

Agenda

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Licensing & Gambling Acts Casework Sub-Committee

This meeting will be held on:

Date: **Monday 31 October 2022**

Time: **6.00 pm**

Place: **Council Chamber - Oxford Town Hall**

For further information please contact:

Committee & Member Services Team

📞 01865 252946

✉️ democraticservices@oxford.gov.uk

Access to all or the majority of this meeting is limited to committee members; officers attending to assist the committee or present reports; and those invited to attend. The reasons for these restrictions are set out for each item later in the agenda

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Committee Membership

Councillors: Membership 3: Quorum 3 substitutes are permitted.

Councillor Mary Clarkson

Councillor Edward Mundy

Councillor Barbara Coyne

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

Agenda

	Pages
1 Election of Chair for the hearings	
To confirm the Chair of this Sub-Committee for the duration of this hearing.	
2 Procedure for the hearing	7 - 12
The hearing procedures are attached.	
3 Application to vary a Premises Licence – The Tile Shop Ale House Limited, 10 Windmill Road, Oxford, OX3 7BT (22/02972/PREM)	13 - 62
The Sub-Committee is asked to determine the application to vary a Premises Licence (22/02972/PREM) for the premises The Tile Shop Ale House Limited, 10 Windmill Road, Oxford, OX3 7BT, taking into account the details in the report and any representations made at the hearing.	

Information for those attending

Recording and reporting

Members of public and press can record, or report in other ways, the parts of the meeting open to the public.

It is not permitted to record or report or make public any part which is not open to the public apart from the formal record of the meeting.

The Council asks those recording to follow the protocol which can be found on the Council's [website](#). Those speaking in the open part of the meeting should be aware that they may be recorded during their speech and any follow-up. Those attending a meeting should be aware that recording may take place and that they may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

Councillors 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; licenses 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". 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.

Members Code – Other Registrable Interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing** of one of your Other Registrable Interests*** then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Members Code – Non Registrable Interests

Where a matter arises at a meeting which **directly relates** to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under Other Registrable Interests, then you must declare the interest.

You must not take part in any discussion or vote on the matter and must not remain in the room, if you answer in the affirmative to this test:

“Where a matter affects the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest You may speak on the matter only if members of the public are also allowed to speak at the meeting.”

Otherwise, you may stay in the room, take part in the discussion and vote.

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

** Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person’s quality of life, either positively or negatively, is likely to affect their wellbeing.

*** Other Registrable Interests: a) any unpaid directorships b) any Body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any Body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

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OXFORD CITY COUNCIL

LICENSING CASEWORK SUB-COMMITTEE 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 shall consist of three members of the Council (councilors). At the start of each Sub-Committee meeting a Chair shall be elected from among the three members. The Sub-Committee is responsible for reaching a decision upon the application being heard by the Sub-Committee, having received addresses and representations from all parties.

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
 - Representations made by the responsible authorities
 - Representations made by interested parties

Introductions

3. The Chair will commence the hearing by introducing her or himself and the other two 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 Chair considers that cross-examination in a particular circumstance would assist. In exercising this discretion to permit cross-examination, the Chair 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. The Sub-Committee will determine the application in accordance with the Council's Statement of Licensing Policy, the Licensing Act 2003 and Guidance and Regulations under the Act, taking into consideration the overriding need to promote the four Licensing Objectives.
9. In considering any representation or notice made by a party the Sub-Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
10. The Sub-Committee will generally not expect any of the parties to take more than 20 minutes to address it, to give further information or to call witnesses.
11. Where a person attending the hearing is acting in a manner that the Sub-Committee consider to be 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.

12. 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

13. All parties have a right to attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

The Licensing Authority

14. The representative of the Licensing Authority shall present the report 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 case

15. The applicant must fully outline their application and address the licensing objectives, and then may call witnesses if desired.
16. Where a responsible authority or interested party seeks to cross-examine the applicant or any of their witnesses, he / she must seek the permission of the Chair who will exercise the discretion as to whether to allow such questioning.

Responsible Authorities case

17. Each responsible authority must fully outline the nature of their representation and address the licensing objectives, and then may call witnesses if desired.
18. Where the applicant or an interested party seeks to cross-examine the responsible authority or any of their witnesses, he / she must seek the permission of the Chair who will exercise the discretion as to whether to allow such questioning.

Interested parties case

19. Each interested party must fully outline the nature of their representation and address the licensing objectives, and then may call witnesses if desired.

20. Where there are a number of interested parties and the nature of the representations are similar, such parties may decide to appoint a spokesperson to represent the group.
21. Where a person is representing an interested party, the representative will be required to state the full name and address of the interested party.
22. Where the applicant or responsible authority seeks to cross-examine the interested party or any of their witnesses, he / she must seek the permission of the Chair who will exercise the discretion as to whether to allow such questioning.

Closing submissions

23. All parties will then be given the opportunity briefly to summarise their key points. The order shall be:-
 - Applicant
 - Responsible authorities
 - Interested parties
24. Interested parties may choose to appoint a spokesperson to briefly summarise the key points.

Determinations

25. At the end of a hearing, the Chair will announce that the hearing is adjourned while the Sub-Committee retires to deliberate in private.
26. The Sub-Committee must make its determination at the conclusion of the hearing in the following cases:
 - application for a variation and conversion of an “existing licence” (“existing licence” defined at paragraph 1 of Schedule 8);
 - application for variation and conversion of an existing club premises certificate;
 - counter notice following police objection to temporary event notice;
 - review of a premises licence following closure order;
 - determination of application for conversion of existing licence;
 - determination of application for conversion of existing club premises certificate;
 - determination of application by holder of a justices’ licence for grant of a personal licence.

27. In other cases (not mentioned in paragraph 26), excluding where a hearing has been dispensed with, the Sub-Committee must make its determination within the period of five working days beginning with the day or the last day on which the hearing was held.
28. A written decision outlining the reasons for the decision will be sent to the parties forthwith on making its determinations.

