

**To:** Licensing & Gambling Acts Casework Sub-Committee

**Date:** 22 August 2016 **Item No:**

**Report of:** Head of Community Services

**Title of Report:** Mrs Vera Franca – Application for a New Premises  
Licence: 5 Atkyns Road, Wood Farm, Oxford, OX3 8RA

**Application Ref:** 16/02985/PREM

### Summary and Recommendations

**Purpose of report:** To inform the determination of Mrs Vera Franca's application for a New Premises Licence for 5 Atkyns Road, Wood Farm, Oxford, OX3 8RA

**Report Approved by:**

**Legal:** Daniel Smith

**Policy Framework:** Statement of Licensing Policy

**Recommendation(s):**

Committee is requested to determine Mrs Vera Franca'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:** Representation from a Responsible Authority

**Appendix Three:** Representation from an Interested Party

**Appendix Four:** Location Map

**Introduction**

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

## Application Summary

- An application for a New Premises Licence has been submitted by Mrs Vera Franca. A summary of the licensable activities applied for and the times proposed for these activities can be found detailed below:

### **Sale of Alcohol (On and Off Sales):**

Monday to Thursday	08:00	Until	22:00
Friday to Sunday	08:00	Until	00:00

### **Late Night Refreshment (Provided Indoors Only):**

Friday to Sunday	23:00	Until	00:00
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- 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

- A valid representation has been received from a Responsible Authority as detailed in the table below. A Copy of this representation is attached at **Appendix Two**.

<b>Responsible Authority</b>	<b>Response</b>	<b>Licensing Objective(s)</b>
Thames Valley Police:	Yes	Crime and Disorder
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	-

- A valid representation has been received from an Interested Party as detailed in the table below. A Copy of this representation is attached at **Appendix Three**.

<b>Name</b>	<b>Address</b>	<b>Licensing Objective(s)</b>
Councillor Susan Brown	Ward Member: Churchill Ward	Public Nuisance

## Location

- A map is attached at **Appendix Four** showing the general location of the applicant's premises, and the proximity to the premises of those who have raised objections to the application. **4**

## 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:

<b>Relevant Policy Matters</b>	<b>Sections</b>	<b>Policy</b>
<b>Crime and Disorder</b>	7.5.20 to 7.5.21	PP11
	7.5.22 to 7.5.24	PP12
	8.3.1	OS7
<b>Public Nuisance:</b>	7.3.1 to 7.3.6	LA3
	7.3.10	LA4
	7.5.1 to 7.5.2	PP1
<b>Licensing Hours:</b>	5.1.1	LH1 to LH3
	5.3.1 to 5.3.3	LH6
<b>Late Night Refreshment:</b>	7.5.16 to 7.5.19	PP9

8. A copy of the Statement of Licensing Policy may be obtained from the Council Offices or found online at:  
[https://www.oxford.gov.uk/downloads/file/1303/statement\\_of\\_licensing\\_policy](https://www.oxford.gov.uk/downloads/file/1303/statement_of_licensing_policy)

## Home Office Statutory Guidance

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

<b>Relevant Sections</b>	<b>Relevant Paragraphs</b>
<b>Crime and Disorder:</b>	2.1 to 2.5
<b>Public Nuisance:</b>	2.14 to 2.20

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

## Other Relevant Considerations

11. The Sub-Committee is reminded of its responsibilities under the Crime and Disorder Act 1998 (to co-operate in the reduction of crime and disorder in Oxford) and the Human Rights Act (which guarantees the right to a fair hearing for all parties in the determination of their civil rights, and also provides for the protection of property, which may include licences in existence, and the protection of private and family life) when considering the fair balance between the interests of the applicant and the rights of local residents. Any decision taken by the Sub-Committee must be necessary and proportionate to the objectives being pursued.
12. Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a duty to act with a view to promoting the licensing objectives.

