

Agenda

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Licensing & Gambling Acts Casework Sub-Committee

This meeting will be held on:

Date: **Monday 12 December 2022**

Time: **5.00 pm**

Place: **Town Hall**

For further information please contact:

Committee & Member Services Team, Committee Services Officer

☎ 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

Members of the public may only observe during the open part(s) of the meeting and must leave the meeting during the restricted parts.

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Committee Membership

Councillors: Membership 3: Quorum 3 substitutes are permitted.

Councillor Mary Clarkson

Councillor Barbara Coyne

Councillor Jo Sandelson

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 The hearing procedures are attached.	7 - 12
3 Application for a new Premises Licence: Best Food and Wine, 17 Woodstock Road, Oxford, OX2 6HA (22/03792/PREM) The Sub-Committee is asked to determine the application for a new Premises Licence (22/03792/PREM) for the Best Food and Wine, 17 Woodstock Road, Oxford, OX2 6HA, taking into account the details in the report and any representations made at the hearing.	13 - 36

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: 12th December 2022
Report of: Head of Regulatory Service and Community Safety
Title of Report: Mrs Manpreet Kaur Lalpurwal – Application for a new Premises Licence – Best Food and Wine, 17 Woodstock Road, Oxford, OX2 6HA
Application Ref: 22/03792/PREM

Summary and recommendations	
Purpose of report:	To inform the determination of Mrs Lalpurwal’s application for a new Premises Licence.
Corporate Priority:	Enable an Inclusive Economy
Recommendation(s):	That the Licensing and Gambling Acts Sub-Committee resolves to:
	1. determine Mrs Lalpurwal’s application taking into account the details in this report and any representations made at this Sub-Committee meeting.

Appendices	
Appendix 1	Application for a new Premises Licence
Appendix 2	Representation from Thames Valley Police
Appendix 3	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 Premises Licence to Mrs Lalpurwal.

Application Summary

- An application for a new Premises Licence has been submitted by Mrs Manpreet Kaur Lalpurwal. A summary of the licensable activities initially applied for and the timings proposed for these activities can be found detailed below:

Supply of Alcohol (off sales only):

Sunday to Saturday - 07:00 hours to 21:00 hours

- Both the original application and the steps that the applicant intends to take to promote the licensing objectives (as set out in the operating schedule) can be found at **Appendix One**.

Relevant Representations

- A Valid representation has been received from the Responsible Authority (Thames Valley Police) as detailed in the table below. A copy of this representation is attached at **Appendix Two**.

Responsible Authority	Response	Licensing Objective(s)
Thames Valley Police	Representation	Crime and Disorder, Public Nuisance, Protection of Children from Harm
Fire and Rescue Service	No representation	
Environmental Health	No representation	
Health and Safety	No representation	
Planning	No representation	
Trading Standards	No representation	
Child Safeguarding	No representation	
Licensing Authority	No representation	

- No valid representations have been received from Interested Parties.

Location

- A map is attached at **Appendix Three** showing the general location of the applicant's premises.

Statement of Licensing Policy

- 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
Hours for off sales of alcohol	5.5.1 to 5.5.2	LH8
Prevention of alcohol consumption by minors	6.2.1 to 6.2.2	CH5
Supply of alcohol for consumption off the premises	7.5.20 to 7.5.21	PP11
Crime and Disorder	8.3.1	OS7

8. A copy of the Statement of Licensing Policy may be obtained from the Council Offices or found online at:
https://www.oxford.gov.uk/downloads/file/1303/statement_of_licensing_policy

Home Office Statutory Guidance

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

Relevant Sections	Relevant Paragraph
Crime and Disorder	2.1 to 2.6
Public Nuisance	2.15 to 2.21
Protection of Children form Harm	2.22 to 2.31
Offences relating to the sale and supply of alcohol to children	2.32
Age verification	10.46 to 10.50

10. 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

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

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

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

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

Report author	Richard Masters
Job title	Senior Licensing Compliance Officer
Service area or department	Regulatory Services and Community Safety
Telephone	01865 252565
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APPENDIX ONE

Application for a premises licence to be granted 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 MANJEET KAUR LALPURWAL

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description
BEST FOOD & WINE 17 WOODSTOCK ROAD
Post town <u>OXFORD</u> Postcode <u>OX2 6HA</u>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ <u>33,250</u>

