

Agenda

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Licensing and Registration Sub Committee

Date: **Tuesday 20 August 2013**

Time: **5.30 pm**

Place: **Town Hall**

For any further information please contact:

Lois Stock, Democratic Services Officer

Telephone: 01865 252275

Email: lstock@oxford.gov.uk

Licensing and Registration Sub Committee

Membership

Chair

Vice-Chair

Councillor Van Coulter	Barton and Sandhills;
Councillor Gwynneth Royce	St. Margaret's;
Councillor Mary Clarkson	Marston;
Councillor Rae Humberstone	Blackbird Leys;

HOW TO OBTAIN AGENDA

In order to reduce the use of resources, our carbon footprint and our costs we will no longer produce paper copies of agenda over and above our minimum internal and Council member requirement. Paper copies may be looked at the Town Hall Reception and at Customer Services, St Aldate's and at the Westgate Library

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AGENDA

Pages

1 ELECTION OF CHAIR FOR THE COUNCIL YEAR 2013/14

2 ELECTION OF VICE CHAIR FOR THE COUNCIL YEAR 2013/14

3 APOLOGIES FOR ABSENCE

4 DECLARATIONS OF INTEREST

Members are asked to declare any disclosable pecuniary interests they may have in any of the following agenda items. Guidance on this is set out at the end of these agenda pages.

5 PROCEDURE TO BE FOLLOWED

Guidance is attached

6 APPLICATION FOR A THE RENEWAL OF A SEX SHOP LICENCE

1 - 34

Report of the Head of Environmental Development attached.

The Sub Committee is asked to determine the application for the renewal of the licence for the sex shop known as The Private Shop, 54 Cowley Road, Oxford.

7 MINUTES

35 - 38

Minutes of the meeting held on 24th July 2013 attached

8 MATTERS EXEMPT FROM PUBLICATION

If the Sub Committee wishes to exclude the press and the public from the meeting during consideration of any aspects of the preceding agenda items it will be necessary for the Sub Committee to pass a resolution in accordance with the provisions of Section 100A(4) of the Local Government Act 1972 specifying the grounds on which their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Part 1 of Schedule 12A of the Act if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licences for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

¹ Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those of the member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

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OXFORD CITY COUNCIL

LICENSING and REGISTRATION SUB-COMMITTEE

HEARING PROCEDURES:

Housekeeping Matters

- Mobiles must be switched off
- No smoking throughout the building
- Consumption of food is not permitted

The Meeting

1. The Licensing Casework Sub-Committee will usually consist of four members of the Council (councillors) who are also members of the Council's General Purposes Licensing Committee. In some circumstances it may sit with a quorum of 2 councillors. At the start of each Sub-Committee meeting a Chair shall be elected from among the members. The Sub-Committee is responsible for reaching a decision upon the application having heard representations and considering all relevant material presented.

The Paperwork

2. Officers of the licensing authority (the City Council) will prepare the paperwork for the application that is to be heard by the Sub-Committee. The paperwork will include:-
 - A summary of the application, the representations received and of any other relevant material
 - The application and any other supporting material supplied by the applicant
 - Any observations on the application made by the Police or other technical advisor to the Sub Committee
 - Any representations of objection to the application

Introductions

3. The Chairman will commence the hearing by introducing her or himself and the other Sub-Committee members. The Chair will then ask all of the other parties present to introduce themselves and explain in what capacity they are attending.

Conduct of Proceedings

4. The role of the Chair is to control the proceedings. All questions must be put through the Chair.
5. The Chair will indicate that the members of the Sub-Committee have read and familiarised themselves with the papers and issues. The Chair will stress that the Sub-Committee does not therefore require points to be made or repeated at length.
6. The hearing shall take the form of a discussion. Formal cross-examination shall not be permitted unless the Chairman considers that cross-examination in a particular circumstance would assist. In exercising this discretion to permit cross-examination, the Chairman must have regard to the rules of natural justice and the right to a fair hearing.
7. Members of the Sub-Committee may ask questions to any party to elicit further information. The representative of the licensing authority may also ask questions of any party in order to clarify the evidence and any issues in the case.
8. In considering the application or any representation made by a party the Sub-Committee may take into account documentary or other information relied on by a party in support of their application or representation - provided that copies of the information have been supplied to the Licensing Authority at least seven working days before the hearing or, with the consent of all the other parties, after that time.
9. Where a person attending the hearing is acting in a manner that the Sub-Committee consider is disruptive, the Sub-Committee may require that the person leave the hearing and may:
 - (a) refuse to permit that person to return; or
 - (b) permit him / her to return only on such conditions as the authority may specify.

10. Before the end of the hearing any person who was required to leave the hearing under paragraph 11 may submit in writing any information which they would have been entitled to give orally had they not been required to leave.

Order of Proceedings

11. Any party may be assisted or represented by any person whether or not that person is legally qualified.

The Licensing Authority

12. The representative of the licensing authority shall present the paperwork relating to the application to be heard by the Sub-Committee. The representative shall say who the applicant is, what the application is for and explain the paperwork before the Sub-Committee.

Applicant's case

13. The Applicant will outline their application and present their case and may call witnesses if desired.
14. The Sub Committee may ask questions of the Applicant.
15. Other parties may ask factual questions of the Applicant. Cross-examination will only be permitted with the consent of the Chair.

Observations of Police and/or Technical advisors

16. Where appropriate the police or technical advisers to the Sub Committee may make their observations.
17. The Sub Committee may ask questions of the Police and/or technical advisors.
18. Other parties may ask factual questions of the Police and/or technical advisors. Cross-examination will only be permitted with the consent of the Chair.

Objector's case

19. Where written representations of objection have been received the Sub Committee will have regard to those representations. Any

Objectors attending the hearing may make oral representations in support of their objection and call witnesses if they wish. However, the Sub Committee will not require repetition of points already made in written representations.

20. Where a number of objectors have made representations which are similar in nature the Sub Committee will expect a spokesperson to be appointed to represent the group.
21. The Sub Committee may ask questions of any objector.
22. Other parties may ask factual questions of any objector. Cross-examination will only be permitted with the consent of the Chair.