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

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

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

**Name and contact details of author:** **Richard Masters**  
**Licensing Compliance Officer**  
**Community Services**  
**Tel: 01865 252067**  
**Email: [rmasters@oxford.gov.uk](mailto:rmasters@oxford.gov.uk)**

16/02985/PREM  
NEW PREMISES

[Insert name and address of relevant licensing authority and its reference nu

5 Atkyns Road

Application for a premises licence to be granted under the Licensing Act 2003 Date rec'd: 08/07/16

**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 VERA CRISTINA RODRIGUES DA SILVA FAALCA  
(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			
5 Atkyns Road WOODFAAM, HEADINGTON OXFORD			
The Licensing Authority Oxford City Council - 8 JUL 2016			
Post town	OXFORD	Postcode	OX3 8RA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 5,600

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)

- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev) <input type="checkbox"/>
Surname <b>FRANCA</b>		First names <b>VERA</b>		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
01	08	2016

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
1	1	1

Please give a general description of the premises (please read guidance note 1)

THE PREMISES WILL BE USED AS A SMALL PORTUGUESE CAFE / RESTAURANT PROVIDING PORTUGUESE AND BRAZILIAN FOOD AND DRINKS (ALCOHOLIC AND NON ALCOHOLIC). WE WILL PROVIDE A SEATING AREA AT THE FRONT OF THE PREMISES WHERE THE BAR WILL BE LOCATED AND ALSO A SMALL SEATING AREA AT THE REAR PART OF THE PREMISES (WHERE THE GARAGE WILL BE CONVERTED).

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 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 (g) (if ticking yes, fill in box H)



**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

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

**B**

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			<b><u>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</u></b> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**F**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

F

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

**G**

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

**H**

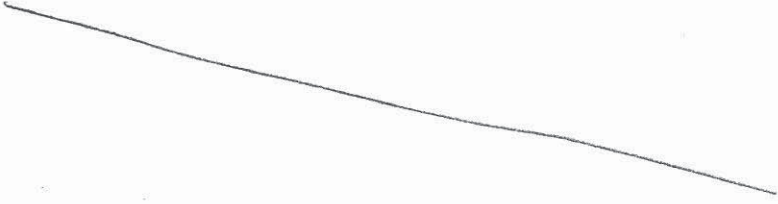
<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b>          Standard days and timings          (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 3)</p>		
Wed					
Thur					
Fri			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)</p>		
Sat					
Sun					
			<p><b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b>          (please read guidance note 5)</p>		




I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3) WE WILL APPLY IN THE NEAR FUTURE SO THAT THE PREMISES WILL BE OPEN TO THE PUBLIC A BIT LATER ON THESE DAYS ON A PERMANENT BASIS		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur					
Fri	23:00	24:00	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	23:00	24:00			
Sun	23:00	24:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption –</b> <b>please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
			WILL APPLY FOR THE OPENING TIMES TO BE EXTENDED TO 24:00 ON FRIDAYS, SATURDAYS AND SUNDAYS. AS AT THE MOMENT ONLY UP TO 22:00	Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	08:00	22:00			
Tue	08:00	22:00			
Wed	08:00	22:00			
Thur	08:00	22:00			
Fri	08:00	24:00			
Sat	08:00	24:00			
Sun	08:00	24:00			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		

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

Name	VERA CRISTINA RODRIGUES DA SILVA FRANCA
Address	
Postcode	
Personal licence number (if known)	TBC
Issuing licensing authority (if known)	OXFORD CITY COUNCIL

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	22:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>WILL APPLY FOR OPENING TIMES TO BE EXTENDED UP TO 24:00 INSTEAD OF 22:00 ON FRIDAYS, SATURDAYS AND SUNDAYS (PERMANENT BASIS)</p>
Tue	08:00	22:00	
Wed	08:00	22:00	
Thur	08:00	22:00	
Fri	08:00	22:00	
Sat	08:00	22:00	
Sun	08:00	22:00	

fu

**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)**

- CCTV
- TRAINING STAFF
- CHALLENGE 25 or CHALLENGE 25 SCHEME
- WORK IN PARTNERSHIP WITH LOCAL AUTHORITIES
- CREATE DISPERSAL POLICIES AS WELL AS GOOD CONDUCT AND 0% DRUG and VIOLENCE POLICY

**b) The prevention of crime and disorder**

- CCTV
- APPLY FOR THE ALCOHOL HARM REDUCTION STRATEGY AS WELL AS PARTNERSHIP WORKING
- ENSURING THAT PREMISES ARE WELL LIT
- TRAINING STAFF IN CONFLICT MANAGEMENT

**c) Public safety**

- CCTV
- APPLY FOR THE ALCOHOL HARM REDUCTION STRATEGY AS WELL AS PARTNERSHIP WORKING
- ENSURING THAT PREMISES ARE WELL LIT

