

**To:** Licensing & Gambling Acts Casework Sub-Committee

**Date:** 4 April 2016 **Item No:**

**Report of:** Head of Community Services

**Title of Report:** Mr Defrim Plaku – Application to Vary a Premises  
Licence: Cafe Baba, 240 Cowley Road, Oxford, OX4 1UH

**Application Ref:** 16/00768/PREM

## Summary and Recommendations

**Purpose of report:** To inform the determination of Mr Defrim Plaku's application for a Premises Licence Variation for Café Baba.

**Report Approved by:**

**Legal:** Daniel Smith

**Policy Framework:** Statement of Licensing Policy

**Recommendation(s):**

Committee is requested to determine Mr Defrim Plaku's application taking into account the details in this report and any representations made at this Sub-Committee meeting.

## Additional Papers

**Appendix One:** Application to Vary a Premises Licence

**Appendix Two:** Premises Licence 14/00360/PREM

**Appendix Three:** Decision Notice re: Premises Licence 14/00360/PREM

**Appendix Four:** Representations from Interested Parties

**Appendix Five:** Location Map

## Introduction

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 Variation to Mr Defrim Plaku for the premises known as Café Baba.

## Application Summary

- An application to vary a Premises Licence has been submitted by Mr Defrim Plaku. A summary of the licensable activities applied for and the times proposed for these activities can be found detailed below.

### **Sale of Alcohol (on sales only), Recorded Music (indoors only):**

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Sunday – Saturday	11:00	Until	01:00
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### **Late Night Refreshment (provided both indoors and outdoors\*):**

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Sunday – Saturday	23:00	Until	01:00
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\*The provision of Late Night Refreshment outdoors is proposed until 01:00 hours from May to September, and until 00:00 hours from October until April.

### **For all of the above licensable activities:**

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On up to 20 occasions per calendar year: an extension of activities by one additional hour following 14 days advanced notification to the Licensing Authority and Thames Valley Police.

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- 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**. The Sub-Committee and all parties to this Hearing are asked to note that the application was formulated in consultation with the Licensing Authority, Environmental Health Service and Thames Valley Police, resulting in the hours applied for, the conditions to be imposed on any licence granted, and all operational policies.
- In order to assist all parties to this Hearing, at present Mr Plaku is permitted to provide the Sale of Alcohol, Recorded Music and Late Night Refreshment until midnight Sunday to Saturday, as detailed within the current Premises Licence (originally granted on 20<sup>th</sup> March 2014) attached at **Appendix Two**.
- The reasons for the decision of the Sub-Committee that heard the application on 20<sup>th</sup> March 2014 can be found within the Decision Notice from that Hearing, which is attached at **Appendix Three**.

## Relevant Representations

- No representations were received from the Responsible Authorities as detailed in the table below

<b>Responsible Authority</b>	<b>Response</b>	<b>Licensing Objective(s)</b>
Thames Valley Police:	No Representation	-
Fire & 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	-

7. A valid representation has been received from Interested Parties as detailed in the table below. Copies of these representations are attached at **Appendix Four**.

<b>Name</b>	<b>Address</b>	<b>Licensing Objective(s)</b>
David Colbeck (London Place Residents Association)	London Place, Oxford	Public Nuisance, and Crime and Disorder
Anna Lucas	Address not provided	Public Nuisance, and Crime and Disorder
Graham Jones	45 James Street, Oxford	Public Nuisance, and Crime and Disorder
Craig Simmons	Address not provided	In support of Anna Lucas's comments

### Location

8. A map is attached at **Appendix Five** 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

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

<b>Relevant Policy Matters</b>	<b>Sections</b>	<b>Policy</b>
<b>Cumulative Impact:</b>	3.1.1 to 3.2.5	GN19
<b>Prevention of Crime &amp; Disorder:</b>	8.3.1 to 8.6.3	OS7 to OS10
<b>Prevention of Public Nuisance:</b>	7.3.1 to 7.3.10	LA2 to LA4
<b>Licensing Hours:</b>	5.1.1 5.3.1 to 5.4.2	LH1 to LH3 LH6 to LH7

10. 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](https://www.oxford.gov.uk/downloads/file/1303/statement_of_licensing_policy)

### Home Office Statutory Guidance

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

<b>Relevant Sections</b>	<b>Relevant Paragraphs</b>
<b>Crime and Disorder:</b>	2.1 to 2.5
<b>Public Nuisance:</b>	2.14 to 2.20
<b>Cumulative Impact:</b>	13.30 to 13.39

12. A copy of the Home Office Statutory Guidance may be found online at: [www.gov.uk/government/organisations/home-office/series/alcohol-licensing-guidance](http://www.gov.uk/government/organisations/home-office/series/alcohol-licensing-guidance)

### **Cumulative Impact**

13. Oxford City Council has adopted Special Saturation Policies in respect of the City Centre and East Oxford as detailed within the Statement of Licensing Policy.
14. The Special Saturation Policies were introduced following evidence brought by Thames Valley Police on the grounds of the cumulative impact of premises licensed for the sale of alcohol on the licensing objectives of preventing crime and disorder and preventing public nuisance within the defined areas.
15. The effect of adopting Special Saturation Policies is to create a rebuttable presumption that applications for new Premises Licences or Club Premises Certificates or material variations to these will normally be refused, if relevant representations to that effect are received, unless it can be demonstrated that the operation of the premises involved will not add significantly to the cumulative impact already being experienced on the licensing objectives of preventing crime and disorder and preventing public nuisance.

### **Other Relevant Considerations**

16. 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.
17. 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.
18. 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.
19. 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.
20. 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.