Closed hearing

29. The hearing shall take place in public. However, the Sub-Committee may exclude the public from all or part of a hearing where it 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 Gambling Acts Sub-Committee
Date: 31st October 2022
Report of: Head of Regulatory Services and Community Safety
Title of Report: The Tile Shop Ale House Limited – Application to vary a Premises Licence – The Tile Shop Ale House Limited, 10 Windmill Road, Oxford, OX3 7BT
Application Ref: 22/02972/PREM

Summary and recommendations	
Purpose of report:	To inform the determination of The Tile Shop Ale House Limited’s application to vary a Premises Licence.
Corporate Priority:	Enable an Inclusive Economy
Recommendation(s): That the Licensing and Gambling Acts Sub-Committee resolves to:	
1. Determine The Tile Shop Ale House Limited’s application taking into account the details in this report and any representations made at this Sub-Committee meeting.	

Appendices	
Appendix 1	Application to vary a Premises Licence
Appendix 2	Existing Premises Licence - 21/00251/PREM
Appendix 3	Representations from Responsible Authorities
Appendix 4	Representations from Interested Parties
Appendix 5	Support representation from Interested Parties
Appendix 6	Location Plan

Introduction and background

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 variation to the Premises Licence to The Tile Shop Ale House Limited.

Application Summary

- An application to vary a Premises Licence has been submitted by The Tile Shop Ale House Limited. A summary of the licensable activities applied for and the time proposed for these activities can be found detailed below:

Supply of Alcohol (On and Off Sales), Recorded Music (Indoors Only):

Sunday to Saturday 12:00 hours until 22:00 hours

Live Music (Indoors Only):

Friday and Saturday 12:00 hours until 21:00 hours

Opening hours:

Sunday to Saturday 12:00 hours until 22:00 hours

- The application is also proposing to amend condition 16 of the premises licence to read: *No person shall be allowed to leave the premises whilst in the possession of any drinking vessel or open bottle etc. whether empty or containing any beverage, other than to any external area owned or legally occupied by the Premises Licence Holder. All off-sales of alcohol will only be offered in sealed plastic containers during opening hours.*
- 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**.
- In order to assist all parties to this Hearing, the current Premises licence for The Tile Shop Ale House Limited, stating the current timings for licensable activities, is attached at **Appendix Two**.

Relevant Representations

- Representations have been received from the Responsible Authorities as detailed in the table below. Copies of these representations are attached at **Appendix Three**.

Responsible Authority	Response	Licensing Objective(s)
Thames Valley Police	Agreed Conditions	Crime and Disorder
Fire and Rescue Service	No representation	
Environmental Health	No Objection	
Health and Safety	No representation	
Planning	No representation	
Trading Standards	No representation	
Child Safeguarding	No representation	
Licensing Authority	No representation	

7. The representation from Thames Valley Police is that an agreement between Thames Valley Police and the Applicant of the addition of two conditions should the licence be granted by this Sub-Committee. The two agreed conditions are as follows:

TVP 1:

- The premises shall implement a written policy and staff training to ensure that customers purchasing alcohol for offsite site consumption are then not utilising public spaces within the immediate vicinity of the premises as an extension of the venue by remaining in the area and consuming the purchased alcohol.

This shall include (but not be limited to):

- Documenting in the daily premises register regular visual checks of the immediate vicinity of the business (as part of the existing duty under the licensing act 2003) to ensure that customers are not within the immediate vicinity and/or clear line of sight of the premises on the public highway consuming the alcohol and/or seen to be distributing it to other people.
- That the premises is not serving alcohol in containers that promote quick consumption- i.e. plastic pint glasses with removable plastic lids.
- Individual customers or groups are not repeatedly attending the premises on a number of occasions over a period of time on the same day for further repeat alcohol purchases
- Staff training on challenging customers and customer dispersal from the immediate vicinity without escalating or leading to conflict those engaged in consuming alcohol purchased from the venue in public spaces within the immediate vicinity.

Where the premises has reasonable belief that customers are purchasing alcohol from site and then engaged in public spaces drinking further sales shall be refused.

The premises licence holder shall implement the written staff training ensuring that all staff employed at the premises whose role is relevant to this matter, sign and date training records to confirm they have had, fully understand the training, and that they shall carry out their duties in accordance with them.

These training records shall be retained and made available to the Licensing Authority and/or responsible authority named under the licensing act upon request.

Where subsequent issues or concerns related to this matter are brought to the premises licence holder's attention by the licensing authority and/or the responsible authorities named under the licensing act, the premises licence holder shall make amendments as directed by that authority(s).

Hard copies of the most up to date policy and training shall be kept on the premises. They shall be readily accessible to staff for their own reference whilst working, and shall be made available to any of the authorities upon request to check for compliance.

- TVP 2

Off sales of alcohol shall only be for customers that attend the premises and purchase the alcohol directly from the site. There shall be no remote ordering or home delivery to a customer's address.

8. Valid representations have been received from 3 Interested Parties as detailed in the table below. Copies of these representations are attached at **Appendix Four**.

Name	Address	Licensing Objective(s)
Mr Roman Galinski, Grazyna Szenfeld and Justyna Szczurkowska	Windmill Road	Public Nuisance, Crime and Disorder
Anonymous	Anonymous	Public Nuisance, Crime and Disorder
Michael and Adriana	Windmill Road	Public Nuisance, Crime and Disorder

9. Representations in support of the application have also been received from 2 Interested Parties as detailed in the table below. Copies of these representations are attached at **Appendix Five**.

