

**Minutes of a meeting of the
Licensing & Gambling Acts Casework Sub-
Committee
on Monday 4 April 2022**

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Committee members present:

Councillor Cook (Chair)

Councillor Rehman

Councillor Coyne

Officers present for all or part of the meeting:

Alan Parr, Interime Litigation Lawyer

Emma Thompson, Senior Licensing Compliance Officer

Katie Thorp, Licensing Compliance Officer

Apologies:

Councillor(s) Mundy and Wade sent apologies.

1. Election of Chair for the hearing

Cllr Cook was elected as Chair for the hearing.

2. Application for a New Premises Licence - The London Cocktail Club Limited (22/00467/PREM)

The decision notice for this hearing is attached.

The meeting started 6.00 pm

Chair

Date: Tuesday 31 May 2022

When decisions take effect:

Cabinet: after the call-in and review period has expired

Planning Committees: after the call-in and review period has expired and the formal decision notice is issued

All other committees: immediately.

Details are in the Council's Constitution.

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Licensing Act 2003



Licensing Sub-Committee

Notification of determination

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

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| Date of hearing: | 4th April 2022 |
| Place: | Town Hall, Oxford |
| Case No. | 22/00467/PREM |
| Applicant | The London Cocktail Club Limited |
| Premises: | London Cocktail Club |
| Premises address: | Basement 29-31 George Street, Oxford, OX1 2AY |
| Licensing Sub-Committee Councillors: | Cllr Colin Cook (Chair), Cllr Ajaz Rehman, Cllr Barbara Coyne |
| Legal Advisor: | Alan Parr |
| Licensing Officer: | Emma Thompson |
| Clerk: | Katie Thorp |

The Sub-Committee was presented the Licensing Authority's report from the following:
Licensing Authority: Emma Thompson (Licensing Compliance Officer)

Emma Thompson (ET) Licensing Compliance Officer presented the Licensing Authority's report, stating that the application had attracted a representation from Thames Valley Police (TVP), which highlighted concerns in relation to how the application may fail to promote the licensing objectives of the prevention of crime and disorder, and the prevention of public nuisance.

ET confirmed that prior to this hearing, the agent acting on behalf of the applicant has stated that they wish to amend the terminal hour to 02:30 hours every day along with an amended operating schedule of conditions.

ET also confirmed that the premises has had a number of premises licenses previously, with the last being Cirkus Bar Ltd, which lapsed in April 2021 following the company being

dissolved at Companies House in March 2021.

The Sub-Committee heard representations from the following:

Applicant: Lana Tricker (LT), LT Law Solicitors, representative for the applicant and Emma Heaney (EH) Proposed Designated Premises Supervisor

Ms Tricker (LT) confirmed that London Cocktail Club Limited is seeking a new premises licence on George Street, Oxford. LT confirms the site previously held a licence and that this application is applying for the terminal hours previously held.

LT also confirmed that the applicant is seeking to amend the terminal hour in regards to the Police representation, to 02:30am every day, on Sundays the sale of alcohol is until 02:00am as per the application.

LT confirmed the premises was previously licensed and was part of the cumulative impact assessment by the Police. LT says that the figures referred to in the Statement of Licensing Policy are from 2020 and early 2021, and that this premises was taken into account in these figures.

LT advised the members that at the time the application was served on the Licensing Authority, there was no formal Special Saturation Policy (SSP), however even though the new Statement of Licensing Policy, including an SSP, was adopted thirteen days ago, the applicant fully accepts they are now part of that policy and can take that into account.

LT confirms that the licensable activities will only take place inside the premises, there will be no tables or chairs outside the premises, there will be no consumption of drinks, alcoholic or non-alcoholic outside the premises, there is no designated dance floor at the premises, and LT confirms the premises is not a nightclub.

LT advises members that the applicant would have no objections if they wanted to add a further condition to the licence stating that premises shall only operate as a cocktail lounge.

The venue does not promote irresponsible sales of alcohol, LT mentions, however she does appreciate some of the tongue in cheek marketing, but confirms this isn't reflective of the operation and the venue is in the process of amending these online.

LT advises members that the Thames Valley Police (TVP) conditions have nearly all been accepted, the operating schedule on the application includes management measures for controlling dispersals, a condition agreed with TVP. There will be a dedicated taxi service for patrons that will be advertised in the premises.

LT says in terms of the OS7 policy on CCTV, the premises has no objections to having CCTV inside and outside the premises, and have agreed the standard conditions and are open to improvements once the system is installed, should TVP have further suggestions.

LT confirms the premises has agreed age verification schemes, with challenge 25 signage and will comply with all local schemes, for example pub watch as per OS10 policy. In relation to OS8 policy, LT states the existing venues have not had an issue with drugs, and operate a zero tolerance policy and will design out any flat surfaces within the toilets to prevent any drug taking, in consultation with TVP.

LT advises members that the applicant has proposed a condition that there would be no entry or re-entry into the premises within one hour before closing. The applicant has also proposed

a condition to address local concerns, by having a contact phone number available should any local neighbours have complaints to raise with management.