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

**Name and contact details of author:     Allan Hibberd  
Licensing Officer  
Community Services  
Tel: 01865 252169  
Email: ahibberd@oxford.gov.uk**



## OXFORD CITY COUNCIL: LICENSING AUTHORITY

## 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 DEFRIM PLAKU

(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 14/00360/PREN

## Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

240 Conley Road

The Licensing Authority  
Oxford City Council



22 FEB 2016

Post town	<u>OXFORD</u>	Postcode	<u>OX4 1UH</u>
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Telephone number at premises (if any)	<u>01865 201212</u>
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Non-domestic rateable value of premises	<u>£19,250</u>
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## Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

**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

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**

Supply of Alcohol  
Late night Refreshment  
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:

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#### 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 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)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
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</u> (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
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 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
			<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</u> (please read guidance note 5)		

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur								
Fri						<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</u> (please read guidance note 5)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)</u> Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	
Mon	11 AM	1 AM	
Tue	11 AM	1 AM	
Wed	11 AM	1 AM	<u>State any seasonal variations for the playing of recorded music (please read guidance note 4)</u>
Thur	11 AM	1 AM	
Fri	11 AM	1 AM	<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 5)</u> On up to 30 occasions per year an additional 1 hour to be added of all licensable activities with 14 days to local authorities and police.
Sat	11 AM	1 AM	
Sun	11 AM	1 AM	

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur								
Fri						<b><u>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</u></b> (please read guidance note 5)		
Sat								
Sun								



H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 3)</p>		
Wed					
Thur			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)</p>		
Fri					
Sat			<p><b><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></b> (please read guidance note 5)</p>		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon	11AM	1AM			
Tue	11PM	1AM	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4) Outdoors untill 01:00 May to September, October to April untill mid night.		
Wed	11AM	1AM			
Thur	11PM	1AM	<b>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</b> (please read guidance note 5) On up 20 occasions per year an additional 1 hour to be added of all licensable activities with 14 days to local authorities and police.		
Fri	11PM	1AM			
Sat	11PM	1AM			
Sun	11PM	1AM			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7) <i>Alcohol only to be consumed on the premises including the Garden.</i>	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	11 AM	1 AM	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	11 AM	1 AM			
Wed	11 AM	1 AM			
Thur	11 AM	1 AM	<b>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</b> (please read guidance note 5)  <i>On up to 20 occasions per year an additional 1 hour to be added of all licensable activities with 14 days to local authorities and police.</i>		
Fri	11 AM	1 AM			
Sat	11 AM	1 AM			
Sun	11 AM	1 AM			

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 8).**

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)  <i>At the discretion of the Premises Licence.</i>
Day	Start	Finish	
Mon			<b>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</b> (please read guidance note 5)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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.

## 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 9)

Refer to conditions agreed with Licensing Authority  
Please see Attach conditions.

### b) The prevention of crime and disorder

Refer to conditions agreed with Licensing Authority  
Please see attach conditions.

### c) Public safety

Refer to conditions agreed with Licensing Authority  
Please see attach conditions.

### d) The prevention of public nuisance

Refer to conditions agreed with Licensing Authority  
Please see attach conditions.

### e) The protection of children from harm

Refer to condition agreed with Licensing Authority  
Please see attach conditions.

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:

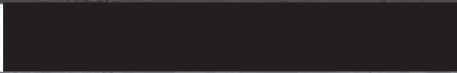
Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- 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, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	22 / 2 / 2016
Capacity	

**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 12). 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 13)**

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

## Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



## Annex 2 – Conditions consistent with the Operating Schedule

10. 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

The content of the training programme shall be agreed with the Force Licensing Officer of Thames Valley Police and the Licensing Authority prior to implementation.

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 six months.

11. The Premises Licence holder (or such person as he / she nominates) 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 shall provide 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
- The name of the any 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

12. A minimum of 2 security personnel shall be on duty at any time that the premises are open to the public after Midnight; all of whom will be individually registered with the Security Industry Authority. At least one Security Industry Authority registered person shall be present on the premises from 21.00 hours each night, and all security personnel shall be on the premises until 30 minutes after the end of the last licensable activity on each occasion that the premises is open to the public.

13. The Premises Licence holder shall ensure that all staff employed in a security role at the premises shall wear high visibility yellow florescent jackets/ vests which clearly identify them as members of the security staff or in the case of the Premises Licence holder being a door supervisor, the Premises Licence Holder shall wear a high visibility arm-band which clearly identifies them as a member of the security staff.

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)
- 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 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. The premises shall implement written policies and procedural statements and/or management action plans. Such documents shall include, but not be limited to, the following:

- CCTV
- Conditions of Entry
- Crowd Dispersal
- Safeguarding Children & Vulnerable Adults
- Noise
- Queue Management
- Responsible Service of Alcohol
- Security Measures
- Underage Sales & False Identification
- Zero Tolerance Drugs

The above policies and procedural statements shall be “live” documents, subject to amendment following consultation with the Licensing Authority, Environmental Health Department, and Thames Valley Police.

16. The CCTV policy shall 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 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.

17. The policies / procedures referred to at Condition 15 shall be reviewed and amended at any time that the Premises Licence holder deems appropriate, but shall in any case be reviewed following any concerns being raised to the Premises Licence holder by any Authorised Officer. Such reviews when undertaken shall seek the advice of the Force Licensing Officer of Thames Valley Police and the Licensing Authority.

18. The Premises Licence holder shall ensure that all staff employed at the premises are aware and understanding of the policies / procedures referred to at Condition 15 and the content of such policies and procedures and that they carry out their duties in accordance with them. Any necessary and justifiable deviation from those agreed shall be fully documented within the Premises Daily Register.

19. The Premises Licence holder shall ensure that a dedicated area is provided for vulnerable patrons (i.e. through alcohol, drugs isolation, underage, etc.) that have come to the attention of staff employed at the

premises. This area will be for the safeguarding and appropriate support and first aid (if required) of such persons.