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** Please tick as appropriate

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	
i)	as a limited company/limited liability partnership	<input type="checkbox"/>	please complete section (B)
ii)	as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
iii)	as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
iv)	other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)

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

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or **YES**
- I am making the application pursuant to a **—**
- statutory function or **—**
- a function discharged by virtue of Her Majesty's prerogative **—**

(A) individual applicants (fill in as applicable)

Mr Mrs Miss Ms Other Title (for example, Rev) —
Surname <u>LALPURWAL</u> First names <u>MANPREET KAUR</u>
Date of birth <input type="checkbox"/> I am 18 years old or over Please tick yes <input checked="" type="checkbox"/>
Nationality [REDACTED]
Current residential address if different from premises address [REDACTED]
Post town [REDACTED]
Daytime contact telephone number [REDACTED]
E-mail address (optional) [REDACTED]
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)

--

Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address		N/A			
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

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

Name	
Address	N/A

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

N/A

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
20	11	2022

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

DD	MM	YYYY

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

Lock-up shop in a parade of shops.

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

N/A

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

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment: (please read guidance note 2)	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)	YES ✓

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Indoors Outdoors Both
Day	Start	Finish	
Mon			<p>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)</p> <p>Please give further details here (please read guidance note 4)</p> <p>N/A.</p> <p>State any seasonal variations for performing plays (please read guidance note 5)</p> <p>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 6)</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

B

Films Standard days and timings (please read guidance note 7)			Indoors	Outdoors	Both
Day	Start	Finish			
Mon			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		
Tue					
Wed			Please give further details here (please read guidance note 4)		
Thur					
Fri			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Sat					
Sun			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 6)		

N/A

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Indoors	Outdoors	Both
Day	Start	Finish			
Mon			Please give further details (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for indoor sporting events (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

N/A

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finis h	Indoors	Outdoors
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

Please give further details here (please read guidance note 4)

N/A

State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)

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 6)

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finis h	Indoors	Outdoors
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

Please give further details here (please read guidance note 4)

N/A

State any seasonal variations for the performance of live music (please read guidance note 5)

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 6)

F

Recorded music Standard days and timings (please read guidance note 7)			Indoors	Outdoors	Both
Day	Start	Finis h			
<p>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)</p>					
Mon			<p>Please give further details here (please read guidance note 4)</p>		
Tue			N/A		
Wed					
<p>State any seasonal variations for the playing of recorded music (please read guidance note 5)</p>					
Thur					
<p>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 6)</p>					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Indoors	Outdoors	Both
Day	Start	Finis h			
<p>Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)</p>					
Mon			<p>Please give further details here (please read guidance note 4)</p>		
Tue			N/A		
Wed					
<p>State any seasonal variations for the performance of dance (please read guidance note 5)</p>					
Thur					
<p>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 6)</p>					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 4)		
Wed			N/A		
Thur					
			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	
					Outdoors	
Day	Start	Finish			Both	
Mon			Please give further details here (please read guidance note 4)			
Tue			N/A			
Wed						
			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)			
Thur						
Fri			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 6)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finis h	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	0700	2100			
Tue	0700	2100	N/A		
Wed	0700	2100			
Thur	0700	2100	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 6)		
Fri	0700	2100			
Sat	0700	2100	N/A		
Sun	0700	2100			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	MANPREET KAUR LALJRWAL		
Date of birth	[REDACTED]		
Address	[REDACTED]		
Postcode	[REDACTED]		
Personal licence number (if known)	[REDACTED]		
Issuing licensing authority (if known)	[REDACTED]		

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 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finis h	
Mon	0700	2100	N/A
Tue	0700	2100	
Wed	0700	2100	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 6)
Thur	0700	2100	
Fri	0700	2100	N/A
Sat	0700	2100	
Sun	0700	2100	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

- (1) Installation of TV Cameras & Alarm System.
- (2) Counter till secured
- (3) CCTV signs displayed & hard disc recording
- (4) Challenge 25 Notice & proof of age sign
- (5) Training manual for staff provided.

b) The prevention of crime and disorder

- 1) No sale of alcohol to underage persons
- 2) No sale of alcohol to persons already drunk
- 3) Crime committed on premises recorded
- 4) Incident log book will be kept.

c) Public safety

- 1) Fire escape route clearly marked.
- 2) Ample fire fighting equipment and annualy checked
- 3) No smoking within the premises.
- 4) Non slippery flooring.

d) The prevention of public nuisance

- 1) Signage requesting customers to leave premises quietly at night.
- 2) No on-site drinking allowed
- 3) Police will be called in case of disruption or outside the premises.

e) The protection of children from harm

- 1) Display of alcohol will be kept in full sight of owner.
- 2) All spirits will be kept behind the counter.
- 3) Evidence of proof of age will be required when in doubt.

