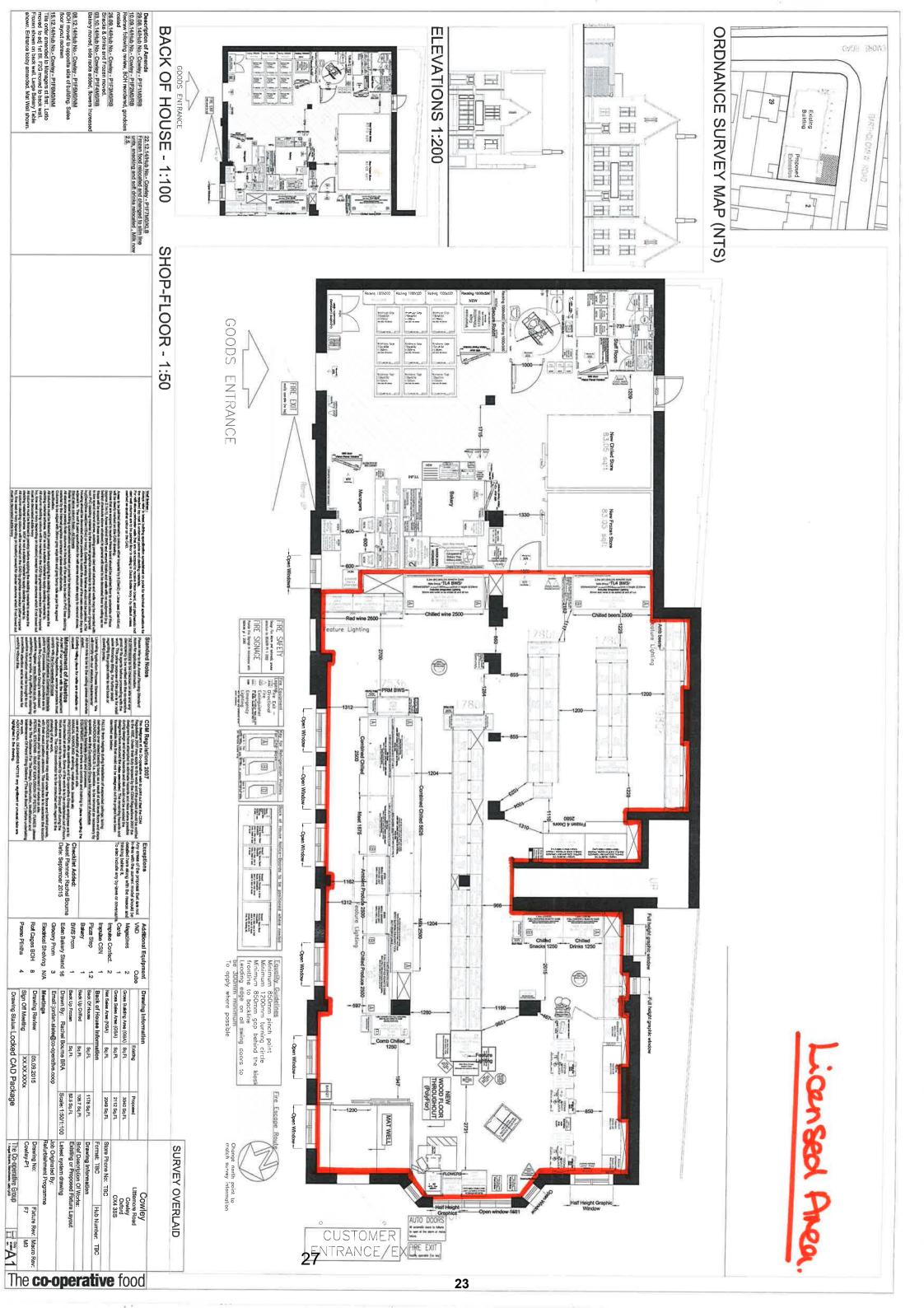
Signature	
Date	
Capacity	
Contact name (wh application (please Miss Suzanne E Ward Hadaway Sandgate House 102 Quayside	

Post town	Newcastle		Postcode	NE1 3DX
Telephone number (if any)		0191 204 4491		
If you would		oond with you by e-mail, your e-mail	il address (option	al)

suzanne.blewitt@wardhadaway.com

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 offsupplies, you must include a description of where the place will be and its proximity to the premises.
- 2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or seminudity, films for restricted age groups or the presence of gaming machines.
- 9. Please list here steps you will take to promote all four licensing objectives together.
- 10. The application form must be signed.
- 11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
- 13. This is the address which we shall use to correspond with you about this application.



APPENDIX TWO

From: Councillor John Tanner Sent: 02 April 2015 06:03

To: ALISON Julian

Cc: Councillor SANDERS Gill

Subject: 15/01094PREM, Co-op Food, 25-27 Littlemore Road OX4 3SS

Hi Julian

I wish to object strongly to the application 15/01094PREM, Co-op Food, 25-27 Littlemore Road OX4 3SS for a license to sell alcohol from 6 am to 11 pm.

I am concerned that the availability of alcohol for off-sales between the hours of 6am and 11pm is somewhat excessive in a residential area, close to a local school, and as such may lead to anti-social behaviour by persons obtaining alcohol and remaining in the immediate vicinity to drink openly, and the possibility of underage persons attempting to purchase alcohol.

Whilst the Co-operative will have its own policies in place to deal with these issues, I would recommend that a later start time and an earlier finish time for the sale of alcohol be prudent to alleviate some of the concerns felt.

I believe that 8am to 10pm daily is far more appropriate for the hours off sales of alcohol occur in such a suburban area, and if the applicant is agreeable to this, such an amendment to the application would remove my concerns

Best wishes

John

Cllr John Tanner (Labour)
Board Member for a Cleaner, Greener Oxford (inc. Transport)
City Councillor for Littlemore & County Councillor for Isis

APPENDIX THREE