Closing submissions

23. All parties will then be given the opportunity briefly to summarise their key points. The order shall be:-
 - Objectors
 - Police and/or technical advisors
 - Applicant

Determinations

24. At the end of the submissions, the Chair will announce that the hearing is adjourned while the Sub-Committee deliberate in private. The Sub Committee will be accompanied by the Committee Clerk and Legal Advisor during their deliberations.
25. If it is necessary to recall any party for clarification of any point, then all parties should be recalled.
26. The Chair will either:
 - Announce the decision of the Sub Committee and confirm that a written determination with reasons will be sent to the parties by a given date.

or

 - Close the hearing and confirm that once a decision has been made a written determination with reasons will be sent to the parties by a given date.

27. In any event a written determination setting out the reasons for the decision will be sent to the parties within five working days of the hearing.

Closed hearing

28. The hearing shall normally take place in public. However, the Sub-Committee may exclude the press and the public from all or part of a hearing where exempt information (*section 100A(4) Local Government Act 1972*) is concerned and the Sub Committee considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

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To: Licensing and Registration Sub Committee

Date: 20 August 2013

Report of: Head of Environmental Development

Title of Report: Renewal of Sex Shop Licence

Summary and Recommendations

Purpose of report: To provide information which will assist the Committee in hearing and determining an application for the renewal of a licence for a Sex Shop that has met with public objection.

Report Approved by:

Legal: Daniel Smith

Policy Framework:

Recommendation:

i) to determine the application for the renewal of the licence for the Sex Shop known as the Private Shop, 54 Cowley Road, Oxford.

1 The Application

1.1 An application has been submitted for the renewal of a licence to use the premises known as Private Shop, 54 Cowley Road, Oxford, as a sex shop. The applicant is Darker Enterprises Limited.

1.2 The proposed trading hours of the premises are:

- 09.00 to 20.00 hours Monday to Saturday
- 10.00 to 16.00 hours Sunday & Public Holidays

1.3 A copy of the application can be found as **Appendix 1**.

2 Legislative Background: Adoption of Provisions

2.1 Section 2 and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 contain adoptive provisions for control, by licence, of sex establishments (sex cinemas sexual entertainment venues and sex shops). Once adopted any person proposing to use any premises, vehicle, vessel or stall as a sex establishment will need a licence from a local authority. Oxford City Council has already adopted the provisions of Part II and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (Control of Sex Establishments) by resolution on 17th February 2003 which came into effect on 1st April 2003. The current annual fee is £8000.00 and a licence lasts for one year or such shorter period as the Council may think fit.

3 Definition of a Sex Shop

- 3.1 A sex shop is defined as being any premises, vehicle, vessel or stall used for the business which consists “to a significant degree” of selling, hiring, exchanging, lending, displaying or demonstrating sex articles or other things intended for use in connection with, or for the purpose of, stimulating or encouraging sexual activity or acts of force or restraint associated with sexual activity.
- 3.2 Sex articles are anything made for use in connection with, or for the purpose of, stimulating or encouraging sexual activity or acts of force or restraint associated with sexual activity and include writing, pictures and recordings.
- 3.3 Any shop can legally sell sex articles (except videos rated 18R which can only be sold in a licensed sex shop). It is only when the sale of sex articles forms a significant part of the business that a licence is required.
- 3.4 The Courts have been reluctant to define what constitutes “a significant degree”. Other factors, such as the nature of the other goods stocked, have to be taken into consideration.

4 Public Notice

- 4.1 The legislation sets out procedures regarding the form of application and requirements for public notices relating to the application. In addition, the Chief Officer of Police must be informed.
- 4.2 In considering the application, the Council must have regard to any relevant objections submitted to them, in writing, by the Police or other persons. Should the Council be minded to refuse an application it must give the applicant the opportunity of appearing before the appropriate Council committee to make representations. If, having heard the applicant, the Committee decides to refuse the application; it must give a statement, in writing, of the reasons for the decision.

5 Grounds for Automatic Refusal

- 5.1 The legislation makes specific provisions as to whom a licence shall not be granted, for example to a person under the age of 18. It has been determined that none of these provisions apply in this instance.

6 Discretionary Grounds for Refusal

- 6.1 The Council may only refuse the grant, renewal or transfer of a licence on specific grounds. These grounds are:

- a) That the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason.
- b) That if the licence was to be granted, the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he/she made the application him/herself.
- c) That the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which the authority considers is appropriate for that locality.
- d) That the grant of the licence would be inappropriate, having regard to;
 - I. the character of the relevant locality; or
 - II. the use to which any premises in the vicinity are put; or
 - III. the layout, character or condition of the premises in respect of which the application is made.

- 6.2 The legislation states that “nil” may be an appropriate number for the purposes of sub-paragraph (c) above.

- 6.3 Also in sub-paragraph (c) “the relevant locality” means, in relation to the premises, “the locality where they are situated.”

7. Consultations

- 7.1 Where relevant objections have been received, there is the potential for an application to be refused, and a hearing should be listed and the applicant invited to make representations.

- 7.2 The Council when considering the application must have regard to any observations or objections submitted to them by the Chief Officer of Police and any objections submitted to them by others within the 28 day period permitted for representations to be made.

- 7.3 The Chief Officer of Police has not made any representation to the application

- 7.4 Ten objections have been received in respect of this application and are attached as **Appendix 2**.
- 7.5 The objections refer to the premises location, and the Committee's attention is drawn to Paragraph 6.1 (d) earlier in this report.
- 7.6 A map detailing the location of the premises and those listed in the letter of objection are shown as **Appendix 3**.

7. Conditions

- 7.1 The Council may prescribe standard conditions applicable to all licences relating to hours of opening, displays or advertisements on or in the premises, visibility of the interior to passers by and change from sex shop to sex cinema. The Council has prescribed standard conditions to these premises, and these are attached as **Appendix 4**.
- 7.2 In addition the Council may in granting an application do so subject to such other conditions or restrictions as considered necessary.
- 7.3 If a licence is granted then the Council will have the power to inspect the premises.

8. Relevant History

- 8.1 No complaints about the premises have been received by the Licensing Authority since the original grant of a licence on 23 July 2003.

9. Recommendation

- 9.1 To determine the application for the renewal of the licence for the Sex Shop known as the Private Shop, 54 Cowley Road, Oxford.