**d) The prevention of public nuisance**

- DISPERSAL POLICIES
- WALKING AROUND THE PREMISES AND BEING VIGILANT
- DISPLAYING WAYS OF TRANSPORT TO HELP CUSTOMER FIND A SAFE WAY OUT OF THE PREMISES (SUCH AS TAXI NUMBERS AND BUS ROUTES) TO AVOID LINGERING CUSTOMERS STAYING OUTSIDE UNNECESSARILY

**e) The protection of children from harm**

CHALLENGE 21 or CHALLENGE 25 SCHEME  
CONTROL OVER ADMISSION OF CHILDREN

**Checklist:**


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**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 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11).  
**If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	04/07/2016
Capacity	OWNER

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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 (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Pos

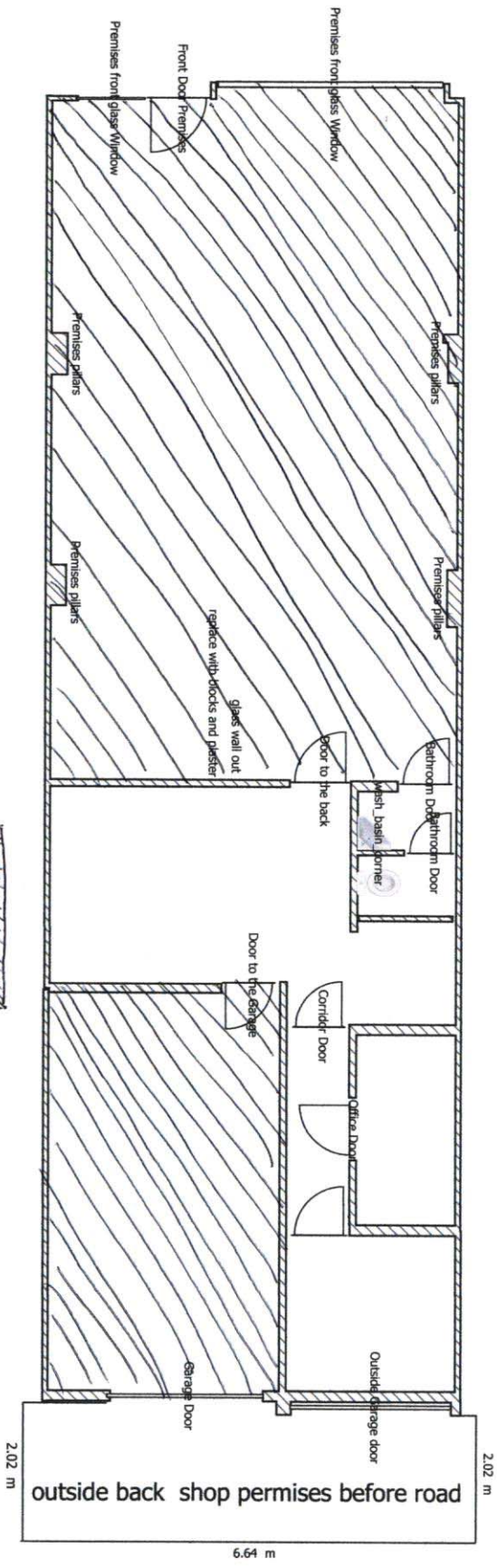
Tel

If y

### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. 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.
4. 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 semi-nudity, 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.