20. Drinks shall be served in containers made from non-glassware drinking vessels (e.g. polycarbonate or other such material). *Note: Weights and measures legislation requires the use of "stamped glasses" where "meter-measuring equipment" is not in use*
21. All bottled drinks (except wine, Champagne and Spirit bottles) will be decanted into a vessel as described in the non-glassware drinking vessels (e.g. polycarbonate or other such material) condition before being given to the customer.
22. No person shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage, other than to any external area owned or legally occupied by the Premises Licence Holder.
23. 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 the number as instructed by the Fire Officer 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.
24. The Premises Licence holder shall participate in the designated local Pubwatch / Late Night Business Partnership scheme and ensure that a representative of the licensed premises attend all of the arranged meetings or such a person has made all reasonable endeavours to attend the arranged meetings.
25. 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.
26. Persons under the age of 18 years shall only be to the premises when events specifically held for "under 18's" are taking place. Notification of such events shall be provide to the Licensing Authority, the Force Licensing Officer of Thames Valley Police and the City Centre Inspector of Thames Valley Police no later than 14 days prior to the event taking place, and any details requested relating to the event made by any Authorised Officer shall be provided within 7 days of such a request being made.
27. No person shall be admitted to the premises less than one hour before cessation of the last licensable activity.
28. The premises shall be cleared of customers and closed 30 minutes after the conclusion of the last licensed activity.
29. 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.
30. All external doors (save for when persons are entering and leaving premises) and windows at the premises shall remain closed at all times when regulated entertainment is provided.
31. Regulated entertainment shall be held internally only and no music or speakers shall be provided to external areas of the premises, unless such a request is made to the Licensing Authority, Environmental Health Service and Thames Valley Police at least 14 days prior to such an event, and permission has been given by the Authorised Officers for each of the aforementioned Partnership Agencies.
32. Noise emanating from the premises as a result of regulated entertainment shall not exceed 40dB(A) as measured 1 metre from any residential building.
33. Noise limiters, if requested by the Environmental Health Department, shall be in place at the premises and shall be set so as to no breach the maximum noise levels laid down at condition 32.

CAFÉ BABA

34. Following any inspection of the premises by an Authorised Officer of Oxford City Council Environmental Health Department, any other sound limits may be set by such Officer, and such limits shall be incorporated within Noise Policy referred to at Condition 15.
35. A circuit cut off device shall be fitted to the rear fire door which automatically switches off the sound system when the doors are opened. This device shall be tested each day prior to entertainment commencing.
36. When the hours for licensable activities are extended either by way of Temporary Event Notices or when such occasions are permitted under this Premises Licence, the Premises Licence holder shall ensure that the most local Residents Association is notified in advance of such events.

# **CAFE BABA**

## **OPERATIONAL POLICIES**

All Door Supervisors and all Staff are to have read and understood this Policy document before commencing employment at the venue.

Refresher Training shall be provided to all Door Supervisors and all Staff when deemed necessary.

All Policies are “Live”, and shall be kept under review and revised as and when required.

The following Polices are contained within this Policy document:

<b>Policy Name</b>	<b>Page Number</b>
CCTV	1
Conditions of Entry	2
Dispersal	3
Child Sexual Exploitation (CSE) and Vulnerable Persons	4
Noise	5
Queue Management	6
Responsible Service of Alcohol	7
Security Measures	8
Underage Sales and False Identification	9
Acceptable Forms of Identification	10
Challenge “25”	11
False or Fraudulent ID	12
Zero Tolerance Drugs	13



## **CCTV Policy**

This policy formulates part of the Premises License procedures to assist with all of the Licensing Objectives.

- Be switched on and fully operational when licensable activities are being carried out
- Record for a minimum rolling period of 31 days
- Have a camera covering the entrance which will provide a facial shot of identification quality
- Have means of copying any footage to another medium as evidence if requested by the Police or Licensing Authority
- Have a staff member 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 or Licensing Authority

**All Door Supervisors and Staff are to have read and understood this policy before commencing employment at the venue**

## Conditions of Entry Policy

This policy formulates part of the Premises License procedures to assist with all of the Licensing Objectives.

- Persons showing signs of being intoxicated by the influence of alcohol or drugs shall be refused entry.
- Persons displaying inappropriate and / or anti-social behaviour shall be refused entry.
- All persons must provide a valid and in date Government approved Identification Card, this is inclusive of: Driver's License (Provisional or Full), Passport, PASS 'Prove It' Card, International Identification Cards/ National Identification Cards  
***\*Any ID produced which is considered to be of a fraudulent, questionable or doctored nature is to be confiscated as per the 'Operation Bed Time' protocol and reported to [FalseIDOxford@thamesvalley.pnn.police.uk](mailto:FalseIDOxford@thamesvalley.pnn.police.uk) at the earliest convenience by the Manager on Duty***
- Persons must adhere to the venues Dress Code.
- All persons once admitted to the venue are expected to behave in an acceptable and appropriate manner. Any person who acts in an inappropriate / anti-social manner shall be required to leave the premises, and shall not be permitted into the premises in future.
- Persons admitted into the venue consent to a search as part of the Conditions of Entry. Any person who refuses to be searched will be refused admittance.
- Known offenders, persons highlighted by a Responsible Authority or CCTV Operatives or persons included on the 'Pub & Club Watch / Late Night Business Partnership' will be refused admittance Where appropriate the Door Supervisors and/ or Duty Manager will report persons refused entry via the Bravo Victor Radio-link system

**All Door Supervisors and Staff are to have read and understood this policy before commencing employment at the venue**



## **Dispersal Policy**

This policy formulates part of the Premises License procedures to assist with all of the Licensing Objectives and ensure a safe, organised and peaceful dispersal of patrons.

- The last entry to the premise will be one hour before the cessation of licensable activities, but on any occasion that the premises trade beyond 2 a.m. then no person shall be admitted after 2 a.m.
- Door Supervisors positioned at the main exit shall ensure that no receptacles are removed from the venue
- Door Supervisors positioned at the main exit point are to minimise noise from customers on exiting the venue. All Door Supervisors are to pro-actively request that noise be kept to a minimum and that persons stay off of the road
- Adequate signage relating to 'Respecting the Neighbourhood' and 'Keeping Noise Levels to a Minimum' will be displayed at the main exit point
- DJ's are to request, via the internal PA System, for customers to leave the venue quietly, orderly and to respect the neighbourhood
- Any persons causing a disruption or who refuses to move from the immediate vicinity of the property are to be called into the 'Radio Link' (Bravo Victor) for monitoring by the city-link CCTV and a request for Police Officers to attend and disperse shall be made
- The premises shall be cleared of customers and closed no later than 30 minutes after the last licensed activity

**All Door Supervisors and Staff are to have read and understood this policy before commencing employment at the venue**

## **Child Sexual Exploitation (CSE) and Vulnerable Persons Policy**

This policy formulates part of the Premises License procedures to assist with the Licensing Objective 'The Protection of Children from Harm' and 'Prevention of Crime & Disorder'.