Name and contact details of author: Allan. P. Hibberd
(01865) 252169
ahibberd@oxford.gov.uk

Background papers:
Version: 1.0

13/01527/SEL

OXFORD CITY COUNCIL
Local Government (Miscellaneous Provisions
Part II, Schedule 3

Darker Enterprises Limited
54 Cowley Road

Date rec'd: 17/06/2013

Application for renewal of sex establishment

Applications may be made by individuals, corporate bodies or unincorporated bodies.

1. Application is hereby made and the necessary fee enclosed for a

New Licence ()*

Transfer of Licence ()*

Renewal of Licence ()*

*Tick as appropriate

2. Name and address of premises to which this application relates.

PRIVATE SHOP

54 COWLEY ROAD

OXFORD, OX4 1HZ

If application relates to a vehicle / vessel / stall give description and state where it is to be used as a sex establishment.

N/A

3. Full Name of Applicant.

DARKER ENTERPRISES LIMITED

Date of Birth.

N/A

Occupation (during preceding six months).

N/A

4. Address for Correspondence (If different from permanent address)

UNIT 11B TRADE CITY,

ASHTON ROAD, HAROLD HILL,

ESSEX

RM3 8UJ

Telephone No.



The Licensing Authority
Oxford City Council

17 JUN

If application is made on behalf of a corporate or unincorporated body.

5. Name of applicant body: DARKER ENTERPRISES
LIMITED
State whether a corporate or BODY CORPORATE
unincorporated body.
6. Address of registered or principal office. UNIT 11B TRADE CITY,
ASHTON ROAD, HAROLD
HILL, ESSEX, RM3 8UJ
7. Full names of all directors and other persons responsible for the management of the body, including if applicable the names of managers, company secretary and similar officers and the manager of the establishment. (You will be required to complete a statutory declaration sheet for each person)
- COLIN CHARLES MASON
Director
DAVID MICHAEL BROWN
Director
LIMETIME SERVICES LTD
Company Secretary
KEITH LICKLEY
Regional Co-ordinator
DAVID BRUNT
Area Admin Supervisor
BARRY MALTBY
Relief Sales Assistant
WILLIAM CLARKE
Full-time Sales assistant
CARL BAIRD
Part-time Sales assistant
8. What hours and days to you require the licence to cover? 9:00 a.m. to 8:00 p.m.
MONDAY to SATURDAY
SUNDAY / PUBLIC HOLIDAYS
10.00am – 4.00pm
9. If the premises are not open between 9.00 am and 4.00 pm, state name, address and telephone number of person responsible for keys to the premises. N/A
10. If only part of the building is to be licensed, give details. GROUND FLOOR ONLY
11. Will any part of the premises be used for the exhibition of moving pictures? No

- 12 Does the applicant presently use the premises or the vehicle, vessel or stall as a sex establishment? Yes
- If not, what is the present use? N/A
-
13. If yes, give details of any person Other than the applicant(s) who has run the premises, vehicle, vessel or stall as a sex establishment since that date? CONEGATE LIMITED
2 FARADAY ROAD, STRATFORD,
LONDON E15
- 14 If the premises or the vehicle, vessel or stall are presently used as a sex establishment, when did the use commence? May 1981
- 15 Give full details of the type of business to be conducted at the establishment. RETAIL SEX SHOP SELLING
ADULT BOOKS, MAGAZINES,
DVDs, VIDEOS, MARITAL AIDS
AND ANCILLARY ITEMS
- 16 We declare we have checked the information given on this application and attached statutory declaration forms and to the best of our knowledge and belief it is correct.
- 17 We enclose a cheque for £8360.00 being the appropriate application fee.

Date: 18th June 2013

Signature: 

(Date of application)

Colin Charles Mason
(Director)

For and on behalf of DARKER ENTERPRISES
LIMITED (APPLICANT)

All applicants are required to send with this application (a) two plans showing the area to be licensed, (b) statutory declarations in the form shown in the attached document in respect of (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Return to:

Licensing Authority
Oxford City Council
St Aldates Chambers
109 St Aldates
Oxford, OX1 1DS

OXFORD CITY COUNCIL

Statutory declaration sheet for application for renewal of sex establishment licence

To be completed by the applicant for (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Full name. COLIN CHARLES MASON

Position held. DIRECTOR

Date of birth. [REDACTED]

Place of birth. [REDACTED]

Permanent address. [REDACTED]
[REDACTED]

Address(es) at which person has been resident during the five years preceding the date of this application. AS ABOVE

Details of any relevant previous convictions and/or cautions
 Please give details of any "unspent" convictions or cautions (see overleaf)

THERE ARE NO UNSPENT CONVICTIONS OR CAUTIONS TO DECLARE

Date of conviction	Court of conviction	Nature of offence	Sentence
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Please photocopy extra sheet for each declaration

OXFORD CITY COUNCIL

Statutory declaration sheet for application for renewal of sex establishment licence

To be completed by the applicant for (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Full name. DAVID MICHAEL BROWN

Position held. DIRECTOR

Date of birth. [REDACTED]

Place of birth. [REDACTED]

Permanent address. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Address(es) at which person has been resident during the five years preceding the date of this application. AS ABOVE
[REDACTED]
[REDACTED]
[REDACTED]

Details of any relevant previous convictions and/or cautions
Please give details of any "unspent" convictions or cautions (see overleaf)

THERE ARE NO UNSPENT CONVICTIONS OR CAUTIONS TO DECLARE

Date of conviction	Court of conviction	Nature of offence	Sentence

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OXFORD CITY COUNCIL

Statutory declaration sheet for application for renewal of sex establishment licence

To be completed by the applicant for (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Full name. LIMETIME SERVICES LIMITED

Position held. COMPANY SECRETARY

Date of birth. N/A

Place of birth. N/A

Permanent address. UNIT 11B, TRADE CITY, ASHTON ROAD,
HAROLD HILL, ESSEX, RM3 8UJ,

Address(es) at which person has been resident during the five years preceding the date of this application. AS ABOVE

Details of any relevant previous convictions and/or cautions
Please give details of any "unspent" convictions or cautions (see overleaf)

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OXFORD CITY COUNCIL

Statutory declaration sheet for application for renewal of sex establishment licence

To be completed by the applicant for (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Full name. WILLIAM CLARKE

Position held. FULL-TIME SALES ASSISTANT

Date of birth. [REDACTED]

Place of birth. [REDACTED]