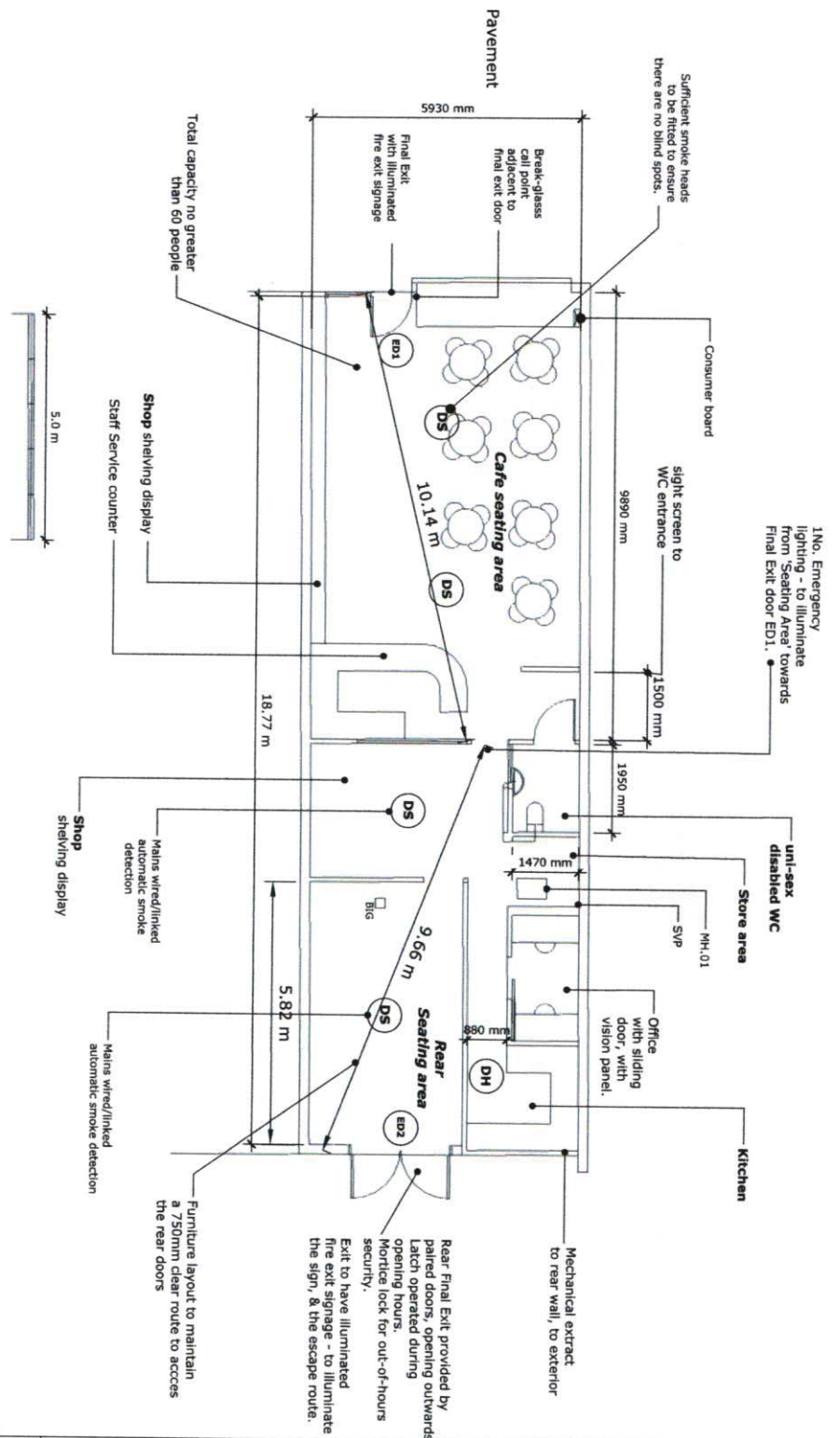
# Premises after on 5 Atkyns Road



Scale 1 / 100

AREA FOR LICENSABLE  
ACTIVITY

**Proposed Ground Floor Plan**



**NOTES:**  
 All dimensions are approximate.  
 Check all figured dimensions on site before putting works in place.  
 Report any discrepancies to LPD immediately.  
 Fire Exit ED1 to have illuminated sign.  
 All signage and positions to be confirmed and agreed with Building Control Surveyor on site.  
 AFD to be mains wired and linked.

**REVISIONS:**

REV.	Date	Revision
A	29/04/2016	Call point and vision panel added

**LOWRIE PRICE DESIGN**  
 27 Wallon Street Oxford OX1 2HQ  
 Tel. 01885 552175 e. enquiries@lowrieprixdesign.co.uk

Project: **Franca Cafe**  
 Site: 5 Aikyns Road, Oxford, OX3 8RA  
 Client: Mr and Mrs M. Franco  
 Date: 08.04.2016  
 Drawing: Proposed Ground Floor Plan  
 Scale: 1:100 @ A3

Drawing No. **GA.001.A**

DO NOT SCALE except for the purposes of a Planning Application.  
 All dimensions to be checked on site prior to commencement.  
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**From:** Bloomfield Alex [REDACTED]  
**Date:** 21 July 2016 17:15:07  
**To:** [REDACTED]  
**Subject:** Alcohol Licence for 5 Atkyns Road

Dear Mrs Franca,

**Ref- Application for a premises licence for 5 Atkyns Road Oxford**

Thank you for your recent application.