4) Drunk and unruly customers will be refused service and asked to leave.

Checklist:

Please tick to indicate agreement

<input type="checkbox"/>	I have made or enclosed payment of the fee. <i>To be paid online</i>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have enclosed the plan of the premises.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have sent copies of this application and the plan to responsible authorities and others where applicable. <i>To request LA to do so</i>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I understand that I must now advertise my application.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I understand that if I do not comply with the above requirements my application will be rejected.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	<input checked="" type="checkbox"/>

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.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<input type="checkbox"/>	[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in
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	<p>the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please read guidance note 15)
Signature	[Redacted]
Date	16/10/2022
Capacity	AGENT FOR APPLICANT

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

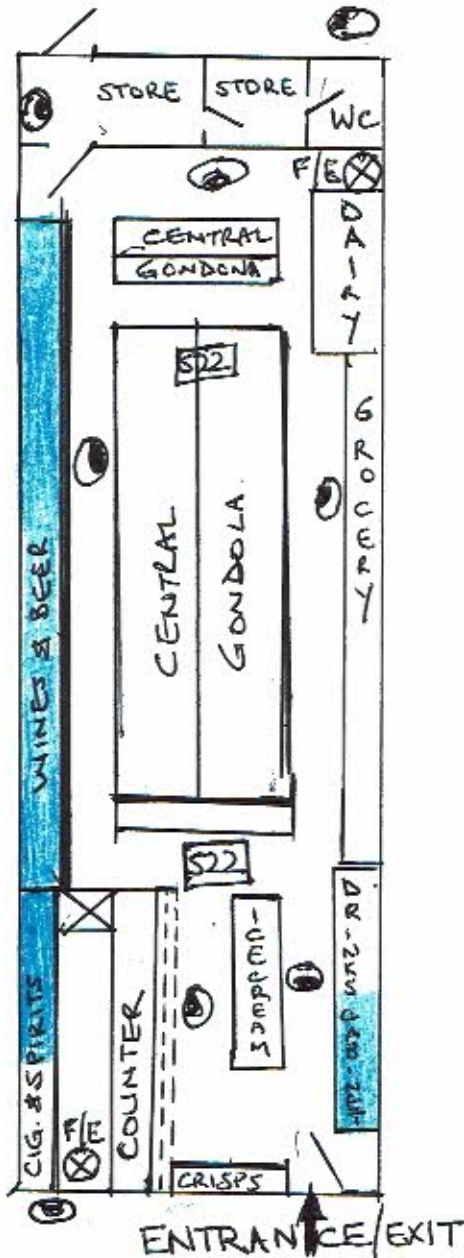
Signature	[Redacted]
Date	[Redacted]
Capacity	[Redacted]

[Redacted]	[Redacted]
[Redacted]	[Redacted]
[Redacted]	[Redacted]

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption

N



NOTES

KEY



NON-ALCOHOLIC



ALCOHOLIC

S 22 ESCAPE ROUTE

S 2 NO SMOKING

⊗ FIRE EXTINGUISHER

● CAMERAS

BEST FOOD & WINE
17 WOODSTOCK ROAD
OXFORD
OX2 6HA

GROUND FLOOR PLAN

SCALE: 1: 100

REF.NO.
YKB/22/LALPUR

DATE: 10/2022

DRG.BY: YKB

BAHAL ASSOCIATES
1 LINGWOOD GARDENS
OSTERLEY
MIDDX. TW7 5LY

TEL: 07776225992

G.S.C-Official



To: The Licensing Authority – Oxford City Council

Reference: Application-Best Food and Wine, 17 Woodstock Road, Oxford, OX2 6HA
(22/03792/PREM)

Subject: Thames Valley Police Representations

13th November 2022

Having received an application to operate off sales of alcohol as described in the application for the above location in Oxford, TVP licensing have had the following instruction from the local Oxford area policing command team.

The local area policing team have identified a number of concerns.