- As part of the Conditions of Entry the venue is to request an acceptable form of Government Approved Identification from all patrons. Those who are unable to provide an accepted form of Identification are to be refused admittance
- As part of the Underage Sales and False Identification Policy any form of identification produced that is suspected of being false, fraudulent or doctored is to be confiscated and the relevant procedures followed. Any confiscation made is to be reported through the Radiolink so that the person is monitored
- Any person who is unable to provide an acceptable form of identification and is suspected of being under the age of 18 is to be reported through Radiolink for monitoring
- Any person who is acting in a suspicious manner around persons believed to be under the age of 18 are to be reported through Radiolink for monitoring and to the Police for further investigation
- Risk Assessments are to be produced for all events hosted for Under 18s (these are available upon request)
- 'Event Risk Assessment Forms' are to be submitted to the Police and Licensing Authority in advance of any event hosted for under 18s with all relevant information.
- The Management are to liaise with the Police and Licensing Authority on regular basis (including through schemes such as Pub & Club Watch / Late Night Business Partnership) and share any relevant intelligence
- The venue will have an area dedicated for vulnerable patrons (i.e. through alcohol, drugs, underage etc.) that come to their attention. This area will be used for their safeguarding, appropriate support and first aid, and such persons shall be kept in this area until a guardian / responsible adult collects them
- All vulnerable persons shall be reported through the Radiolink scheme
- All Staff and Door Supervisors are to receive relevant training

**All Door Supervisors and Staff are to have read and understood this policy before commencing employment at the venue**

## **Noise Policy**

This policy formulates part of the Premises License procedures to assist with all of the Licensing Objectives namely 'The Prevention of Public Nuisance'

- The site amplifiers and limiters are to be set at levels by the License Holder and nominated Sound Engineer to ensure that noise emanating from the premises as a result of regulated entertainment shall not exceed 40dB(A) as measured one metre from any residential building. The limiters should be locked and only the manager or his nominated deputy in his absence shall be able to access them.
- Door Supervisors, Staff and Duty Managers are to regularly monitor and manage external areas to ensure customers are not causing a disturbance
- Entertainment shall be held internally only and no music or speakers shall be provided in external areas of the premises
- Where practical, doors are to be fitted with self-closing devices to ensure the operation of 'sound lobbies' where available
- There is to be ongoing and open communication between the Venue Management and neighbouring properties where necessary
- All windows and doors are to be kept closed (save for the entrance and exit of staff and patrons) whilst the premises is open to the public
- Routine perimeter checks and 'listening tests' are to be made by the License Holder and documented
- Decibel Metre Recordings are to be taken by the License Holder when deemed appropriate and necessary and recorded in the site Incident Log Book
- Bins are to be filled from within the premises where achievable to limit the amount of noise created, in particular relating to glass, and not taken outdoors between 21:00 hours and 09:00 hours

**All Door Supervisors and Staff are to have read and understood this policy before commencing employment at the venue**

## **Queue Management Policy**

This policy formulates part of the Premises License procedures to assist with all of the Licensing Objectives, for the safe queuing of all guests who attend Café Baba in the effort of minimising potential disruption caused to the neighbourhood.

- A sufficient number of Door Supervisors, in high visibility clothing, are to patrol the queue ensuring adequate movement within, requesting that noise be kept to a minimum, persons stay off of the road and that patrons are behaving in an acceptable manner
- Any persons noted as continually contributing to Public Nuisance are to be refused entry to the Premises
- Upon the venue reaching capacity all waiting guests are to be informed of the expected waiting time from their position in the queue.
- Any persons contributing Crime and Disorder or are noted as being a Public Nuisance are to be called into the 'Radio Link' (Bravo Victor) for monitoring by the city-link CCTV and a request for Police Officers to attend.

**All Door Supervisors and Staff are to have read and understood this policy before commencing employment at the venue**

## **Responsible Service of Alcohol Policy**

This policy formulates part of the Premises License procedures to assist with all of the Licensing Objectives.

- Anyone who appears overly intoxicated shall be asked to leave the premises
- If any member of staff suspects that a customer is intoxicated, they must first refuse service of intoxicating liquor and must be asked to leave the premises. If any member of staff is uncertain as to a customer's sobriety they must raise this concern with a Manager or Supervisor
- Customer's sobriety will be verified by Door Supervisors upon entry to the venue. Any person showing signs of over intoxication will not be admitted entry
- Management and Door Supervisors will make regular checks of the premises to ensure no customers exhibit the above signs
- "Responsible Service of Alcohol Notice" are to be displayed in prominent areas of service
- A logbook must be maintained on a daily basis of persons who have been removed or refused entry from the premises for appearing intoxicated
- All Managers, Staff and Door Supervisors are to remain vigilant at all times
- Purchases of intoxicating liquor are to be limited to two individual drinks per person, per transaction one hour before the end of licensable activity

**All Door Supervisors and Staff are to have read and understood this policy before commencing employment at the venue**

## **Security Measures Policy**

This policy formulates part of the Premises License procedures to assist with all of the Licensing Objectives

- There shall be one Door Supervisor to every 75 customers (but a minimum of two Door Supervisors in any event that the premises is open beyond midnight), all individually registered with the Security Industry Authority and present on the premises up to 30 minutes after the end of the last licensable activity on any night when the last licensable activity ends after midnight.
- All staff employed in a security role shall wear high visibility yellow florescent clothing which clearly identifies them as members of staff, unless otherwise stated within the Premises Licence.
- SIA Registered Door Supervisors duties include adherence to the documented Policies in place at the premises, and any other duties requested by the Premises Licence Holder including (but not limited to):
  - Upholding the conditions of the venues Fire Risk Assessment including, where certified, acting in the capacity of a Fire Marshall
  - Proactively requesting persons who are deemed intoxicated to vacate the premises
  - Assisting Responsible Authorities where appropriate and necessary
  - Reporting of all Incidents to the Duty Manager, Radiolink and in the site Incident Log Book
  - Providing Police and Licensing Authority with witness statements in relation to any incident that has occurred in or around the venue upon request
  - Where certified, provide necessary First Aid assistance
  - Protect the premises' property and report all noticed damage to the Duty Manager
  - Share relevant intelligence and information with colleagues and Responsible Authorities
- Points detailed in this Policy also cover the requested 'Dealing with Incidents that impact upon the Licensing Objectives Policy'

**All Door Supervisors and Staff are to have read and understood this policy before commencing employment at the venue**

## Underage Sales and False Identification Policy

This policy formulates part of the Premises License procedures to assist with the Licensing Objective 'The Protection of Children from Harm'.