Permanent address. [REDACTED]
[REDACTED]
[REDACTED]

Address(es) at which person has been resident during the five years preceding the date of this application. PREVIOUS ADDRESS
[REDACTED]
[REDACTED]
[REDACTED]

Details of any relevant previous convictions and/or cautions
Please give details of any "unspent" convictions or cautions (see overleaf)

THERE ARE NO UNSPENT CONVICTIONS OR CAUTIONS TO DECLARE

Date of conviction	Court of conviction	Nature of offence	Sentence

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OXFORD CITY COUNCIL

Statutory declaration sheet for application for renewal of sex establishment licence

To be completed by the applicant for (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Full name. DAVID BRUNT

Position held. AREA ADMIN SUPERVISOR

Date of birth. [REDACTED]

Place of birth. [REDACTED]

Permanent address. [REDACTED]

Address(es) at which person has been resident during the five years preceding the date of this application [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Details of any relevant previous convictions and/or cautions
 Please give details of any "unspent" convictions or cautions (see overleaf)

THERE ARE NO UNSPENT CONVICTIONS OR CAUTIONS TO DECLARE

Date of conviction	Court of conviction	Nature of offence	Sentence

Please photocopy extra sheet for each declaration

OXFORD CITY COUNCIL

Statutory declaration sheet for application for renewal of sex establishment licence

To be completed by the applicant for (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Full name. KEITH LICKLEY

Position held. REGIONAL CO-ORDINATOR

Date of birth. [REDACTED]

Place of birth. [REDACTED]

Permanent address. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Address(es) at which person has been resident during the five years preceding the date of this application. PREVIOUS ADDRESS
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Details of any relevant previous convictions and/or cautions
 Please give details of any "unspent" convictions or cautions (see overleaf)

THERE ARE NO UNSPENT CONVICTIONS OR CAUTIONS TO DECLARE

Date of conviction	Court of conviction	Nature of offence	Sentence

Please photocopy extra sheet for each declaration

OXFORD CITY COUNCIL

Statutory declaration sheet for application for renewal of sex establishment licence

To be completed by the applicant for (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Full name. BARRY MALTBY

Position held. RELIEF SALES ASSISTANT

Date of birth. [REDACTED]

Place of birth. [REDACTED]

Permanent address. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Address(es) at which person has been resident during the five years preceding the date of this application. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Details of any relevant previous convictions and/or cautions
Please give details of any "unspent" convictions or cautions (see overleaf)

THERE ARE NO UNSPENT CONVICTIONS OR CAUTIONS TO DECLARE

Date of conviction	Court of conviction	Nature of offence	Sentence

Please photocopy extra sheet for each declaration

OXFORD CITY COUNCIL

Statutory declaration sheet for application for renewal of sex establishment licence

To be completed by the applicant for (i) the applicant, (ii) directors of any company applying for a licence and (iii) any other person who will be responsible for the management of the licensed premises.

Full name. CARL BAIRD

Position held. PART TIME SALES ASSISTANT

Date of birth. [REDACTED]

Place of birth. [REDACTED]

Permanent address. [REDACTED]

Address(es) at which person has been resident during the five years preceding the date of this application. [REDACTED]

Details of any relevant previous convictions and/or cautions
Please give details of any "unspent" convictions or cautions (see overleaf)

THERE ARE NO UNSPENT CONVICTIONS OR CAUTIONS TO DECLARE

Date of conviction	Court of conviction	Nature of offence	Sentence

Please photocopy extra sheet for each declaration

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Appendix 2

From: _____
Posted At: 02 July 2013 09:10
Posted To: licensing@oxford.gov.uk
Conversation: 13/01527/SEL - The Private Shop,
Subject: 13/01527/SEL - The Private Shop,

Sirs

I wish to put in a formal objection against the granting of this application on the basis that it is - "inappropriate having regard to the character of the locality". bearing in mind the child abuse problems in the Cowley road area.

It should be noted that the entrance to the subject property is from a residential side street and near a primary school.

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-----Original Message-----

From: _____

Sent: 15 July 2013 22:52

To: ALISON Julian

Subject: Licensing application for The Private Shop, Cowley Road OX4 1HZ, ref: 13/01527/SEL

Dear Mr Allison

I wish to object to the renewal of the licence for the Private Shop on Cowley Road.

I believe it is inappropriate, under the terms of the Local Government (Miscellaneous Provisions) Act 1982, to locate any such shop in the middle of one of the most densely-populated residential areas in Oxford, and so near to a church, primary schools and the many pre- school and toddler groups who meet in the vicinity.

I find it slightly odd that the original licence was allowed to be granted in the first place, given that some of these premises and activities must have existed at the time. However, the particular circumstances in this locality have changed markedly in the past couple of years, resulting in the police's Operation Bullfinch findings. This initiative showed that this particular part of East Oxford has become synonymous with sleaze and the sexual exploitation of children. The continuing presence of a sex shop can only exacerbate this impression, and is at odds with the character of the rest of the area.

I therefore urge the licensing committee to reject the license renewal application, on the grounds that it is not appropriate to locate this shop where it is at the moment, given the recent findings of the police in relation to sex crimes against children, perpetrated by people who lived and operated in the locality.

Yours sincerely

From: _____
To: [ALISON Julian](#)
Cc: _____

Subject: The Private ShopOxford OX4 1HZ, ref: 13/01527/SEL - Closing date for objections 15th July 2013
Date: 15 July 2013 12:43:56

Dear Mr Alison,

I am writing to object to the application by Darker Enterprises Limited to renew the sex shop licence in relation to The Private Shop, 54 Cowley Road, Oxford OX4 1HZ.

I am objecting on the grounds that the premises are located in a densely populated residential area, and that they are within 300m of two primary schools and one secondary school, a pre-school, a children's centre, at least three toddler groups, a playground, and nine places of worship. Accordingly, the renewal of the licence would be inappropriate having regard (i) to the character of the relevant locality (namely residential) and (ii) to the use to which various premises in the vicinity are put (namely the care and education of children, and religious worship).

I note that the licence may also be refused where the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which Oxford City Council Licensing Authority considers appropriate for that locality. I have been unable to establish from the Licensing Authority the number of sex shops which the Council considers appropriate for the locality. However, in view of the extremely serious and widespread problems in the area relating to sexual crimes, which Thames Valley Police uncovered in Operation Bullfinch, I would suggest that the number should be reviewed to "nil" (as permitted by the legislation).