As part of the Police's consultation process I have forwarded it on to the area Inspector and the Neighbourhood Sergeant your premises is located for their input.

There are a number of alcohol related challenges that can present themselves even with this type of proposed business, and the location in Oxford as well does give us some early reservations about this application. However (and subject to direction I am given from Inspector Williams/Sergeant Why) I believe these issues can be dealt with quite easily.

Under the Licensing Act an application is only given 28 days statutory consultation so we will need to try and agree something before that time, and I am unfortunately away for 2 weeks as of Friday so whilst I await a response from your neighbourhood policing team I thought it best to get the process started so you might be able to give to give proper consideration to our representations.

There are 2 areas as the licensing officer I believe need addressing please:

1. **The hours for the latter part of the week**- The current request for midnight Friday/ Saturday and Sunday is very late without a proven track record of trade. we request that the venue have a 12 month bedding in period to demonstrate that the inclusion of these licensable activities do not detrimentally impact on crime and disorder on the estate. After this time we would be more comfortable with such a late close such as midnight in the area of Woodfarm having seen the venue operate. To that end we ask that the hours Friday, Saturday and Sunday be amended from Midnight to 23:00.
2. **Conditions of the licence** In section M of your application you outline steps the venue will undertake to promote the licensing objectives ( Public safety, prevention of public nuisance, prevention of crime and disorder and protection of children from harm). The information provided does to an extent address some of the areas we would expect to be addressed for an application of this nature, but there is not much detail. As such I would like to request you please read the following which we would ask be included as conditions of the premises licence if it were to be granted.
  1. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of training prior to them being authorised to sell or supply alcohol. Such training shall consist of providing staff with an understanding of:
    - The need to ensure the responsible sale and supply of alcohol
    - The need to refuse the sale and supply of alcohol to persons who are intoxicated or underage
    - The need to seek credible age verification from persons seeking to be sold or supplied alcohol who may appear under the age of 18 years old

The content of the training programme shall be agreed with the Force Licensing Officer of Thames Valley Police and the Licensing Authority prior to implementation.

Records of the training programme shall be maintained and made available to Authorised Officers upon request.

The Premises Licence holder shall provide a "refresher" training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every six months.

2. A Premises Daily Register shall be held at the premises. This Register shall be maintained for a rolling minimum period of 12 months, and shall record:

- The name of the person responsible for the premises on each given day.
- The name of the person authorising the sale of alcohol each day.
- All calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made and any actions taken to deal with the call.
- Any refusals on grounds of age and/or intoxication (to include date, time, member of staff involved, reason for refusal as well as a brief physical description of the person refused)
- The name, SIA number, start and finish time of anyone employed in a security role for that day
- Any use of force by SIA registered staff in the effective management of the premises or in ejecting persons from the premises (to include date, time, member of staff involved, reason for force as well as a brief physical description of the person refused)
- Weekly checks of the CCTV, to ensure it is fully operational and any faults are dealt with including the time of the check and the person that carried it out.
- Any calls to or visits by Thames Valley Police in relation to any crime and disorder or like related matter.

The Designated Premises Supervisor shall check the Premises Daily Register on a weekly basis ensuring that it is completed and up-to-date, sign the Premises Daily Register each time that it is checked, and make the Premises Daily Register available for inspection by any Authorised Officer throughout the trading hours of the premises.

3. The premises shall implement written policies and procedural statements and/or management action plans. Such documents shall include, but not be limited to, the following:

- CCTV
- Conditions of Entry
- Crowd Dispersal
- Child Sexual Exploitation & Vulnerable Persons
- Noise
- Queue Management
- Responsible Service of Alcohol
- Security Measures
- Underage Sales & False Identification
- Zero Tolerance Drugs

The above policies and procedural statements shall be “live” documents, subject to amendment following consultation with the Licensing Authority, Environmental Health Department, and Thames Valley Police.

4. The CCTV policy shall incorporate the following basic requirements:

- Be switched on and fully operational when the licensable activities are being carried out.
- Record for a minimum rolling period of 31 days
- Have a camera covering any entrance which will provide a facial shot of identification quality.
- Have a means of copying any footage to another medium as evidence if requested by the Police
- Have a member of staff working at all times whilst the licence is in operation that is able to operate the system and in particular be able to provide copies of any footage requested by The Police.