### Offences:

- It is an offence for anyone under the age of 18 to purchase, or attempt to purchase, alcohol on a Licensed Premises. The maximum fine is £1,000
- A person commits an offence if s/he sells alcohol to an individual under the age of 18. The maximum fine is £5,000
- It is an offence for a member of staff to knowingly allow persons under the age of 18 to consume alcohol on a Licensed Premises. The maximum fine is £5,000
- ***The Licensing Authority in conjunction with the Police & Trading Standards Officers are empowered to send under 18's into licensed premises to attempt to buy alcohol (subject to certain guidelines being complied with).***
- A person charged with an offence has a defence available that they believed the individual was 18 or over, and they had either taken all **reasonable steps** to find out the individual's age or that **no one could reasonably suspect from their appearance that they were under 18**
- '*Reasonable steps*' means asking the individual for evidence of their age, and that the evidence would convince a reasonable person. Steps that would be considered to be 'reasonable' include, but are not limited to:
  - Take the ID in your hand
  - Check the date of birth
  - Check the photograph matches the person presenting the ID
  - Ensure the ID is valid (by checking holograms and security features) and in date
  - Ask relevant questions (middle names, address, signatures etc.)

**All Door Supervisors and Staff are to have read and understood this policy before commencing employment at the venue**

### **Acceptable Forms of Identification Policy**

This policy formulates part of the Premises License procedures to assist with all of the Licensing Objectives

- As per the venues 'Conditions of Entry Policy' acceptable forms of Government Approved ID are:
  - Driver's License (Provisional or Full)
  - Passport
  - PASS 'Prove It' Card
  - International Identification Cards/ National Identification Cards
- All forms of ID presented must be valid and in date

**All Door Supervisors and Staff are to have read and understood this policy before commencing employment at the venue**



## **Challenge “25” Policy**

This policy formulates part of the Premises License procedures to assist with all of the Licensing Objectives

- As it is extremely difficult to assess age the Venues Policy is to challenge any person attempting to purchase alcohol that you believe is 25 or under
  - When requesting Proof of Age ID, staff shall:
  - Be polite and courteous
  - Smile and be assertive
  - Be confident and use open body language
  - Do not intentionally embarrass the person
  - If any person becomes aggressive or offended pass the incident on to the Supervisor or Manager on Duty

***\*If a member of staff is uncertain whether any form of ID presented to them is acceptable they are to refuse service and refer to the Supervisor or Duty Manager***

**All Door Supervisors and Staff are to have read and understood this policy before commencing employment at the venue**

## **False or Fraudulent ID Policy**

This policy formulates part of the Premises License procedures to assist with all of the Licensing Objectives

If an ID presented is suspected of being false, fraudulent or doctored then it may be necessary for this ID to be confiscated as per Thames Valley Police 'Operation Bedtime' protocol

ID's presented that are questionable are to be handed to the Duty Manager for verification. If the Duty Manager is unsatisfied then s/he must:

- Confiscate the ID
- Fill out the Identification Confiscation Notice (ICN)
- Provide the person who presented the ID with the ICN receipt
- Seal the ID in a Tamper Proof Evidence Bag (TPEB) with the ICN
- Provide the person who presented the ID with a FAQ's information leaflet
- Report the confiscated ID to [FalseIDOxford@thamesvalley.pnn.police.uk](mailto:FalseIDOxford@thamesvalley.pnn.police.uk) within 72 hours
- Fill in the relevant details in the False Identification Log Book
- Store the confiscated ID in a safe place until TVP PO's collect
- Report the person to Bravo Victor for monitoring. Examples of false ID's are available from the Manager on Duty. All Staff and Door Supervisors are to be presented with the sites example ID's before commencing employment
- The premises will use an ID Scanner each night (after midnight) the venue is open for licensable activities

**All Door Supervisors and Staff are to have read and understood this policy before commencing employment at the venue**

## **Zero Tolerance Drugs Policy**

This policy formulates part of the Premises License procedures to assist with the Licensing Objectives 'The Prevention of Crime and Disorder'.

- The Management and Supervisor Team are to complete certified 'Drugs Awareness Courses'
- The venue will display relevant notices detailing their Zero Tolerance approach to Drug use in prominent areas of the venue.
- The Management are to liaise with the Police and Licensing Authority on a regular basis (including through schemes such as Pub & Club Watch / Late Night Business Partnership)
- All Drugs found or seized are to be sealed in an evidence bag and stored in the site safe. Details of the seizure are to be recorded on a Site Incident Report. The Police are to be contacted for collection at their earliest convenience
- Door Supervisors are to conduct regular checks of the toilets and cubicles
- Any person suspected of using or having drugs upon their person must reported to the Duty Manager, if appropriate a search will be requested and the Police contacted
- All searches are to be carried out by a Responsible Person with the Duty Manager present. All searches are to take place in front of a CCTV camera
- Anyone refusing to be searched on entry will be refused, anyone refusing a search after being admitted entry will be reported to the Police via Bravo Victor
- The Duty Manager will be responsible for handling any confiscated substances until the Police are available to collect
- Staff who commit an offence under the Misuse of Drugs Act 1971 or who witnesses such an act on the premises and withhold evidence will be liable to disciplinary procedures, details of which are outlined in the Company Disciplinary & Grievance Policy which all employees read prior to commencing employment
- Any patrons known to be associated with persons caught in the possession of illicit/ illegal substances are to be asked to leave the venue (at the Duty Managers discretion)
- Any person suspected of being intoxicated on illicit substances will, when necessary, be reviewed by an onsite First Aider in a space designated for 'Vulnerable People'

**All Door Supervisors and Staff are to have read and understood this policy before commencing employment at the venue**



**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

14/00360/PREM

**Part 1 – Premises Details**

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

Café Ba Ba  
240 Cowley Road  
Oxford  
Oxfordshire  
OX4 1UH

**Telephone number****Where the licence is time limited the dates**

Not applicable.