It would also be highly "inappropriate" to renew the sex shop licence when the "character of the relevant locality" has degenerated to such a degree that targeting of children and young people in the locality by criminal gangs with sexual motives has been taking place in a systematic way. The renewal of the licence would reinforce the reputation the area obviously has in certain quarters that it is a part of the country where sexual crimes will be tolerated and even ignored.

I note that the Licensing Authority has previously relied heavily on R v Birmingham City Council ex parte Sheptonhurst Ltd (The Times, 29 June 1989) in supporting its recommendation that a licence renewal application be refused only where there has been a "change of circumstances" since the original grant of the licence. Many situations qualify as a "change of circumstances", including the emergence of an overriding matter of public concern and incidents of public disorder (not necessarily connected with the premises being considered). Accordingly, it would be consistent with the Licensing Authority's past history to recommend that this renewal application be refused in view of the great local and national public concern shown since the widespread sexual crimes uncovered by Operation Bullfinch came to the public's attention. The management of the sex shop in question, whether good or bad, is not directly relevant when considering a "change of circumstances" argument.

Yours sincerely,

From: _____
To: [ALISON Julian](#)
Cc: _____
Subject: The Private ShopOxford OX4 1HZ, ref: 13/01527/SEL - Closing date for objections 15th July 2013
Date: 15 July 2013 13:54:02

Dear Mr Alison

I totally support the objection letter from XXXXXXXXXX and also wish to object to the renewal of the licence for the Private Shop at 54 Cowley Road ref 13/01527/SEL.

In addition to the points XXXXXXXXXX makes there have been a number of sex attacks on women in the area unrelated to Operation Bullfinch.

I would ask the Licensing Committee to take into consideration the impact Operation Bullfinch has had on the area. A defence barrister in his plea for mitigation, suggested his client (one of the perpetrators, who was sentenced to prison) had:

‘.....got caught up in the “culture of Cowley Road”“Our submission is that, given the nature of the culture of Cowley Road, he in 2004 was a 22-year-old young man. Two years after he was 24. “The reality is he was caught up with the culture. “If he had been fortunate enough not to be brought up in the Cowley Road area things may have been different, but that is where he was.” (*Oxford Mail* 27 June 2013).

This reference to the ‘culture of Cowley Road’ is clearly associated with a depraved community. If this is the case then measures have to be taken to rectify this as soon as possible in order to protect the public, particularly women and children. Refusing this application for a renewal of the licence would be a beginning to this process.

Yours sincerely

From: _____
To: [ALISON Julian](#)
Cc: _____
Subject: Re: The Private ShopOxford OX4 1HZ, ref: 13/01527/SEL - Closing date for objections 15th July 2013
Date: 15 July 2013 14:56:44

Dear Mr Alison,

I have only just found out that the Private Shop's licence is up for renewal and that the deadline for comments regarding the application today, but I would like to say that I agree totally with XXXXX points raised below, particularly as a parent of three children living just off the Cowley Road and attending local schools, and consequentially I also wish to object to the application of Darker Enterprises Limited to renew their sex shop licence in relation to The Private Shop, 54 Cowley Road, Oxford OX4 1HZ.

Yours sincerely,

On 15 July 2013 12:43, wrote:

Dear Mr Alison,

I am writing to object to the application by Darker Enterprises Limited to renew the sex shop licence in relation to The Private Shop, 54 Cowley Road, Oxford OX4 1HZ.

I am objecting on the grounds that the premises are located in a densely populated residential area, and that they are within 300m of two primary schools and one secondary school, a pre-school, a children's centre, at least three toddler groups, a playground, and nine places of worship. Accordingly, the renewal of the licence would be inappropriate having regard (i) to the character of the relevant locality (namely residential) and (ii) to the use to which various premises in the vicinity are put (namely the care and education of children, and religious worship).

I note that the licence may also be refused where the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which Oxford City Council Licensing Authority considers appropriate for that locality. I have been unable to establish from the Licensing Authority the number of sex shops which the Council considers appropriate for the locality. However, in view of the extremely serious and widespread problems in the area relating to sexual crimes, which Thames Valley Police uncovered in Operation Bullfinch, I would suggest that the number should be reviewed to "nil" (as permitted by the legislation).

It would also be highly "inappropriate" to renew the sex shop licence when the "character of the relevant locality" has degenerated to such a degree that targeting of children and young people in the locality by criminal gangs with sexual motives has been taking place in a systematic way. The renewal of the licence would reinforce the reputation the area obviously has in certain quarters that it is a part of the country where sexual crimes will be tolerated and even ignored.

I note that the Licensing Authority has previously relied heavily on R v

Birmingham City Council ex parte Sheptonhurst Ltd (The Times, 29 June 1989) in supporting its recommendation that a licence renewal application be refused only where there has been a "change of circumstances" since the original grant of the licence. Many situations qualify as a "change of circumstances", including the emergence of an overriding matter of public concern and incidents of public disorder (not necessarily connected with the premises being considered). Accordingly, it would be consistent with the Licensing Authority's past history to recommend that this renewal application be refused in view of the great local and national public concern shown since the widespread sexual crimes uncovered by Operation Bullfinch came to the public's attention. The management of the sex shop in question, whether good or bad, is not directly relevant when considering a "change of circumstances" argument.

Yours sincerely,

From: _____
To: [ALISON Julian](#)
Cc: _____
Subject: Sex Shop Licence renewal Cowley Road ref 13/01527/SEL.
Date: 15 July 2013 14:30:40

ref 13/01527/SEL.

Dear Mr Alison,

I am writing to object to the application to renew the sex shop licence in relation to The Private Shop, 54 Cowley Road, Oxford OX4 1HZ. I believe the application is from Darker Enterprises Limited.

In the light of Operation Bullfinch and the fact that 50 girls in East Oxford - many in local schools, were targeted for sex trafficking by men within our community, it is time that Oxford City Council planning department looked again at the issue of the rapid increase in the night-time economy on Cowley road and any association with it as a potential red light district. Research has shown that sex trafficking is linked to areas and men who work within the night-time economy. Members of our community in East Oxford have been devastated by the revelations that Bullfinch took place in premises along the Cowley Road. This sex shop is located in exactly the same area - a densely populated residential area, within 300m of two primary schools and one secondary school, a pre-school, a children's centre, at least three toddler groups, a playground, and nine places of worship.

