

**Minutes of a meeting of the
Licensing & Gambling Acts Casework Sub-
Committee
on Monday 1 August 2022**

Committee members present:

Councillor Mundy (Chair)

Councillor Diggins

Councillor Humberstone

Officers present for all or part of the meeting:

Tazafar Asghar, Legal Adviser

Emma Thompson, Senior Licensing Compliance Officer

Katie Thorp, Licensing Compliance Officer

1. Election of Chair for the hearing

Cllr Mundy was elected as Chair for the hearing.

2. Application to Vary a Premises Licence - Lynrace Ltd, 103 Walton Street, Oxford, OX2 6EB (22/01767/PREM)

The decision notice for this hearing is attached.

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Licensing Sub-Committee

Notification of determination

Hearing under Sections 34 and 35 of the Act, and the Licensing Act 2003 (Hearings) Regulations 2005 In respect of an application made to Oxford City Council for variation of a Premises Licence

Date of hearing:	1st August 2022
Place:	Town Hall, Oxford
Case No.	22/01767/PREM
Applicant	Lynrace Ltd
Premises:	Lynrace Ltd
Premises address:	103 Walton Street, Oxford, OX2 6EB
Licensing Sub-Committee Councillors:	Cllr Edward Mundy (chair), Cllr Rae Humberstone, Cllr Lizzy Diggins
Legal Advisor:	Tazafar Asghar
Licensing Officer:	Emma Thompson
Clerk:	Katie Thorp

The Sub-Committee was presented the Licensing Authority's report from the following:

Licensing Authority: Emma Thompson (Senior Licensing Compliance Officer)

Emma Thompson (ET) Senior Licensing Compliance Officer presented the Licensing Authority's report, stating that during the consultation period, Thames Valley Police liaised with the applicant and agreed a number of conditions to be added to the licence if granted. ET stated that the application had attracted one representation from an Interested Party. ET advised the Sub-Committee members that there is also seven other premises within the vicinity of Lynrace Ltd and all but one of these premises have the same or later terminal hour than this application.

Cllr Mundy asked in relation to the seven other premises, what the radius is between them all in relation to Lynrace Ltd.

ET confirmed that there is the Victoria Arms Public House which is wet led, and the other six

premises are all within Juxon Street and Observatory Street, with five of the premises being restaurants and one is a delicatessen off-licence.

Cllr Mundy also asked in relation to the Special Saturation Policy (SSP), does Walton Street fall within that Policy.

ET confirmed that Walton Street is not included within the SSP and is quite a distance from the SSP zone.

Cllr Diggins asked ET whether the Licensing Authority had received any noise complaints in relation to Lynrace Ltd premises.

ET confirmed that the Authority had not received any noise complaints in relation to Lynrace Ltd.

Applicant: Paul Southouse, Applicant

Paul Southouse (PS) confirms that he is an Architect and has his Architectural practise within the premises of 103 Walton Street, Oxford and Lynrace Ltd is part of that business. Lynrace is there to invite people in to build conversations and involves arranged events and casual meetings.

PS states that Lynrace currently has an on and off sales licence which has been working well. PS states that the business had been opening on Fridays and Saturdays until 21:00 hours and there have been no complaints received.

PS states the type of clientele is looking for quality rather than getting drunk and the business does not encourage that. PS states the business is looking for the flexibility to continue this during the week and beyond 21:00 hours.

In relation to the representation received, PS states that he has spoken to the interested party prior to the first application and this application, and advised that the music is low level and people talking.

Cllr Diggins asked PS for the reasoning behind wanting to extend the hours for licensable activities if he did not envisage using the licence to this extent regularly.

PS responded by stating that Friday and Saturday evenings is when he has regular demand, and that he requires the flexibility of arranging events such as recording podcasts and so he would like to have the option there and to not be restricted.

PS also confirmed the music played is low-level background music to create an atmosphere.

Cllr Humberstone asked about the layout of the premises and what occurs on the ground floor and the basement and the positioning of the speakers when playing music.

PS advised the basement offers a larger space to hold around twenty people for an event. In terms of speakers, PS confirmed that they have one small speaker to play the music, and that there will always be consideration of the impact on the neighbours when playing music.

PS states that he has exchanged letters and is in communication with neighbours, and in particular the interested party who submitted a representation objecting to this application.

Cllr Diggins asked PS if the interested party or any other neighbour raised concerns about the premises with him directly about noise issues.

PS confirmed that he had not received any complaints.

Tazafar Asghar asked PS how many events are they likely to hold per year.

PS stated they would carry out no more than fifteen events per year.

Interested Parties: Lucy Turnill-Phillips

Lucy Turnill-Phillips made a representation in relation to public nuisance, but was not in attendance at the Sub-Committee hearing.

Cllr Mundy acknowledged the representation made which included concerns regarding noise nuisance, and confirmed that the representation will be taken into consideration upon any decision being made regarding the application.

Decision and Reasons of the Sub-Committee

1. The Sub-Committee considered all submissions. It also had regard to the licensing objectives, relevant Home Office Guidance and the Council's Statement of Licensing Policy, in particular Licensing Hours (LH3), Public Nuisance (LA2 to LA4) and Crime and Disorder (OS7 and OS9).
2. The Sub-Committee noted that there were no noise complaints received by the applicant or the Licensing Authority previously.
3. The Sub-Committee noted the co-operative dialogue with local residents by the applicant.
4. The Sub-Committee also noted the list of additional agreed conditions with Thames Valley Police.
5. The Sub-Committee therefore decided to **GRANT** the licence as applied for subject to the Thames Valley Police agreed conditions being imposed on the licence.



**Signed: Councillor Edward Mundy
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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