Name	Address	Licensing Objective(s)
Mr Dermot Dobson	Old Road	Support Comment
Dr Oliver Lomas	Holyoake Road	Support Comment

Location

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

Statement of Licensing Policy

11. The Sub-Committee is referred to the Council's Statement of Licensing Policy*. In particular, the following paragraphs have a bearing upon the application:

Relevant Policy Matters	Section	Policy
Licensing Hours	5.1.1	LH3
Public Nuisance	7.3.1 to 7.3.10	LA2 to LA4
Pubs, Restaurants, Hotels, Guest Houses	7.5.1 to 7.5.2	PP1
Supply of alcohol for consumption off the premises	7.5.20 to 7.5.21	PP11
Crime and Disorder	8.3.1 8.5.1 to 8.5.3	OS7 OS9

12. 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

Home Office Statutory Guidance

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

Relevant Sections	Relevant Paragraph
Crime and Disorder	2.1 to 2.5
Public Nuisance	2.15 to 2.21
Imposed Conditions	10.8

14. A copy of the Home Office Statutory Guidance may be found online at:
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

Other Relevant Considerations

15. 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.
16. 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.
17. 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.
18. 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.
19. 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.

20. 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.
21. 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.
22. Members should note that the applicant or persons making representations have the right of appeal against the decision made by the Sub-Committee.

Report author	Emma Thompson
Job title	Senior Licensing Compliance Officer
Service area or department	Regulatory Services and Community Safety
Telephone	01865 252565
e-mail	licensing@oxford.gov.uk

APPENDIX ONE

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We THE TILE SHOP ALEHOUSE LTD
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	21/00251/PREM
-------------------------	---------------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
10 WINDMILL RD HEADINGTON OXFORD			
Post town	OXFORD	Postcode	OX3 7BX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 0.00 9.300

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	12 GUARDIAN COURT 25 NEWCROSS RD HEADINGTON		
Post town	OXFORD	Postcode	OX3 8LP

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

- 1 - CORRECTION TO PREMISES ADDRESS FROM 10A TO 10
- 2 - CHANGE OF TELEPHONE NUMBER
- 3 - THE ABILITY TO OFFER LIVE NON-AMPLIFIED MUSIC (ACOUSTIC)
- 4 - CHANGE OF OPENING AND CLOSING HOURS
- 5 - THE ABILITY TO OFFER OFF-SALES IN PLASTIC RE-USABLE CONTAINERS
- 6 - CHANGE OF REGISTERED BUSINESS ADDRESS
- 7 - THE ABILITY TO PLAY LOW LEVEL BACKGROUND RECORDED MUSIC

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all 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 N/A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
			<u>State any seasonal variations for performing plays (please read guidance note 6)</u>		
Tue					
			<u>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 (please read guidance note 7)</u>		
Wed					
Thur					
Fri					
Sat					
Sun					

B N/A

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
Wed					
Thur			<u>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 (please read guidance note 7)</u>		
Fri					
Sat					
Sun					

C N/A

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<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> (please read guidance note 7)
Fri			
Sat			
Sun			

D N/A

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Wed					
Thur			<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 (please read guidance note 7)</u>		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed					
Thur			<u>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 (please read guidance note 7)</u>		
Fri	12.00	21.00			
Sat	12.00	21.00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u> <u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u> <u>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 (please read guidance note 7)</u>		
Mon	12.00	22.00			
Tue	12.00	22.00			
Wed	12.00	22.00			
Thur	12.00	22.00			
Fri	12.00	22.00			
Sat	12.00	22.00			
Sun	12.00	22.00			

G N/A

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			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 (please read guidance note 7)		
Sat					
Sun					

H N/A

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur					
Fri			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Sat					
Sun					
			<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> (please read guidance note 7)		

I N/A

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)	
Mon				
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)	
Wed				
Thur			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 (please read guidance note 7)	
Fri				
Sat				
Sun				

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	12.00	22.00	State any seasonal variations for the supply of alcohol (please read guidance note 6)	Both	<input checked="" type="checkbox"/>
Tue	12.00	22.00			
Wed	12.00	22.00			
Thur	12.00	22.00		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 (please read guidance note 7)	
Fri	12.00	22.00			
Sat	12.00	22.00			
Sun	12.00	22.00			

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 10).

[Faint handwritten text is visible in this section, but it is illegible.]

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) NONE
Day	Start	Finish	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 (please read guidance note 7) N/A
Mon	12.00	22.00	
Tue	12.00	22.00	
Wed	12.00	22.00	
Thur	12.00	22.00	
Fri	12.00	22.00	
Sat	12.00	22.00	
Sun	12.00	22.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

AMENDMENT OF SECTION 16 TO:
 OFF SALES WILL ONLY BE OFFERED IN SEALED PLASTIC CONTAINERS DURING PROPOSED OPENING HOURS OF OUR DRAUGHT ALES AND CIDER

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

NO CHANGES TO OUR REGULAR OPERATING POLICY

b) The prevention of crime and disorder

SAME AS ABOVE

c) Public safety

- ADDITIONAL EXTERNAL LIGHTING
- UPGRADE TO CCTV, HIGHER RESOLUTION AND LARGER STORAGE CAPACITY

d) The prevention of public nuisance

ON-GOING STAFF TRAINING TO HANDLE THE VERY FEW DISRUPTIVE INCIDENTS THAT WE INCUR.

e) The protection of children from harm

NO UNDER 18 YEAR OLD PERSONS ARE ALLOWED ON THE PREMISES

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[REDACTED]
Date	30/08/2022
Capacity	DIRECTOR

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Post town		Post code	
Telephone number (if any)			

APPENDIX TWO

The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 Regulation 33, 34 and Schedule 12 Part A

Premises Licence *Oxford City Council*

Premises Licence Number

21/00251/PREM

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code:

The Tile Shop Ale House Ltd
10A Windmill Road
Oxford
OX3 7BX

Telephone number: 07879418233

Where the licence is time limited the dates:

Not applicable

Licensable activities authorised by the licence:

Supply of Alcohol

Times the licence authorises the carrying out of licensable activities:

Supply of Alcohol

Monday to Saturday 12:00 hours - 20:00 hours

Sunday 12:30 hours - 20:00 hours

The opening hours of the premises:

At the discretion of the licence holder

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:

On sales only

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

The Tile Shop Ale House Limited
Flat 12
Guardian Court
25 New Cross Road
Oxford
Oxfordshire
OX3 8LP

Registered number of holder, for example company number, charity number (where applicable):

12845929

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Ian Langford

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Personal licence number: 22/02034/PER
Licensing Authority: Oxford City Council

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made under the Premises Licence;
 - (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence;
or
 - (b) at a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
3.
 - 1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - 2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - 1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - 2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - 3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:
 - a) a holographic mark; or
 - b) an ultraviolet feature.