5. The policies / procedures referred to at Condition 3 shall be reviewed and amended at any time that the Premises Licence holder deems appropriate, but shall in any case be reviewed following any concerns being raised to the Premises Licence holder by any Authorised Officer. Such reviews when undertaken shall seek the advice of the Force Licensing Officer of Thames Valley Police and the Licensing Authority.

6. The Premises Licence holder shall ensure that all staff employed at the premises are aware and understanding of the policies / procedures referred to at Condition 3 and the content of such policies and procedures and that they carry out their duties in accordance with them. Any necessary and justifiable deviation from those agreed shall be fully documented within the Premises Daily Register.
7. Drinks shall be served in containers made from non-glassware drinking vessels (e.g. polycarbonate or other such material). *Note: Weights and measures legislation requires the use of "stamped glasses" where "meter-measuring equipment" is not in use*
8. All bottled drinks (except wine, Champagne and Spirit bottles) will be decanted into a vessel as described in the non-glassware drinking vessels (e.g. polycarbonate or other such material) condition before being given to the customer.
9. No person shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage, other than to any external area owned or legally occupied by the Premises Licence Holder.
10. In order to promote the prevention of crime and disorder objective, the maximum number of persons (including staff and entertainers) allowed at the premises shall not exceed **[TO BE AGREED WITH THE APPLCAINT BASED ON THEIR FIRE RISK ASSESMENT]** persons for the whole premises. The door supervisors or staff on duty will operate a means of counting customers in and out so the capacity limit is not exceeded at any point.
11. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years and who is seeking access to the premises or is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
12. No person shall be admitted to the premises less than one hour before cessation of the last licensable activity.
13. The premises shall be cleared of customers and closed 30 minutes after the conclusion of the last licensed activity.
14. Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of the local community and of acceptable behaviour in public spaces.

Please note there are references in the above conditions to security, queue management policies etc. This may concern or confuse you, but business formats change over time, customer bases change over time, operators move on, and once a licence is granted it is there indefinitely, and unexpected issues that neither the authorities or indeed the premises licence holder can anticipate emerge. As such the conditions are actually quite flexible and as such aimed exactly at your type of business. To reassure you the conditions do not require you for example to have security but to carry out a risk assessment (as a venue should do anyway as best practice) so if you believe that security is not required then as long as you can justify that in the risk assessment the condition is met. This has the added bonus that in a worst case scenario an incident occurs and we have to meet with you to discuss it, you have a written document as due diligence. At the same time it assures us as that in the future if matters require it we can ensure proper steps are implemented if an issue emerges.

I hope the above is self-explanatory. As mentioned this is all subject to the neighbourhood team, who may very well take a different view, however I am hopeful my assessment matches theirs. In the meantime if you have any questions or concerns about the above whilst I am away on leave there are other members of my team that are available to discuss them with you. They can be contacted at [licensing@thamesvalley.pnn.police.uk](mailto:licensing@thamesvalley.pnn.police.uk) or phone 01865 84 6597 / 01865 84 6120

Yours Sincerely

Alex

**C0714 Alex Bloomfield | Force Licensing Officer | Licensing, NP& P | Address: Licensing, Thames Valley Police, HQ South, Oxford Rd, Kidlington, OX5 2NX**

From: [planning](#)  
To: [licensing](#)  
Subject: Comments for Licensing Application 16/02985/PREM  
Date: 28 July 2016 14:37:05

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

Comments were submitted at 2:37 PM on 28 Jul 2016 from Ms Susan Brown.

### Application Summary

**Address:** 5 Atkyns Road Oxford Oxfordshire OX3 8RA

**Proposal:** Premises Licence

**Case Officer:** Richard Masters

[Click for further information](#)

### Customer Details

**Name:** Ms Susan Brown

**Email:** 

**Address:** 

### Comments Details

**Commenter Type:** Ward Councillor

**Stance:** Customer objects to the Licensing Application

**Reasons for comment:** - Public Nuisance

**Comments:** 2:37 PM on 28 Jul 2016 I am concerned about the prospect of these premises being licensed. The proposed cafe is in the middle of a quiet residential area, opposite sheltered accommodation and most significantly, underneath family flats. The possibility of noise and nuisance from licensed premises unless there were very restricted opening hours would be considerable.



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