

Licensing Act 2003

Notification of determination

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



Date of hearing: **14th July 2015**

Place: **Town Hall, Oxford**

Case No: **15/02423/PREM**

Applicant: **Miss Sara Soujaa**

Premises: **Elham's Lebanese Deli**

Premises address: **3 Little Clarendon Street, Oxford, OX1 2HP**

Licensing Sub-committee Councillors: **Coulter (Chair), Lygo, Henwood**

Legal Advisor: **Daniel Smith**

Licensing Officer: **Julian Alison**

Clerk: **Emma Thompson**

The Sub-committee heard representations from the following:-

Licensing Authority: Julian Alison (Licensing Team Leader)

Mr Julian Alison presented the Licensing Authority's report.

Applicant: Miss Sara Soujaa

Miss Soujaa explained that the premises is not intending to be a vertical drinking establishment it is a small Lebanese Delicatessen selling Lebanese food with the intent to give a full Lebanese experience with speciality wines and beers. She explained that there will be no spirits and that all drinks will be sold ancillary to food and they will not sell single bottles of beer just in packs of four.

The prices of the beer and wines are of a high price that it will not attract the wrong sort of customers; her current customers tend to be University Students, staff and lecturers. The premises terminal hour of 20.00 hours is earlier than the other premises in the vicinity.

In regards to customers taking open drinking vessels she stated that they would politely remind customers that this is not allowed. She also stated that the premises have several CCTV cameras covering the shop from numerous angles.

With a view to addressing the concern of the interested party Miss Soujaa sought to vary the application as follows:

- **The hours for supply of alcohol both on and off sales: Sunday to Saturday: 11:00 hours until 20:00 hours.**

The variation was noted by the Sub-Committee.

Interested Parties: Mrs Margaret Booth on behalf of St John's Area Residents Association

Mrs Booth stated the associations main concern was public safety as the premises is in close vicinity to Wellington Square which used to be a main area for street drinkers until Oxford University and Oxford City Council fenced it with a gate that locks at night. They were concerned that customers may buy their food and drinks and take them to this area and leaving a mess.

Other safety issues concern the cycle path outside the premises which can get quite congested with persons leaving the premises in the vicinity and another licensed premise would lead to this worsening, her experiences of this have always been around 18.30 hours and not late at night. Mrs Booth requested that maybe Sales of Alcohol times could be restricted just to times when there is likely to be diners.

Mrs Booth also expressed concern about the amount of licensed premises there already were in Little Clarendon Street and allowing this application through may lead to business competition and other small deli and sandwich shops applying for licences to compete. It was explained that current Special Saturation Policy for Oxford City Centre does not include Little Clarendon Street but that this always being reviewed.

Mr Julian Alison responded with that there is not Licensing Act 2003 concerns with any premises in this area and requested any issues to be reported to the Licensing Authority to investigate.

Decision and Reasons of the Sub-Committee

1. The Sub-Committee noted the amendment to the application and the reduced hours applied for (11.00 – 20.00).
2. The Sub-Committee considered all submissions, both written and oral. It also had regard to the relevant Home Office Guidance and the Council's Statement of Licensing Policy in particular Policies PP1 (Pubs, Restaurants, Hotels, Guest Houses) and LH8 (Hours for Off Sales).
3. The Sub-Committee noted that the Council's policy indicated that premises of this sort would usually require minimal conditions and that hours for off sales should normally reflect the hours the premises are open.
4. The Sub-Committee were satisfied that the measures proposed by the Applicant and the reduction in the hours applied for would be sufficient to address the concerns over public nuisance and safety raised by the Interested party. There was insufficient evidence to show that any further conditions were appropriate.
5. The Application was otherwise in accordance with the licensing objectives.
6. All parties were reminded of the power to seek a review the licence if problems occurred.

The amended application is **GRANTED** as applied for

Signed:

Van Coulter

Van Coulter

Chair of Licensing Sub-Committee

Notes:

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

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