**Licensable activities authorised by the licence**

Supply of Alcohol  
Late Night Refreshment  
Recorded Music

**Times the licence authorises the carrying out of licensable activities****Supply of Alcohol**

Monday to Saturday	10:00 hours to 00:00 hours (midnight)
Sunday	12:00 hours to 00:00 hours (midnight)

**Late Night Refreshment**

Sunday to Saturday 23:00 hours to 00:00 hours (midnight)

**Recorded Music**

Monday to Saturday 10:00 hours to 00:00 hours (midnight)

Sunday 12:00 hours to 00:00 hours (midnight)

**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**

Mr Defrim Plaku



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

N/A

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

Engl Kaci



**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: PA1108

Licensing Authority: South Cambridgeshire District 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. Where this licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions: a) premises where the premises licence authorises plays or films b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001.
4.
  - 1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -
    - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
    - (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;
    - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
      - (i) the outcome of a race, competition or other event or process, or
      - (ii) the likelihood of anything occurring or not occurring;
    - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).



6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
  
(2) 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 a holographic mark.
8. The responsible person shall 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; and
  - (b) customers are made aware of the availability of these measures.

## **Annex 2 – Conditions consistent with the Operating Schedule**

9. There will be no use of the rear garden area after 23:00 hours.
10. No person shall be admitted to the premises less than one hour before the cessation of the last Licensable Activity.
11. No person shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.
12. No children will be admitted to the premises.

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

- 13. All staff employed at the premises whose duties include the sale or supply of alcohol will undertake and complete a programme of training in relevant aspects of the Licensing Act 2003 including the details of the Premises Licence prior to being authorised to sell alcohol. The content of the training programme will be agreed with Thames Valley Police and the Licensing Authority prior to implementation. Records of this training will be kept and made available to Responsible Authorities on request.
- 14. A Premises Daily Register shall be kept at the premise. This register will be maintained and kept for a rolling minimum period of 12 months. This register should record:
  - The name of the person responsible for the premise 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)
  - 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)
  - Any calls to or visits by Thames Valley Police in relation to any crime and disorder or like related matter.

The Premises Daily Register will be readily available for inspection by any responsible authority throughout the trading hours of the premises

- 15. A CCTV system shall be installed or the existing system maintained. This system shall be 'fit for purpose'. It shall comply with the current and relevant Thames Valley Police guidelines for Standard Minimum Closed Circuit Television Requirements (Issue 1, July 2004).

The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum rolling period of 30 days. 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.

Amongst other pertinent areas of the premises the CCTV system will incorporate a camera(s) covering:

- any entrance/exit doors (entrance to be capable of providing a full facial shot)
- the point of sale
- the areas where alcohol is merchandised
- external areas of the premises
- be capable of providing an image which is regarded as 'identification standard.

The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

A member of staff shall be present at the premises during the operation of the premises licence that is fully trained on the operation of the system and be able to provide copies of any footage requested by a relevant authority upon request.

16. 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 to purchase/consume alcohol on the premises.

Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.

**Annex 4 – Plans**

See attached plan.

**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




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Date of hearing:	<b>20<sup>th</sup> March 2014</b>
Place:	<b>Town Hall, Oxford</b>
Case No:	<b>14/00360/PREM</b>
Applicant:	<b>Mr Defrim Plaku</b>
Premises:	<b>Cafe Baba</b>
Premises address:	<b>240 Cowley Road, Oxford. OX4 1UH</b>
Licensing Sub-committee Councillors:	<b>Brett (Chair), Coulter, Hollick</b>
Legal advisor:	<b>Daniel Smith</b>
Licensing Officer:	<b>Allan Hibberd</b>
Clerk:	<b>Emma Thompson</b>

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The Sub-Committee heard representations from the following people:-

**Licensing Authority:** Allan Hibberd presented the Licensing Authority's report.

**Applicant:** Mr Defrim Plaku, Mrs Naomi Plaku (Support) and Mr Chris Kaveny (Consultant).

Mr Plaku explained that this is his first business venture and he had agreed conditions and a new terminal hour with Thames Valley Police in response to their concerns over the risk of crime and disorder.

The premises had been licenced previously until approximately 2 years ago when its licence was surrendered.

Mrs Plaku explained that the premises, when it was previously licenced, was a bar with a good reputation with a more mature clientele and that this application was for the same type of venue serving wine, cocktails and tapas. She explained that they have complied with Thames Valley Police suggested conditions in regards to CCTV installation, photographic ID compliance and a daily register.

Mr Plaku confirmed that he wished to amend his application so that the terminal hour for all licensable activities will be midnight.

Councillor Van Coulter asked Mr Plaku to confirm that he accepted all of the conditions suggested in the representation from Thames Valley Police. Mr Plaku confirmed this was the case..

Naomi Plaku said she understood crime and disorder was the main issue from the objectors but felt this is covered by the conditions agreed. Mr Plaku is already SIA registered and has been working as a door supervisor in the Cowley Road area for many years. Mr Kaveny also confirmed that conflict management training will be given to all staff.

Councillor Van Coulter also asked what the terminal hour for the garden will be. Mr Plaku confirmed it will not be used after 23:00 hours as per his operating schedule.

**Responsible Authorities:** The Sub-Committee noted the representation from Thames Valley Police.

**Interested Parties:** Mr David Colbeck (on behalf of the London Place Residents' Association) made the following points:-

- Confirmed that this was not a personal objection but was a concern as a local resident and the Neighbourhood Action Group were concerned and there is the presumption of refusal due to SSP.
- Pleased that the new terminal hour is midnight
- There was concern that an influx people after midnight would lead to anti-social behaviour further down the Cowley Road which could not be attributed to any particular premises but may be patrons from several premises. There is also less police presence after midnight.
- We are trying to lower anti-social behaviour and an extra premises may make this worse not better.
- Has no objection to the use of the garden as it will close at 23.00 hours
- Mr Colbeck confirmed that there had been a decline in anti-social behaviour since the previous premises closed but felt that it was mainly due to move of the "fuzzy ducks" student night from Cowley Road to City Centre
- Also confirmed that there was evidence of more drug use in the area and regularly makes reports to Thames Valley Police

Councillor Graham Jones made the following points:-

- He was backing up Mr Colbeck in the points of the SSP
- He wished the applicant well and luck in their new venture but hoped they understand why there was a need for the SSP
- Explained that he was a resident who lived just off the Cowley Road and was regularly disrupted at night and had to tidy takeaway wrappers from his garden.
- Feels that any dilution of SSP will set a precedent to further applicants who may not have the same intentions
- Concerns that the premises may change its style in the future if things don't go as planned
- Divinity Road residents were experiencing and complaining about more nuisance from students who live in the area even with an increase in student wardens

## **Decisions and reasons of the Licensing Sub-Committee:**

The Sub-Committee noted the changes to the hours applied for and conditions agreed between the applicant and Thames Valley Police and considered the application as amended.