These concerns relate to:

1. The key features of the geographical area and the challenges posed to that premises from the area and vice versa on the area from the business activity (off sale of alcohol).
2. The inadequate steps put forward in the application to promote the licensing objectives, and
3. The familial links between the applicant and her husband. The former previously being the licence holder and DPS for an off licence located within the city Centre which had been over the years a site that generated demand on the police due to concerns regarding not promoting the licensing objectives and being found in breach of its conditions, leading to the that premises being on varying stages of licensing enforcement.

The local area command team's concerns are such that they wish to lodge their objection to the application and discuss the application at a hearing for a sub-committee to decide upon the matter.

The Local Area

The proposed premises sites in close proximity to a premises that provides the vulnerable, drug and alcohol addicts with meals. These individuals are not allowed to consume alcohol on that site but the area sergeant is concerned that the presence of a nearby off licence risks undermining any efforts to engage with people off of those substances.

The sergeant goes on to highlight the fact that the proposed business is also close to the graveyard of St Giles Church. This area is an ASB area as it is frequently used by the vulnerable, homeless as well as drug and alcohol addicts. The police and other agencies work hard to problem solve this location and support those engaged in these activities that need help.

It is the concern of the sergeant that the presence of an off licence will exacerbate or contribute further to this location being used as a convenient location to engage in antisocial behaviour

The sergeant mentions that this part of the city has no CCTV coverage either.



The Operating Schedule

In completing an application, a premise is required to indicate what steps it intends to take to promote the four licensing objectives (*prevention of public nuisance, the prevention of crime and disorder, the promotion of public safety and the protection of children from harm*). These are listed in section 'M' of the form.

This is a key part in considering any application as it shows to the authorities the level of responsibility a venue plans to undertake and the level of local knowledge it has on the area it wishes to operate within.

As these will form a part of the licence as conditions if it is granted, they should be clear and unambiguous and not refer to matters that are already contained as offences in the licensing act or other legislation as these are already to be expected (i.e. not selling to drunks)

It is the concern of the sergeant that the operating schedule put forward does not properly address basic licensing expectations or indeed the additional challenges this off licence in this location will face. Further, it is also the concern of the sergeant that much reliance is placed on the police to resolve matters that would actually fall to the premises to mitigate or manage.

The Operator

The applicant recently took over the off licence located at 82 Godstow road in Oxford on the 22nd of July last year some 17 months at the time of writing this.

Consideration of a transfer is based on the criminal records of the person in question. We are of course happy to report that the applicant has none.

However it has come to our attention that since the premises was taken over by Mrs Lalpurwal that calls relating to criminal/disorderly matters at the shop have been reported from a male called Avtar Lalpurwal who is her husband and who we now gather is working at the Godstow premises.

Mr Lalpurwal was previously the premises licence holder and designated premises supervisor of an off licence on Park End Street.

Under his tenure, the shop was a persistent generator of complaints regarding underage sales and sales to drunks. These activities then contributed to further issue of antisocial behaviour in the immediate area of the premises.

The premises has also been found to be in breach of its conditions.

As a result over the years Mr Lalpurwal's premises on Park End Street has been on varying levels of licensing enforcement.

The local area sergeant is of the view that the Lalpurwals' do struggle to consistently promote the licensing objectives and that the application now being made in his wife's name is to avoid any link being established with that operating history in order to secure the grant.

Having lodge their objection to the proposed new off licence, the police are of course minded that there numerous options available to the sub-committee in deciding the matter.

The Oxford area policing team are of the view in light of the location and the links to those persons operating the front line of the premises and their inability to promote the licensing objectives, that only an outright objecting would actually resolve those the concerns.

Whilst we have concerns about the likelihood of conditions being effective or adhered to, if the sub-committee were to consider that route, we would be happy to advise on a raft of possible conditions that might seek to impose some sort of responsibility upon the shop. In that eventually we have outlined some suggestions and these may be found at annex 1.

However it is the request of the local area policing team that the application should be rejected.