6. The responsible person must ensure that—
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - i) beer or cider: ½ pint;
 - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii) still wine in a glass: 125 ml;
 - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
7. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1:
- (a) duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) permitted price is the price found by applying the formula: $P=D+(D \times V)$ where:
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) relevant person means, in relation to premises in respect of which there is in force a premises licence:
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) relevant person means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) valued added tax means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (the first day) would be different from the permitted price on the next day (the second day) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

8. 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

Where subsequent issues related to the training is brought to the premises licence holder's attention by either the Licensing Authority and/or responsible authorities named in the Licensing Act, the premises licence holder will make amendments as directed by that authority

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 twelve months.

9. The Premises Licence holder (or such person as they nominate) shall provide 14 days prior written notification to the Force Licensing Officer of Thames Valley Police and to the Licensing Authority of:
- Any extension of hours permitted under the Premises Licence
 - Any one-off event that includes entertainment or a promotion that is not consistent with regular trade

Such written notifications will include but not be limited to the following details:

- The name of the person in charge/authorising the sale of alcohol for the duration of the event.
- The name of any promoters, act, DJ's or other such performers involved
- The nature of the event.
- The date, the commencement and conclusion time of the event.
- Security provisions (including numbers and working hours of SIA staff)
- Expected numbers attending

10. The premises shall implement written policies. Such documents shall include, but not be limited to, the following:
- CCTV
 - Conditions of Entry
 - Crowd Dispersal
 - Safeguarding Children & Vulnerable Adults
 - Noise
 - Responsible Service of Alcohol
 - Security Measures
 - Underage Sales & False Identification
 - Zero Tolerance Drugs

From these written policies and operating procedures, the premises licence holder will implement written staff training ensuring that all staff employed at the premises receive full training on those policies that are relevant to their specific role. Staff shall sign and date training records to confirm they have had, fully understand the training, and that they will carry out their duties in accordance with them. These training records will be retained and made available to the Licensing Authority and/or responsible authority named under the licensing act upon request.

Where subsequent issues or concerns related to one or more of the policy(s) are brought to the premises licence holder's attention by the licensing authority and/or one of the responsible authorities named under the licensing act , the premises licence holder will make amendments as directed by that authority(s).

Hard copies of the most up to date policy/procedures will be kept on the premises. They will be readily accessible to staff for their own reference whilst working, and will be made available to any of the authorities upon request to check for compliance.

11. As part of the written 'security measures' policy condition, the premises licence holder will carry out and implement a written risk assessment regarding the need (if at all) for SIA licenced door supervisors. This will be for day to day standard operation as well as for any special one off events over and above that of normal trade. The risk assessment will be made readily available to the police upon request and where subsequent issues or concerns related to the security risk assessment are brought to the premises licence holder's attention by the police, the premises licence holder will make amendments as directed.
12. Where the premises employs SIA licensed door supervisors there will be no fewer than 2 on duty to avoid issues and risks associated with lone working
13. Where the premises employs SIA licensed door supervisors, all door supervisors will wear at all times whilst on duty high visibility florescent yellow coats/tabards to clearly identify them as working that role
14. 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)
 - Any items seized by security staff employed at the premises.
 - 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, or in their absence duly appointed member of staff, 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.

15. A CCTV system will be installed and maintained. The CCTV system will 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 cameras covering any pertinent public areas (internally and externally)
 - 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.

- A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed
16. No person shall be allowed to leave the premises whilst in the possession of any drinking vessel or open bottle etc, whether empty or containing any beverage, other than to any external area owned or legally occupied by the Premises Licence Holder.
 17. 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 30 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.
 18. Where such a scheme exists and subject to the agreement of the relevant board of management committee, the Premises Licence holder shall participate in the designated local Pubwatch / Licensed Business Partnership scheme and ensure that a representative of the licensed premises attend all of the arranged meetings or such a person has communicated a reason to the group as to their absence.
 19. Where such a scheme exists and subject to the agreement of the relevant service provider/ radio link committee. The Premises Licence holder shall operate the "Radio Link" system of communication during the hours the premises is open to the public, and shall ensure that it is maintained and monitored.
 20. 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
 21. 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
 22. No children will be allowed on the premises

Annex 3 – Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 – Plans

See attached plan

APPENDIX THREE

From: [REDACTED]
To: [licensing](#)
Subject: FW: Variation application: The Tile Shop Ale House, 10 Windmill Road (22/02972/PREM)
Date: 23 September 2022 11:59:29

To The Licensing Authority-Oxford City Council

Please be aware regarding the recent variation for the above that TVP are for the most part satisfied with the proposed matters given the venue's trading history. We have identified some risk to the licensing objectives regarding the addition of off sales, however we have been able to discuss these matters with the applicant and have agreed two conditions to mitigate that risk .

Consent and the conditions may be found in the below email chain however in summary these conditions are:

TVP1:

The premises shall implement a written policy and staff training to ensure that customers purchasing alcohol for offsite site consumption are then not utilising public spaces within the immediate vicinity of the premises as an extension of the venue by remaining in the area and consuming the purchased alcohol.