The Sub-Committee considered all submissions, both written and oral.

The Sub-Committee took into account the Secretary of State's Guidance and the Council's own Statement of Licensing Policy in particular GN19 (Special Saturation Policy (SSP)).

It was not in dispute that the premises fell within the area of the SSP for East Oxford meaning there is a presumption to refuse new premises licences. The Sub-Committee found the SSP was an important and necessary part of combatting the cumulative impact of some licensable activities on crime and disorder in East Oxford. However, it could not be used as a blanket ban on new premises as each application still had to be considered on its own merits against the licensing objectives.

Having heard from the Interested Parties, and considered the representation from Thames Valley Police, the Sub-Committee found that with the reduced hours and attachment of the conditions suggested by the Police the Application would not add to cumulative impact on the SSP. In reaching this conclusion the Sub-Committee found it particularly significant that the Police did not oppose the application as amended and considered that in that form it would not have a significant impact on the SSP. The committee also took into account that the premises had been previously licenced in the recent past.

The Sub-Committee found it appropriate to attach all those conditions suggested by Thames valley Police in the interests of preventing crime and disorder.

The Application as amended is therefore **GRANTED** subject to the following conditions:

- 1) All staff employed at the premises whose duties include the sale or supply of alcohol will undertake and complete a programme of training in relevant aspects of the Licensing Act 2003 including the details of the Premises Licence prior to being authorised to sell alcohol. The content of the training programme will be agreed with Thames Valley Police and the Licensing Authority prior to implementation. Records of this training will be kept and made available to Responsible Authorities on request.
- 2) A Premises Daily Register shall be kept at the premise. This register will be maintained and kept for a rolling minimum period of 12 months. This register should record:
  - The name of the person responsible for the premise 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)
- 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)
- Any calls to or visits by Thames Valley Police in relation to any crime and disorder or like related matter.

The Premises Daily Register will be readily available for inspection by any responsible authority throughout the trading hours of the premises

- 3)** A CCTV system shall be installed or the existing system maintained. This system shall be 'fit for purpose'. It shall comply with the current and relevant Thames Valley Police guidelines for Standard Minimum Closed Circuit Television Requirements (Issue 1, July 2004).

The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum rolling period of 30 days. 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.

Amongst other pertinent areas of the premises the CCTV system will incorporate a camera(s) covering:

- any entrance/exit doors (entrance to be capable of providing a full facial shot)
- the point of sale
- the areas where alcohol is merchandised
- external areas of the premises
- be capable of providing an image which is regarded as 'identification standard.

The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

A member of staff shall be present at the premises during the operation of the premises licence that is fully trained on the operation of the system and be able to provide copies of any footage requested by a relevant authority upon request.

- 4)** 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 to purchase/consume alcohol on the premises.

Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.

For the avoidance of doubt the hours for all licensable activities shall be 10.00 until 00.00 each day.

The Sub-Committee wished it to be noted that it granted the Application on the basis of the description of the premises and its proposed operation provided including reference to it being a 'high end' establishment with a more mature or family-orientated clientele. If that description were to change resulting in any impact on the licensing objectives the licence could be subject to review.

The Sub Committee also wished it to be noted that they encouraged the Applicant to be good neighbours and get involved with the Neighbourhood Action Group and to give that group contact details including a mobile number and email address.

Signed:



Cllr Tony Brett  
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 the date that this decision was made.

**From:** Neighbourhood Watch London Place - Oxford  
**Posted At:** 01 March 2016 11:03  
**Posted To:** [licensing@oxford.gov.uk](mailto:licensing@oxford.gov.uk)  
**Conversation:** 16/00768/prem - Cafe Baba - 240 Cowley Rd  
**Subject:** 16/00768/prem - Cafe Baba - 240 Cowley Rd

Sirs

We wish to object to the above application on the grounds that the extended drinking hours into the early morning represents an increase in late night drinking capacity within the SSP creating a possible increase in related ASB and late night disturbance not only locally but along the exit routes from the SSP.

In addition the use of the garden after 23.00 hours will create disturbance to local residents behind the Cowley Road.

David Colbeck.

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**LONDON PLACE RESIDENTS' ASSOCIATION + NEIGHBOURHOOD WATCH**

Co-ordinator – David Colbeck, 17 London Place, Oxford OX4 1BD

**From:** A.D.J.P. Lucas [REDACTED]  
**Sent:** 22 March 2016 16:58  
**To:** HIBBERD Allan; ALISON Julian; licensing@oxford.gov.uk  
**Cc:** Councillor SIMMONS Craig; Councillor BENJAMIN Elise; Applegarth Neil; alex.bloomfield;  
Councillor CLACK Bev [INET]  
**Subject:** Cafe Baba - application no. 16/00768/PREM - URGENT - deadline today

Dear Sir/Madam,

I am writing to object to the application by Mr Plaku to extend the hours during which licensable activities are permitted, from midnight every night of the week, to 1am every night of the week.

The premises is located within the area of Oxford covered by the East Oxford Special Saturation Policy. Accordingly, the presumption is that such an application will be refused unless it can be shown that, if granted, it will not add to the cumulative impact of crime and disorder in the area. Mr Plaku has not demonstrated that such an extension will not add to the cumulative impact which East Oxford currently experiences; therefore, his application should be refused.