I understand that the licence may be refused where the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which Oxford City Council Licensing Authority considers appropriate for that locality. In the light of Bullfinch exactly how many sex shops does Oxford City Council consider appropriate for the locality?

Surely it would be highly "inappropriate" to renew the sex shop licence when the "character of the relevant locality" has degenerated to such a degree that targeting of children and young people in the area by criminal gangs with sexual motives has been taking place in such a terrible and systematic way.

All women and children in our community deserve to feel safe. We do not want Cowley road and this area linked with sex crimes or the sex industry.

Yours sincerely,

From:
Posted At: 15 July 2013 16:57
Posted To: licensing@oxford.gov.uk
Conversation: ref 13/01527/SEL. Objection
Subject: ref 13/01527/SEL. Objection

ref 13/01527/SEL.

Dear Mr Alison,

I am writing to object to the application to renew the sex shop licence in relation to The Private Shop, 54 Cowley Road, Oxford OX4 1HZ. I believe the application is from Darker Enterprises Limited.

We are a community struggling to come to terms with the fact that a number children and young girls have been raped and abused in East Oxford by a number of men from this community - much of the abuse and the abusers are connected with the Cowley Road and the night time economy that operates there.

This sex shop is located in exactly the same area - a densely populated residential area, within 300m of two primary schools and one secondary school, a pre-school, a children's centre, at least three toddler groups, a playground, and nine places of worship.

I understand that the licence may be refused where the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which Oxford City Council Licensing Authority considers appropriate for that locality. In the light of Bullfinch exactly how many sex shops does Oxford City Council consider appropriate for the locality?

Surely it would be highly "inappropriate" to renew the sex shop licence when the "character of the relevant locality" has degenerated to such a degree that targeting of children and young people in the area by criminal gangs with sexual motives has been taking place in such a terrible and systematic way.

I do not want my community linked with sex crimes or the sex industry and I feel that Oxford City Council should take a firm stand against the renewal of this licence.

Yours sincerely,

13/01527/SEL

Comments from St Marys Councillor

1. I ask the Committee to note that there are schools, religious establishments and places of worship close by; I accept that there's nothing objectively on the outside that can cause offence (though it's not attractive, that's a planning not a licensing issue).
2. The issue of the 'character of the area', slippery though that is, does seem to be a factor that the committee is allowed to take into account, and I would ask the Committee to consider the impact the shop has in this regard. One local resident has quoted from the Bullfinch court case documents and the comments are very telling, implying that the character of the area played a role in the terrible crimes uncovered. It's hard to deny that the presence of the shop does contribute something to the character of the area – or detract, depending on your point of view.

In the present climate, I ask the committee to take into account the present sensitivities in the area when considering this licence application.

I believe the residents have the right to determine the 'character of an area' rather than have it imposed on them – and there is nothing fixed about 'the character of an area'. It can change, for better or worse, and permanent residents of St Marys, whilst generally enjoying its variety and life, are very clear that they do not want the 'character' to deteriorate through excessive late night drinking licences, for example. This shop, it is clear from some residents' responses, does not enhance the character of the area.

3. I appreciate the need to protect people's right to do whatever they wish in private provided it's within the law, and for the most part sexual behaviour is conducted in private.

I think that before approving this application (if that is what it is minded to do) the committee should make sure that appropriate enforcement officers have visited the establishment to ensure that whatever goes on in there is within the law.

4. Personally I've not picked up anything about antisocial behaviour associated with the shop. In fact I've never seen anyone going into or coming out of it; it's all rather mysterious. However, given that noone I know was aware either of the terrible sexual crimes going on in the immediate vicinity of this shop, I would ask the committee to satisfy themselves that there is no evidence whatsoever
 - a. of a connection between antisocial behaviour generally or, more importantly and more specifically,
 - b. no connection between people associated with the Bullfinch gang and its activities and the customers or activities of the Private Shop.

I ask the committee to press the police and other investigating officers to be specific about any evidence of connection they have come across.



From:
Posted At: 15 July 2013 22:05
Posted To: licensing@oxford.gov.uk
Conversation: 13/01527/SEL 54 Cowley Road
Subject: Ref: 13/01527/SEL 54 Cowley Road

The Divinity Road Area Residents Association wishes to object to the above application.

DRARA believes that the number of sex establishments which local authority considers appropriate for this locality, regardless of precedent, should now be nil.

The renewal of this licence should be deemed inappropriate given the character of the area and given the residential, commercial and institutional uses of the premises in the vicinity.

, on behalf of Divinity Road Area Residents Association

From: _____ **On Behalf Of** _____
Sent: 15 July 2013 21:39
To: ALISON Julian
Subject: The Private Shop, Oxford OX4 1HZ, ref: 13/01527/SEL

Julian,

After much consideration, I have decided to express opposition to the renewal of The Private Shop licence.

Whilst I am generally liberally minded, and have no evidence that the current premises are in any way badly run, I am acutely aware that the character of the Cowley Road, which some have described as 'seedy' or 'shady', was cited as a contributory factor in the Bullfinch case.

The prevalence of such premises does, rightly or wrongly, add to this perception.

I therefore wish to object on the grounds of the premises impact on the 'character of the relevant locality' - which I believe is a legitimate reason for refusal.

In support of this objection I would state that the lower end of the Cowley Road is increasing being promoted as an area for tourism and an area of historic interest. The designation of this area as a conservation area, and the recent addition of many local buildings to the heritage register is evidence of this as is the emergence of a new tour guide service.

The area is also close to schools, play areas and similar areas as well as shops, residential areas and places of worship.