This shall include (but not be limited to):

- Documenting in the daily premises register regular visual checks of the immediate vicinity of the business (as part of the existing duty under the licensing act 2003) to ensure that customers are not within the immediate vicinity and/or clear line of sight of the premises on the public highway consuming the alcohol and/or seen to be distributing it to other people.
- That the premises is not serving alcohol in containers that promote quick consumption- i.e. plastic pint glasses with removable plastic lids.
- Individual customers or groups are not repeatedly attending the premises on a number of occasions over a period of time on the same day for further repeat alcohol purchases
- Staff training on challenging customers and customer dispersal from the immediate vicinity without escalating or leading to conflict those engaged in consuming alcohol purchased from the venue in public spaces within the immediate vicinity.

Where the premises has reasonable belief that customers are purchasing alcohol from site and then engaged in public spaces drinking further sales shall be refused.

The premises licence holder shall implement the written staff training ensuring that all staff employed at the premises whose role is relevant to this matter, sign and date training records to confirm they have had, fully understand the training, and that they shall carry out their duties in accordance with them.

had very few requests for off sales. The only alcohol that we would sell is our draught ale and cider in our plastic containers or our customer's plastic containers. Also the type of customers that we attract are those who are very local and do not abuse alcohol.

With regards to TVP 2 : We do not accept on-line or telephone alcohol sales nor do we deliver. This will always be our policy.

Our General Manager and us continually up-date staff training which would include off-sales.

We happily agree to all of the conditions that you have laid out.

I hope this is useful.

Many thanks Ian (The Tile Shop Alehouse)

On Thu, Sep 22, 2022 at 1:52 PM Ian Langford [REDACTED] wrote:

----- Forwarded message -----

From: [REDACTED]
Date: Tue, Sep 20, 2022 at 5:18 PM
Subject: Variation application: The Tile Shop Ale House, 10 Windmill Road (22/02972/PREM)
To: [REDACTED]

Dear Mr Langford,

Thank you for your recent application to vary the premises licence for the Title Shop Ale House.

For the most part Thames Valley Police are supportive of the proposed.

The only area we wish to explore is regarding the off sales. You have specified the purpose for which you wish to use it for now, however given how it has been applied for this will only be documented as 'off sales' and will be very open in terms of its potential scope both now and in the future (should the site and its licence ever change hands in the years to come).

Off sales these days poses significant challenges both in terms of the expectations placed upon the licence holder to operate this aspect of retailing alcohol in a socially responsible fashion and the authorities ability to monitor for and enforce against any issues.

The areas we need to explore sit under two headings.

Looking at the intent referenced in the application, the provision of such refillable items as growlers for home consumption has been of course a long standing tradition at ale houses and breweries over the centuries and is as common place as the more modern perception of off sales for bottles of wine, bottles and cans of beer.

It is important that we ensure that the addition of off sales though is used for just that namely sale for customer to make a purchase and to take away to consume say in the comfort of their own home.

What we do not want to see are customers purchasing alcohol and utilising the public spaces as a mere extension of the premises, possibly returning to the venue on multiple occasions over a period of time on a day for further refills.

This was sadly a key feature of the business restrictions placed upon the trade during the pandemic where many licensed premises try to bend the licensing act and off sales to utilise the public space as an extension of the pub when they could not use the inside. Although this then (unsurprisingly) lead to the premises finding it hard to supervise their customer base and erroneously led to claims by venues 'it not on our land so we are not responsible'. If it is bought from the venue and is within the 'immediate vicinity' then the act places a duty on the venue and this then lead to some very unfortunate enforcement action having to be taken by the police against the venues concerned.

Even now with the pandemic and its restrictions becoming a memory there are licensed premises in the Thames Valley that still seek to abuse their off sales function and this keeps leading to inordinate levels on for the police.

We are keen to authorise the off sales for the pub but we do need to see a certain level of due diligence as with any licensable activity to ensure it is properly managed. As such I want to put forward the following condition:

TVP 1

The premises shall implement a written policy and staff training to ensure that customers purchasing alcohol for offsite site consumption are then not utilising public spaces within the immediate vicinity of the premises as an extension of the venue by remaining in the area and consuming the purchased alcohol.

This shall include (but not be limited to):

- Documenting in the daily premises register regular visual checks of the immediate vicinity of the business (as part of the existing duty under the licensing act 2003) to ensure that customers are not within the immediate vicinity and/or clear line of sight of the premises on the public highway consuming the alcohol and/or seen to be distributing it to other people.
- That the premises is not serving alcohol in containers that promote quick consumption- i.e. plastic pint glasses with removable plastic lids.
- Individual customers or groups are not repeatedly attending the premises on a number of occasions over a period of time on the same day for further repeat alcohol purchases
- Staff training on challenging customers and customer dispersal from the immediate vicinity without escalating or leading to conflict those engaged in consuming alcohol purchased from the venue in public spaces within the immediate vicinity.

Where the premises has reasonable belief that customers are purchasing alcohol from site and then engaged in public spaces drinking further sales shall be refused.

The premises licence holder shall implement the written staff training ensuring that all staff

employed at the premises whose role is relevant to this matter, sign and date training records to confirm they have had, fully understand the training, and that they shall carry out their duties in accordance with them.

These training records shall be retained and made available to the Licensing Authority and/or responsible authority named under the licensing act upon request.

Where subsequent issues or concerns related to this matter are brought to the premises licence holder's attention by the licensing authority and/or the responsible authorities named under the licensing act, the premises licence holder shall make amendments as directed by that authority(s).

Hard copies of the most up to date policy and training shall be kept on the premises. They shall be readily accessible to staff for their own reference whilst working, and shall be made available to any of the authorities upon request to check for compliance.