Annex 1

<p>TVP 1</p>	<p>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:</p> <ul style="list-style-type: none"> • 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 30 years old <p>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</p> <p>Records of the training programme shall be maintained and made available to Thames Valley Police or the Licensing Authority upon request.</p> <p>The Premises Licence holder shall provide a “refresher” training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every six months.</p>
<p>TVP 2</p>	<p>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:</p> <ul style="list-style-type: none"> • 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 ,neighbour, local business etc 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 incident of crime, disorder, or antisocial behaviour in or within the immediate vicinity of the premises (whether it required the police or not) (to include date, time, details of any member of staff involved, the situation, the outcome as well as a brief physical description of the members of public involved) • Regular checks of the outside and immediate vicinity of the premises for antisocial behaviour from customers. • Weekly checks of the CCTV, to ensure it is fully operational and any faults are

	<p>dealt with including the time of the check and the person that carried it out.</p> <ul style="list-style-type: none"> • Any calls to or visits by Thames Valley Police in relation to any crime and disorder or like related matter. <p>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 of the Licensing Authority or Thames Valley Police throughout the trading hours of the premises.</p>
<p>TVP 3</p>	<p>The premises shall implement written policies. Such documents shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> • CCTV • Conditions of Entry • Customer Dispersal • Safeguarding Children & Vulnerable Adults • Noise • Responsible Service of Alcohol • Security Measures • Underage Sales & False Identification • Zero Tolerance Drugs <p>From these written policies and operating procedures, the premises licence holder shall 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 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.</p> <p>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 shall make amendments as directed by that authority(s).</p> <p>Hard copies of the most up to date policy/procedures will 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.</p>
<p>TVP 4</p>	<p>A CCTV system shall be installed and maintained. The CCTV system shall incorporate the following basic requirements:</p> <ul style="list-style-type: none"> • Be switched on and fully operational when the licensable activities are being carried out. • Record for a minimum rolling period of 31 days

	<ul style="list-style-type: none"> • 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) and alterations shall be made to address any subsequent concerns made by the police regarding coverage. • 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
TVP 5	<p>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 30 years and who is seeking to purchase alcohol from 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</p>
TVP 6	<p>When a request for proof of age is made, to help support staff in identifying fake ID, the premises will conduct a two-tier check of the id provided.</p> <p>Firstly, a visual inspection carried out by the staff member in line with their fake ID training and then to process the document through an ID scanning verification system which is to be located behind bar at the point of sale.</p> <p>The ID Scan Device will have software to verify the legitimacy of the ID.</p>
TVP 7	<p>An ID scanning system that verifies proof of age documentation shall be installed at the premises and will be utilised for customers purchasing alcohol</p> <p>It shall be in operation on any day and between the hours on that day that the premises licence is being utilised. The premises will operate 100% ID scanning for all customers that are asked to provide Age verification documents.</p> <p>The system will retain records for a rolling minimum period of 31 days and shall be made available to any authorised Officer of Thames Valley Police or the Licensing Authority upon request, together with facilities for viewing with immediate access by a person qualified to operate the system.</p> <p>The Premises Licence Holder will notify Thames Valley Police Force Licensing Officer and the Licensing Authority of any breakdown or system failure by way of email immediately. The system will be repaired as soon as practicable. Once repaired the Premises Licence Holder will notify Thames Valley Police Force Licensing officer and the Licensing Authority by way of email immediately.</p>

G.S.C-Official

	When the system is awaiting repair the premises will conduct visual checks of ID by staff only.
TVP 8	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.
TVP 9	No super-strength beer, lagers or ciders of 5.5%ABV (alcohol by volume) or above shall Be sold from the premises
TVP 10	Multipack of alcohol shall not be broken down and sold as individual items
TVP 11	Alcohol will only be merchandised in areas that are within clear line of sight of till staff. These areas will also be directly and comprehensively covered by
TVP 12	Spirits shall only be mechanised behind the point of sale counter and items will only be accessible to the public via a member of staff
TVP 13	The off sale of alcohol shall only be for walk in customers that attend the site and purchase alcohol directly and physically from the shop there shall be no remote ordering of alcohol or delivery of alcohol to a customer's address.
TVP 14	The premises shall conduct regular checks of the outside area and immediate vicinity of the shop to check for and challenge (where safe to do so) issues of antisocial behaviour, crime or disorder.
TVP 15	Clear and prominent notices shall be displayed both within areas where alcohol is merchandised as well as at the point of sale of the premises challenge 30 policy.
TVP 16	Clear and prominent notices shall be displayed both within areas where alcohol is merchandised as well as at the point of sale reminding customers it is an offence to buy alcohol for those that are underage or those that are drunk.

----- END -----



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