Regards

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Private Shop

54 Cowley Road



Legend



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Organisation	Oxford City Council
Department	Environmental Development
Comments	Renewal
Date	18 July 2013
SLA Number	100019348

Scale: 1:2000

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OXFORD CITY COUNCIL

SEX SHOP LICENCES

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1982

STANDARD CONDITIONS

1. Premises licensed as a Sex Shop under the provisions of Schedule III of the Local Government (Miscellaneous Provisions) Act, 1982, shall be used only for the purpose of a Sex Shop as defined in Paragraph 4 of the said Schedule 3 and shall not be used, wholly or in part, for any other purpose during the period the premises are licensed as a Sex Shop.
2. Except with the previous written consent of the Council no sex shop shall be open to the public earlier than 9am in the morning. The hours of opening for this premises are:

Mondays to Saturdays	0900 hours to 2000 hours.
Sundays and Bank Holidays (excluding Christmas Day, Boxing Day, Easter Day and Easter Monday)	1000 hours to 1600 hours
3. Over each entrance to the premises, in a position approved by the Council, the Licensee shall affix and maintain in a permanent form a notice stating that the premises are licensed as a Sex Shop under the provisions of the Local Government (Miscellaneous Provisions) Act, 1982. Such a Notice shall also carry the full name of the Licensee and the number of the license and if the Licensee is a private or public company the notice shall also carry the address of the registered or principal office and the full name of the Secretary of the Company. The lettering on such a Notice shall be 75mm tall and at least 6.25mm thick and shall be in white on a dark background.
4. At each entrance there shall be prominently displayed so as to be visible at all times to persons approaching the premises a notice prohibiting entry to all persons under 18 years of age. Such a Notice shall be in letters at least 50mm high and 6.25mm thick and shall be in dark letters on a light background.
5. The Licensee of every premises licensed as a Sex Shop shall ensure that all persons employed on the premises are aware of the age restriction on clients and that they exclude or remove from the premises any person attempting to evade the restriction.

6. The Licensee shall not display outside, near to, or within the premises any advertising material, sign or pictorial display referring to the licensed premises or the goods, articles or services provided at the premises, in such a position or manner that it is visible to any person using adjacent highways, streets, footpaths or forecourts except any notice displaying the name or trading title of the Licensee, any Notice indicating the times of opening of the premises for business, any Notice required by an statute, regulation or bylaw applicable to the premises or business carried thereon or any notice prescribed by these conditions. The use of loudspeakers and displays on business vehicles is strictly prohibited.
7. The licensed premises shall be so arranged by screening or obscuring windows, doors and other openings so that the interior of the licensed premises and the displays of articles sold at the premises shall not be visible at any time to persons outside the building. The external doors shall be fitted with automatic closing devices which shall be maintained in good working order.
8. Except as allowed by a premises licence issued permitting regulated entertainment under the Licensing Act 2003 no music of any kind shall be played on the licensed premises and no regulated entertainment of any nature shall be provided or permitted by the Licensee to take place on the premises.
9. The Licensee shall not at any time keep or allow to be used on the premises any gaming or amusement machine whether for prizes or not.
10. No moving picture or display or recorded sound of any description or however provided shall be permitted on the licensed premises except for a period of not more than one minute for the sole purpose of demonstrating to a prospective purchaser or hirer of the article in question and such display shall be in a booth to which there shall only be permitted the prospective purchaser or hirer and any one person employed by the Licensee to sell or hire such articles. The Licensee shall not make any charge or permit any charge to be made for such a display.
11. The Licensee shall not supply or permit to be supplied to any person, other than a person employed to work on the premises, any article of food or drink whether for consumption on or off the premises.
12. All refuse produced on the premises and materials, goods or articles discarded for any reason shall be securely stored within the premises and delivered in sealed containers to the refuse collection service.
13. The Licensee shall make such provision for the reception of goods and articles for sale, hire, exchange, loan, demonstration or display on the premises so that they are received directly into the premises and not subject to storage for any period of time on any pavement, footpath, forecourt or yard nor in any vessel or vehicle, etc.

14. The Licensee or some responsible person nominated by him in writing for the purpose and approved by the Council shall be in charge of and upon the licensed premises during the whole time they are open to the public. Such written nominations shall be continuously available for inspection by authorised officers of the Council or the Police. During the hours that the premises are open the person in charge shall wear a form of visible photographic identification.
15. A daily register of persons employed shall be kept stating names, addresses, position and times worked. The register is to be completed each day within thirty minutes of the premises opening for business and must be kept at the premises and be open for inspection by authorised officers of the Council or the Police.
16. No part of the premises shall be used by prostitutes (male or female) for the purpose of solicitation or of otherwise exercising their calling or profession.
17. The Licensee shall ensure that no employee or other person shall seek to obtain custom for the premises by means of personal solicitation outside or in the vicinity of the premises.
18. The Licensee shall not in the conduct of the business employ any person:-
 - (a) Whose application for a licence to carry on a sex establishment, or renewal thereof, has been refused by the Council or any other licensing authority;
 - (b) Whose licence to carry on the business of a sex establishment has been revoked by the Council or any other licensing authority;
19. The Council shall approve the external appearance of the premises and neither the interior nor the exterior of the premises shall be altered without the approval of the Council.
20. All sex articles and other things displayed for; supply, sale, hire, exchange or loan within the premises shall be clearly marked to show to persons who are inside the premises the respective prices being charged.
21. No advertisements, other than advertisements relating to other licensed sex establishments or relating to goods sold from the premises, shall be displayed at the premises.
22. No part of the premises shall be used as a sex cinema.
23. The Licensee shall not contravene the Unsolicited Goods and Services Act, 1971.

24. The licence and a copy of these conditions shall be conspicuously displayed on a part of the premises to which the public has access as specified by the Council.
25. A record shall be kept of all mail order transactions (if any) in such form as agreed by the Council.
26. The licence is not transferable by the Licensee.
27. The Licensee shall forthwith notify the Council of his ceasing to carry on the business.
19. The Licensee shall inform the Council if he is convicted under the Obscene Publications Act, 1959, the Protection of Children Act, 1978, or the Customs and Excise Management Act, 1979 or if an order for forfeiture is made under the Obscene Publications Act, 1959 following the service of a summons on the Licensee. The Council will take into consideration any such conviction or orders for possible revocation or non-renewal of the licence.
20. Where the Licensee is a company, any change of Director, Company Secretary or other person responsible for the management of the company is to be notified in writing to the Council within 14 days.
21. Any breach of or failure to comply with the Conditions attached to this Licence may result in the revocation of the Licence.

Agenda Item 7

LICENSING AND REGISTRATION SUB COMMITTEE

Wednesday 24 July 2013

COUNCILLORS PRESENT: Councillors Royce, Clarkson and Humberstone.