The second area we need to mitigate against is the issue of remote ordering and home delivery of alcohol. I appreciate there is no reference to this in your application but again given the very open nature of what has been stipulated in the application, if granted this would be an option whether under your tenure or in the future under another.

Sadly again another hang up from the pandemic we saw venues starting to sell by way of internet order or phone call alcohol and have either staff directly paid by the venue or third party agents such as ubereats then deliver the alcohol to the address.

The issues with this is twofold – firstly no premises can properly vet a customer remotely and the types of due diligence such as entering ones DOB on line to confirm they are 18 or over is frankly farcical or that they are not drunk being impossible.

It then also means that the only point of scrutiny is at the front door of a customer's address when the delivery person (staff or agent) is then charged with having to do the right thing and potentially if they refuse completion of the transaction they will be in a very vulnerable position given the location with the temptation to simply deliver the item instead all too easy.

It also presents significant safe guarding issues. Delivering alcohol to an address creates an opportunity that appeals to a certain type of predatory behaviour. We have found couriers/staff using this as an opportunity to also do a side line in dealing drugs and to take advance in one case of a drunk 15 year old female at a house party he was delivering to.

I use these as extreme examples of course and appreciate the demographic the ale house sells to is significantly different, however I use it to highlight the sheer extent of the consideration we have to give to the matter and the need to future proof your licence should another take it on.

There is a whole raft of conditions relating to remote ordering and delivery but if that is not the intent for the off sales in this case (i.e. straight forward walking in and walk out sales) I would simply suggest one condition:

TVP 2

Off sales of alcohol shall only be for customers that attend the premises and purchase the alcohol directly from the site. There shall be no remote ordering or home delivery to a customers address

Please would you email me back to confirm:

- what the intent is with the off sales (i.e. whether there is home delivery/remote ordering or not) . if it is we will need to discuss the longer raft of conditions, if its not then please let me know your thoughts on TVP 2
- whether you have any concerns or questions on TVP 1

Hopefully we can discuss further, clear up any u=ambiguity and agree something that works for both parties

Yours Sincerely

[Redacted]

[Redacted]

[Redacted] | Force Licensing Officer | Policing Strategy (Local Policing inc Licensing)| Thames Valley Police, HQ South |



What to know more about Licensing? Read our [Redacted]

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From: [REDACTED]
To: [licensing](#)
Cc: [REDACTED]
Subject: RE: 22/02972/PREM Variation application: The Tile Shop Ale House, 10 Windmill Road, Oxford, OX3 7BX
Date: 05 September 2022 11:43:30

Hi [REDACTED],

I have no objections per se but this premises isn't registered as a food/drink business and if it is trading/about to start trading should be.

Unless you direct me otherwise, I'll email them directly and tell them they must register.

[REDACTED]

From: licensing

Sent: 04 September 2022 15:58

To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: 22/02972/PREM Variation application: The Tile Shop Ale House, 10 Windmill Road, Oxford, OX3 7BX

Good afternoon

Please find attached a variation application from The Tile Shop Ale House Limited for The Tile Shop Ale House, 10 Windmill Road, Oxford, OX3 7BX. The premises falls in Headington Ward.

The application is:

A Variation to Premises Licence 21/00251/PREM: To make the following amendments:

To increase the hours for Retail Sale of alcohol and to add off- sales: Sunday to Saturday 12:00 to 22:00 (currently 12:00 to 20:00 Monday to Saturday, 12:30 to 20:00 Sunday)

To add Live Music (indoors only): Friday and Saturday: 12:00 to 21:00

To add Recorded Music (Indoors only): Sunday to Saturday 12:00 to 22:00

Opening Hours: Sunday to Saturday: 12:00 to 22:00

To amend premises address, contact number and registered address.

To amend condition 16 to include: Off-sales will only be offered in sealed plastic containers during opening hours.

The Uniform reference is 22/02972/PREM and the consultation deadline is 30th September 2022.

Please email any comments to licensing@oxford.gov.uk

Kind regards

[Redacted]

[Redacted] | Senior Licensing Compliance Officer | Regulatory Services and Community Safety |
Oxford City Council | St Aldates Chambers | 109 St Aldates | Oxford | OX1 1DS |
Tel: (01865) 252565 Post Point 3.6

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www.facebook.com/OxfordCityCouncil

Non-working day – Wednesdays

Stop the virus from spreading. Keep Oxford safe.

Follow the guidance: Clean hands. Wear a face mask. Keep your distance. Get tested if you have symptoms.

From: [REDACTED]
To: [licensing](#)
Subject: Comments for Licensing Application 22/02972/PREM
Date: 20 September 2022 21:35:09

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 20/09/2022 9:34 PM from Mr Roman Galinski.

Application Summary

Address: 10 Windmill Road Oxford Oxfordshire OX3 7BT

Proposal: Premises Licence

Case Officer: Richard Masters

[Click for further information](#)

Customer Details

Name: Mr Roman Galinski

Email: [REDACTED]

Address: [REDACTED] Windmill Rd Oxford OX3 7BX

Comments Details

Commenter Type: Neighbours

Stance: Customer objects to the Licensing Application

Reasons for comment:

- Other objection
- Public Nuisance
- Public Safety

Comments: 20/09/2022 9:34 PM The application completely disregards the inhabitants in a number of flats directly above pub. Both, extended opening hours and life music create nuisance to other dwellers (after all it is residential rather than commercial part of Headington). Pub visitors chatter is easily heard in these flats through whole day and 7 days a week and longer than opening hours. It is very hard to rest enjoy home living after hours and weekends. One can forget watching tv, opening window [REDACTED] or even performing focused and uninterrupted home conversation. [REDACTED] Off license and life music will potentially cause more crowding and obstruction on side walk, that is already half taken by a planter.

Kind regards

Dear Sir/Madam

We are living at the number [REDACTED] Windmill Rd and are opposing the application planned and kindly request to refuse it in whole.