LT states there were three conditions that weren't agreed on by the applicant that were proposed by TVP, the first two conditions are in relation to the use of polycarbonate glass and bottled drinks being decanted. LT states that none of the applicants twelve other venues have this condition and have never had a glass related incident in 14 years. The venue will be a cocktail lounge and for this reason they require a range of glassware. LT states it is not appropriate in this case to impose this condition, as per PP12 policy.

LT mentions the other condition that the applicant would like to discuss is the condition proposed by TVP in relation to ID scanners, and that none of their other venues have this condition for every day trade. One of their venues in Reading does have a condition relating to ID scanners that the applicants would have no objections to a condition which reads: "an ID scanning system will be in employed at the premises and will be utilized and in operation for all events that are deemed high risk, such as sporting events", being included.

LT reminds members that there have been no objections to this application from residents, the Licensing Authority or Environmental Health.

LT asks if Emma Heaney wishes to add anything, but she declines.

Cllr Cook mentions that the applicant is asking for the performance of dance, but the premises has no dance floor.

LT confirms there is no designated dance floor at the premises, it was applied for in the application because it was on the previous licence, and confirms that if members do not wish to grant the performance of dance that doesn't affect anything.

Cllr Cook refers to the proposed conditions from TVP, and asks for clarification on the conditions from TVP that the applicant doesn't agree on, condition 38.

LT confirms it is conditions 37 and 38.

Cllr Cook asks for confirmation that the applicant would either like those to be reworded to their own versions, or would like them to be struck out.

LT confirms the applicant would like conditions 37 and 38 of TVP proposed conditions to be struck out.

Cllr Cook also asks for confirmation that the ID scanner proposed TVP condition was also one that was an issue for the applicant.

LT confirms it is condition 40 of the proposed TVP conditions.

Cllr Rehman asks about the CCTV, stating that it normally runs on a 28 day cycle, on the conditions it says 31 days here.

LT confirms that 31 days is the accepted practice now, and the applicants system will be on 31 days.

Cllr Cook asks the Licensing Authority and TVP if they have any questions of the applicant, both of which declined.

Responsible Authorities: Inspector James Sullivan (JS) (Thames Valley Police)

JS says that Oxford already has the highest levels of alcohol related disorder, violence and sexual violence during the night time economy, in the county. JS mentions that between the months of July 2021 and November 2021 the number of public order offences had already surpassed the total number of offences in the whole of 2018, without this venue operating.

JS states that from the top 6 streets in Oxford for violent crime, 5 of those streets are in the City Centre and number 5 on the list is George Street, without this venue operating.

JS makes the members aware that he believes that permitting this licence will significantly add to the cumulative effects in Oxford. JS says that regardless of the previous operators at these premises, it has always been a hotspot location in terms of demand on Police resources.

JS believes this venue does not contribute to a diverse night time economy, and is focusing on high volume alcohol consumption and believes this will only exacerbate the issues the Police are already facing without these premises operating.

Cllr Cook asks of JS, if the committee were to grant a licence, what terminal hour would cause the Police the least amount of grief.

JS states that at this point it would be damage limitation, he believes 11 o'clock would be a reasonable time in their view, but is aware that this may not make it viable for a business to operate.

ET asks JS as he mentioned George Street was number 5 of his list of streets for crime and disorder, and asks what the 4 streets above it are and asks for confirmation if they are saturated with drinking establishments as well.

JS confirms the top street is Park End Street, the second street is Cowley Road, Hythe Bridge Street and then Queen Street.

Cllr Cook asks if the applicant has any questions for TVP, and LT declines.

Decision and Reasons of the Sub-Committee

1. The Sub-Committee considered all submissions, both written and oral. It also had regard to the relevant Home Office Guidance and the Council's Statement of Licensing Policy, including policies OS7 to OS10, LA2, LA3, LA5 and GN18. The Sub-Committee also considered the readopted Special Saturation Policy (SSP).
2. The Sub-Committee considered the representation from Thames Valley Police and acknowledged their proposed conditions, and the counter argument raised by the applicant in relation to conditions 37, 38 and 40, however they agreed that all of the conditions proposed by Thames Valley Police and their wording should be included on the licence.
3. The Sub-Committee took into account the hours for licensable activities for premises located in the vicinity of this venue and were of the opinion that the terminal hours applied for should be shortened to ensure a staggered dispersal of patrons in the area.

4. The Sub-Committee took into account that the premises does not have a designated dance floor, and so agreed to remove the request for the licensable activity of the performance of dance.
5. The Sub-Committee has therefore agreed that the following conditions should be added to the licence:
 - ***The Premises Licence holder shall ensure that the premises shall be cleared of customers and closed 30 minutes after the conclusion of the last licensed activity***
 - ***The Premises Licence Holder shall ensure that no person shall be admitted to the premises less than one hour before cessation of the last licensable activity***
 - ***The Premises Licence Holder shall ensure that the premises shall only operate as a Cocktail Lounge***
6. The Sub-Committee agreed that the hours for all licensable activity should be reduced to the following on Monday to Saturday, and Sunday:

Monday to Saturday 11:00 hours to 01:30 hours the following day
Sunday 11:00 hours to 00:30 hours the following day

The application is **GRANTED** subject to the conditions and amendments as set out above.



Signed: Councillor Colin Cook
Chair of Licensing Sub-committee

Notes:

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

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