OFFICERS PRESENT: Lois Stock (Democratic and Electoral Services Officer), Daniel Smith (Law and Governance), Dawn Cox (Team Leader - Environmental Development), Samantha Howell (Licensing Officer) and Ian Wright (Environmental Development)

1. ELECTION OF CHAIR FOR THE COUNCIL YEAR 2013/14

Resolved to elect Councillor Mary Clarkson as Sub Committee Chair for this meeting.

2. ELECTION OF VICE CHAIR FOR THE COUNCIL YEAR 2013/14

Resolved to defer the election of the Sub Committee Vice Chair for the Council Year 2013/14.

3. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Coulter

4. DECLARATIONS OF INTEREST

None

5. PROCEDURE TO BE FOLLOWED.

Daniel Smith (Legal Advisor to the Sub Committee) explained that the procedure outlined in pages 1 to 5 of the agenda would be followed for consideration of agenda item 6 - Review of a Street Trading Consent. This would be slightly different for the following item – Street Trading Applications - for vacant approved sites in view of the large number of applications received; and this would be explained prior to consideration of that item.

Resolved to note the procedure.

6. REVIEW OF STREET TRADING CONSENT

The Head of Environmental Development submitted a report (previously circulated, now appended) concerning complaints received about a street trading site in Warneford Lane, Headington.

Samantha Howell (Licensing Officer) introduced the report to the Sub Committee and provided some background and context.

Mr Yilmaz attended the meeting and presented his case. He explained that he had already indicated to the school that he was willing to serve fried food and fizzy drinks after 4pm only. Should that not be satisfactory, he was willing to work with officers to find an alternative pitch.

The Sub Committee, accompanied by all officers present, then withdrew whilst the Sub Committee considered the information before it.

The Sub Committee took all submissions into account, both written and oral. It was mindful of Mr Yilmaz's suggestion concerning limiting the hours during which fried food was served, and that school hours ended at 3pm, one hour before Mr Yilmaz's suggested hour of termination.

The Sub Committee decided that, in view of the written concerns expressed by the school and in furtherance of the Council's street trading policy (paragraph 5.4), it was reasonably necessary to add the following additional condition to Mr Yilmaz's consent:-

- No fried food shall be served before 4pm, Monday to Saturday during school term times.

Mr Yilmaz was also asked to enter into discussions with licensing officers in order to agree a suitable pitch for him that was further away from the school concerned.

7. STREET TRADING APPLICATION FOR VACANT APPROVED SITES.

The Head of Environmental Development submitted a report (previously circulated, now appended) concerning applications received in competition for two vacant street trading sites.

Daniel Smith (Legal Advisor to the Sub Committee) explained that the Sub Committee had received and read carefully the copies of the application forms and supporting paperwork from all 14 applicants. Applicants present at the meeting, who wished to speak, were now invited to do so – although it was not obligatory. Those who wished to do so could have up to 5 minutes to present their case.

The Sub Committee might ask questions of applicants in order to clarify their application. The decision would be announced in writing within five working days, in accordance with paragraph 26 of the Sub Committee hearing procedures, and all applicants would be informed of the outcome of their application.

Samantha Howell (Licensing Officer) introduced the report to the Sub Committee and provided some background and context.

The following applicants spoke in favour of their application:-

- Mr Cancan – accompanied by Mr Johns supporting his case;
- Mr Hassan Khalil – accompanied by Jo Moffett-Levy supporting his case;
- Mr Mustafa Durdu – accompanied by Mr Navarrete supporting his case;
- Mr Abdullah Boz;
- Mr Rasim Ulas and Mrs Hulya Ulas (applications for 2 sites);
- Mr Antonio de Jesus Neves;
- Mrs Leila and Mr Soulainmain Aidi;
- Mr Waad Subhi Namek;
- Mr Shakil Ahmed

The following applicants did not speak:-

- Mr Hussam Hayatlah;
- Mr Mohammed Hayatlah;
- Mr Sajjad Malik (did not attend);
- Mr Ahmad Amory

The Sub Committee accompanied by all officers, then withdrew in order to consider the applications and make their decision in private. It advised all present that its decision would be notified in writing in accordance with paragraph 26 of the hearing procedure.

Having considered all representations, both written and oral, and paragraph 5.4 of the Council's Street Trading Policy, the Sub Committee RESOLVED to allocate the vacant sites as follows:-

Site 5 – junction of New Inn Hall Street and Queen Street – to Mr Hassan Khalil. The Sub Committee was impressed by Mr Khalil's long experience as a chef and the wide range of foods, including some healthy options, that he was proposing to offer. Members of the Sub Committee were particularly impressed by the credible and responsible support that had been offered to Mr Khalil from Reverend Moffett-Levy and others. The Sub Committee also felt that allocation to Mr Khalil would create a new business and employment opportunity in accordance with the Council's corporate objective of promoting a vibrant and sustainable economy. The Sub Committee attached the following conditions (in addition to the standard conditions):-

- That Mr Khalil must renew his Level 2 Food Hygiene Certificate;
- That biodegradable/recyclable disposables and packaging should be used.

The Sub Committee expected Mr Khalil to be ready to commence trading within 3 months of the date of the decision, and authorised licensing officers to issue the notice of consent in due course.

Site 10 – outside Scrivens Opticians, north of the High Street, Oxford – to Mr Abdullah Boz. The Sub Committee was impressed by the wide variety of food, including some organic food, that Mr Boz proposed to offer, and it found his past experience as a security guard relevant for the promotion of public safety. The Sub Committee also felt that allocation to Mr Boz would create a new business and employment opportunity in accordance with the Council's corporate

objective of promoting a vibrant and sustainable economy. The Sub Committee attached the following conditions (in addition to the standard conditions):-

- That Mr Boz must renew his Level 2 Food Hygiene Certificate;
- That biodegradable/recyclable disposables should be used

The Sub Committee expected Mr Boz to be ready to commence trading within 3 months of the date of the decision, and authorised licensing officers to issue the notice of consent in due course.

8. MINUTES

Resolved to confirm as a correct record the minutes of the meeting held on 21st January 2013.

9. MATTERS EXEMPT FROM PUBLICATION

There were no exempt matters, but in accordance with the licensing hearing procedure, the Sub Committee made its deliberations on the applications in private.

The meeting started at 5.30 pm and ended at 7.48 pm