We have been leaving at no [REDACTED] for over 15year. We have kindly accepted the planning to open a pub at no 10 blatantly hoping that it will be carried inside as many other restaurants around.

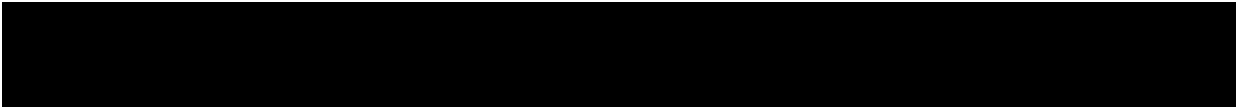
(although it seems to be very unusual to run a pub directly under the inhabited flat) We, however, very quickly learned that it is also to be functioning outside. And this is uprising many issues. Apart from what refers to us personally there is also few issues regarding the public and social interactions as well. Please find it all summarised below.

A. Last summer was severe example of what we will experience in the future. Having a pub with garden below means constant noise, laughter and loud speaking, that naturally happens in crowded areas. [REDACTED]

It is worth to mention also that the Pub garden and people below are in a distance of about 3-5m in straight line which is producing a constant chatter in our living room. 10 hours a day 7 days a week. We have our living room right above and it has been impossible to neither rest, read a book or watch tv since the pub was opened. Once we tried to address the problem but we were completely ignored.


We are living here 3 professionals. All working physically in the environment of constant noise (construction machinery, cleaning vacuums and NHS halls) It is critical for our health to have some time in quiet which is difficult during the day when there is traffic on Windmill Rd. Our hopes of peaceful rest are only in evenings and weekends when traffic is discharged. Having the Pub downstairs proved that we shall now have no rest whatsoever.! Our idyllic life here has been already severely affected and we cannot let it to deteriorate more. So far the Pub management has not expressed any respect to our rights of peaceful living [REDACTED]

[REDACTED] We also experienced recently acts of urinating and throwing rubbish in our access alley (we cannot attribute it to the presence of Pub or its guests, but I was forced to install cctv cameras in order to repel any intruders)



We are afraid that having the license issues as proposed will cause Statutory Nuisance (as per Clean Neighbourhood and Environment Act) especially by:

- music/live music and off license is potentially to be making the premises even more crowded, even beyond Pub perimeter and as result even more noisy
- live music and extended opening hours (till 22.00) will be causing a disturbance that significantly affect our right to enjoy our home living (effectively before drunk people go home it will be 23.00 or later. We learned it last year when Pub was closed say 20.30 and people were still chattering and by-bying till 21.00 or longer



- live music will be affecting our right to peacefully rest over the weekend and after hours (issuing this license completely changes the habitability of the flats above)

Our concern is also that it may cause:

- obstruction in using side walk, as they served and no doubt will serve beyond pub perimeter
- danger that crowded and drunk people may pose to passing pedestrians

We find it also that all regulars (but not only) prefer to sit outside which is obvious for smokers.

We are very much hoping that our concerns will be seriously undertaken for your kind consideration.

Kindest regards

Roman Galinski

Grazyna Szenfeld

Justyna Szczurkowska

From: [REDACTED]
To: [licensing](#)
Subject: Application objection 22/02972/PREM
Date: 20 September 2022 21:48:21

Good evening,

My name is [REDACTED] and I live in [REDACTED] Windmill road. I am sending this email in regards to the application n. 22/02972/PREM of the Tile Shop Alehouse Ltd, 10 Windmill Road, Headington, OX3 7BX to vary their premises licences.

The proposed variation is: Change of opening Hours 12pm till 10pm; The ability to offer live non amplified music ;The ability to offer off-sales.

This affects the whole neighborhood and with this email I would like to take the chance on objecting this.

As a nurse who rents adjacent to the pub, having a business play loud music until late would disturb my quiet and peaceful enjoyment of the apartment I am renting.

The pub already attracts few antisocial behaviors despite its early closing time such as:

- people urinating in the neighborhood front doors
- loud people shouting all day long causing nuisance
- in multiple occasions, it has been noticed that people related to the pub were inspecting my bins looking for the contents; maybe in hope to find something interesting, which made me feel like my privacy was violated

[REDACTED]

My concern is that the situation might escalate, attracting worsening behaviours; and might push me to search a different accomodation where to live as I would not feel safe to live in this environment, and this doesn't feel fair.

Kind regards,

[REDACTED]

--
This email was Malware checked by UTM 9. <http://www.sophos.com>

From: [REDACTED]
To: [licensing](#)
Cc: [REDACTED]
Subject: Application 22/02972/PREM
Date: 21 September 2022 16:13:48

To whom it may concern,

I am writing to you in regard to the Application (reference in the title) for a Variation to Licensing for 10 Windmill Road Oxford Oxfordshire OX3 7BT.

We, as tenants of [REDACTED] Windmill Road, have strong reservations about this change, for the following reasons;

- Noise : currently, we get the chatter of outside patrons throughout the entire opening hours and beyond, even with windows shut. That is even just the conversation. With added music we will lose the few hours of peace that the flat gets, after traffic dies down.

[REDACTED]

- Drunken behaviour : the alleyway between 14 and 12 Windmill Road has been a target for drunken urination in the past, before the Ale House. With an increase in opening hours we are concerned that patrons can achieve greater inebriation, increasing the risk of the alley reeking of urine.

- Creep of hours : This is never contained only to opening hours. The noise and smoke currently persists after opening hours, as staff close up and patrons chat. The more drunk people are, the more difficult it is to shift them. The proposed closing time of 22:00 will likely mean continued disturbance until closer to 23:00. Every night.

I hope that you can take this into consideration when making your decision on this application.