Mr Plaku made an identical application in 2014, and it was only granted by Councillors Brett, Coulter, and Hollick on the basis that he amend his application to the hours as they are currently (i.e. midnight every night), in accordance with recommendations made by Alex Bloomfield of TVP. It was, furthermore, made clear that his initial idea of carrying on licensable activities in the garden until 1am was entirely at odds with the requirements of his neighbours (in what is a densely populated, *residential* area); use of the garden was therefore limited until 11pm. It is of concern that Mr Plaku is again attempting to put his business plan before the basic needs of his neighbours, particularly in terms of noise nuisance.

It is also of concern that the applicant is making an identical application to the one he made only two years ago, with no written explanation as to how he will seek to address the concerns which were very clearly raised at the hearing then. It is a waste of resources at this time of financial crisis - at the Council and elsewhere - to be dealing with a matter which was dealt with so recently, when there are no changes in that area of East Oxford which would make the SSP redundant. This application appears to seek to undermine the EO SSP by stealth.

Mr Plaku was also exhorted by the Sub Committee in 2014 to become involved with the Neighbourhood Action Group; this, as far as I am aware, he has not done.

Yours faithfully,

Anna Lucas

Dear Licensing

I wish to object to this application on the same grounds as set out by Anna Lucas.

Kind regards

Graham Jones (Dr)  
45 James Street, OX4 1ET

Oxford City Councillor, St Clements Ward, 2010-2014

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From: A.D.J.P. Lucas [REDACTED]  
Sent: 22 March 2016 16:57  
To: HIBBERD Allan; ALISON Julian; [licensing@oxford.gov.uk](mailto:licensing@oxford.gov.uk)  
Cc: Councillor SIMMONS Craig; Cllr Elise Benjamin; Applegarth Neil; alex.bloomfield; Bev Clack  
Subject: Cafe Baba - application no. 16/00768/PREM - URGENT - deadline today

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Mr Plaku was also exhorted by the Sub Committee in 2014 to become involved with the Neighbourhood Action Group; this, as far as I am aware, he has not done.

Yours faithfully,

Anna Lucas

Dear licensing,

Ms. Lucas makes some excellent points and I can confirm that I have not been aware via my colleagues of Mr Plaku attending any NAGs.

Regards

Craig  
Cllr Craig Simmons

On 22 March 2016 at 16:57, A.D.J.P. Lucas <[a.d.j.p.lucas@googlemail.com](mailto:a.d.j.p.lucas@googlemail.com)> wrote:  
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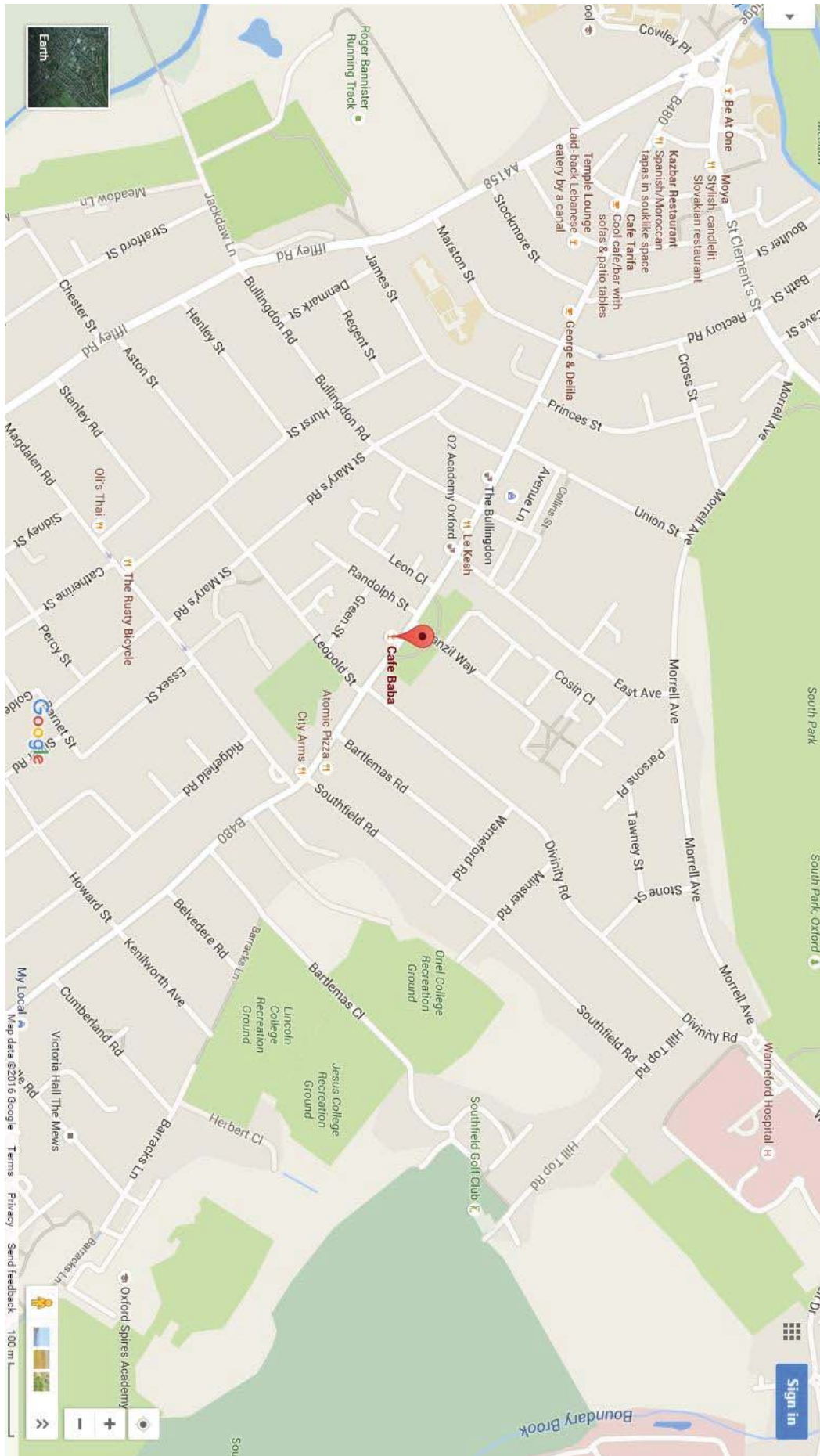
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Yours faithfully,

Anna Lucas



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