Many thanks,
Michael and Adriana

--
This email was Malware checked by UTM 9. <http://www.sophos.com>

APPENDIX FIVE

From: [REDACTED]
To: [licensing](#)
Subject: Comments for Licensing Application 22/02972/PREM
Date: 24 September 2022 19:22:14

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 24/09/2022 7:21 PM from Mr DERMOT DOBSON.

Application Summary

Address: 10 Windmill Road Oxford Oxfordshire OX3 7BT

Proposal: Premises Licence

Case Officer: Richard Masters

[Click for further information](#)

Customer Details

Name: Mr DERMOT DOBSON

Email: [REDACTED]

Address: [REDACTED] Old Road Headington Oxford OX3 8SX

Comments Details

Commenter Type: Members of the Public

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 24/09/2022 7:21 PM Since it has opened, the Tile Shop Ale house has proven to be an asset to the community and is well run. It tends to cater to an older clientele and thus creates very little noise and essentially no disturbance locally.

Non-amplified music is unlikely to propagate beyond the premises - particularly if doors and windows were to remain closed during events.

An advantage of alcohol offsales in fully licensed premises compared to supermarkets is that heavy discounts for the cheapest possible brands are unlikely, so any public disorder is likely to be minimal.

Kind regards

From: [REDACTED]
To: [licensing](#)
Subject: Comments for Licensing Application 22/02972/PREM
Date: 23 September 2022 09:09:29

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 23/09/2022 9:09 AM from Dr Oliver Lomas.

Application Summary

Address: 10 Windmill Road Oxford Oxfordshire OX3 7BT

Proposal: Premises Licence

Case Officer: Richard Masters

[Click for further information](#)

Customer Details

Name: Dr Oliver Lomas

Email: [REDACTED]

Address: [REDACTED] Holyoake Road Oxford OX3 8AE

Comments Details

Commenter Type: Members of the Public

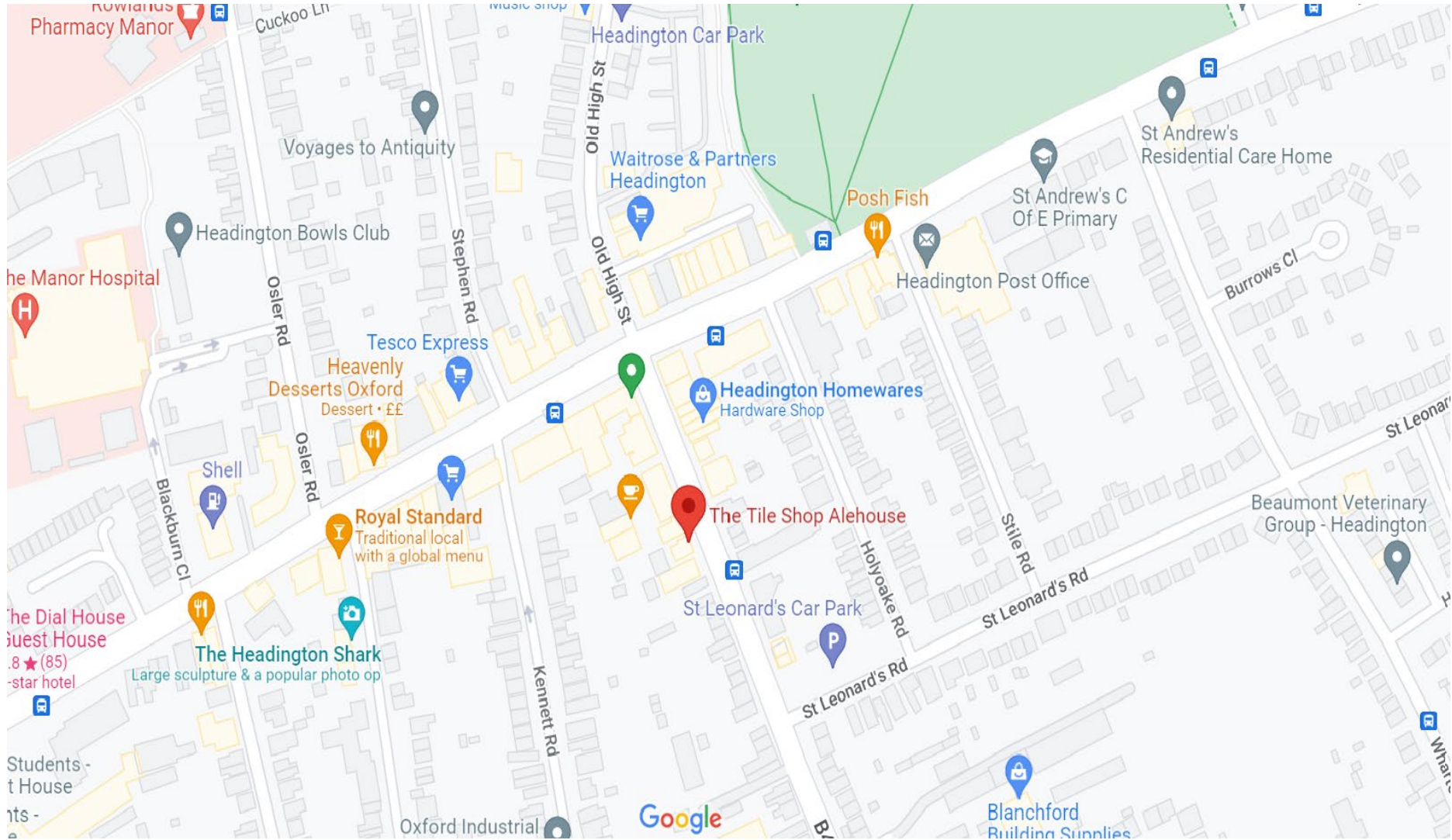
Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 23/09/2022 9:09 AM As a resident in Headington, I wholeheartedly support this application for small businesses such as this to grow and provide a much needed social and artistic outlet for Headington

Kind regards

APPENDIX SIX



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