

To: Licensing and Gambling Acts Sub-Committee
Date: 7th February 2023
Report of: Head of Regulatory Service and Community Safety
Title of Report: Greene King Retailing Limited– Application to vary a Premises Licence – Gardeners Arms, 8 North Parade Avenue, Oxford, OX2 6LX
Application Ref: 22/04848/PREM

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

Appendices	
Appendix 1	Application to vary a Premises Licence
Appendix 2	Existing Premises Licence - 05/00785/PREM
Appendix 3	Representations from Interested Parties (Other Persons)
Appendix 4	Location Plan

Introduction and background

1. This report is made to the Licensing & Gambling Acts Casework Sub- Committee so it may determine in accordance with its powers and the Licensing Act 2003 whether **to** grant a variation to the Premises Licence to Greene King Retailing Limited

Application Summary

2. An application to vary a Premises Licence has been submitted by Greene King Retailing Limited. A summary of the variation, including the licensable activities varied or applied for and the timings proposed for these activities can be found detailed below:

Supply of Alcohol (On and Off Sales):

Sunday to Thursday 10:00 until 00:00 (currently licensed until 23:00)
Friday and Saturday 10:00 until 01:00 (currently licensed until 23:00)

Late Night Refreshment (Indoors Only):

Sunday to Thursday 10:00 until 00:00
Friday and Saturday 10:00 until 01:00

Live Music and Recorded Music (Indoors only):

Sunday to Thursday 10:00 until 00:00
Friday and Saturday 10:00 until 01:00

Non-Standard Timings for Supply of Alcohol, Late Night Refreshment, Live Music and Recorded Music:

'Notable days' from 10.00 hours until 01.00 hours (the definition of notable days to remain as per the existing premises licence – Christmas Eve, Spring and August Bank Holidays, Good Friday, Easter Saturday, Sunday and Monday, Any other Bank Holidays)

To permit all licensable activities from the start of permitted hours New Year's Eve until the start of permitted hours New Year's Day.

To vary the layout and design of the premises in accordance with the submitted plan. The changes include moving the bar servery and changes to fixed seating.

Locations of fire safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing plan regulations is indicative only and subject to change.

To remove the following existing conditions 3,4,6 and 7, namely:

3. All staff shall be aware of the law regarding the refusal of service to any person who is drunk or is underage, and shall be aware of how to seek identification from anyone who appears to be underage.

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 18 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 a Proof of Age card carrying a 'PASS' logo.

6. Prominent clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale, advising customers that they may be asked to produce evidence of their age.

7. No person under the age of 18 is allowed in the bar area unless he/she is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

To add the following conditions:

1. All staff who have direct dealings with customers shall be trained in the following:

- Licensing Law and in particular that relating to the sale of alcohol.*
- The challenge 25 policy*
- Refusal of service*
- The premises licence and its conditions.*

A record shall be kept of this training which will be refreshed no less than every 6 months and this record shall be available for inspection by the Licensing Authority or Police upon request.

2. A digital hard drive CCTV system shall be in operation at the premises.

- All CCTV images will be kept for a period of 28 days.*
- Any manager left in charge if the business shall be trained in the use of any such CCTV equipment and able to produce/download/burn CCTV images upon request by an authorised officer.*
- CCTV shall be maintained on a regular basis and kept in good working order.*

3. An incident log will be kept and maintained at the premises and all incidents shall be recorded in it. As a minimum, the log will record the date and time of the incident, the name of the person making the entry, the nature of the incident and any actions taken.

4. The DPS/Manager will undertake a risk assessment in relation to any night where regulated entertainment is provided at the premises past 00.00 hours in order to determine whether SIA door staff will be required to promote the licensing objectives. Where the risk assessment identifies the need for SIA door staff, these will be provided at the times and in the numbers deemed by the risk assessment to be appropriate in the circumstance. This risk assessment to be appropriate in the circumstances. This risk assessment can be undertaken once in relation to a series of nights where the same entertainment is to be provided (for instance, regular Friday night live music), so long as it is revisited regularly to ensure that the risk assessment remain appropriate for that night. The risk assessment is to

be in written form and kept at the premises for at least 30 days after the night or series of nights to which it relates.

5. A sign will be displayed at each exit from the premises asking customers to respect the rights of nearby residents not to be disturbed.

6. When regulated entertainment is provided, noise checks will be carried out at the nearest noise sensitive property. A noise check log of these checks will be kept and maintained at the premises. A minimum the log will record the date and time of the check, location of the check, the name of the person making the check, the sound level and if required any action taken. The log will be made available to an authorised officer upon request.

7. A dispersal policy will be in place at the premises to ensure that customers leave the area quietly.

8. All windows and external doors shall be kept closed when regulated entertainment takes place, except for access and egress.

9. A challenge 25 policy shall be implemented and full and appropriate identification shall be sought from any person who appears under the age of 25.

10. Staff will accept the following forms of identification:

- Valid Passport from any country*
- Valid EU country identity card with photo*
- Valid UK photo driver's licence*
- Valid UK photo ID card with 'pass mark'*
- Any other form of ID (hard-copy or digital) approved by the Home Office for the purposes of sales of alcohol.*

11. A notice shall be displayed indicating that the Challenge 25 policy is in force.

12. A record of sales refusals will be kept at the premises. This may be a manual entry book or electronic record via the tills. The refusals log in any form will be kept for 30 days and be available for inspection by appropriate officers of the responsible authorities.

All other conditions to remain unchanged.

3. 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**

4. In order to assist all parties to this Hearing, the current Premises licence for Gardeners Arms, reference 05/00785/PREM, is attached at **Appendix Two**.

Relevant Representations

5. No valid representation has been received from the Responsible Authorities as detailed in the table below.

Responsible Authority	Response	Licensing Objective(s)
Thames Valley Police	No Representation	
Fire and Rescue Service	No Representation	
Environmental Health	No Representation	
Health and Safety	No Representation	
Planning	No Representation	
Trading Standards	No Representation	
Child Safeguarding	No Representation	
Licensing Authority	No Representation	

6. Valid representations has been received from Interested Parties (other persons) as detailed in the table below. Copies of these representations are attached at **Appendix Three**.

Name	Address	Licensing Objective(s)
Diana Artley	Winchester Road, Oxford	Crime & Disorder, Public Nuisance
Timothy Garton Ash	Canterbury Road, Oxford	Crime & Disorder, Public Nuisance
Mary Bickmore	North Parade, Oxford	Public Nuisance
Richard Briant	Canterbury Road, Oxford	Protection of Children from Harm, Public Nuisance
Romy Briant	Canterbury Road, Oxford	Public Nuisance
Olivia Clark	Canterbury Road, Oxford	Public Nuisance
Lucie Cluver	Winchester Road, Oxford	Crime & Disorder, Protection of Children from Harm, Public Nuisance
Fram Dinshaw	Winchester Road, Oxford	Crime & Disorder, Public Nuisance
Richard Katz	Winchester Road, Oxford	Crime & Disorder, Protection of Children from Harm, Public Nuisance, Public Safety
Athena McKeivitt	Winchester Road, Oxford	Public Nuisance
Marianne Moxon	North Parade Avenue, Oxford	Public Nuisance

Richard Moxon	North Parade Avenue, Oxford	Crime & Disorder, Public Nuisance
Frederick Samuel	Winchester Road, Oxford	Crime & Disorder, Protection of Children from Harm, Public Nuisance, Public Safety
Leda Samuel	Winchester Road, Oxford	Crime & Disorder, Public Nuisance, Public Safety
Alan Smith	Winchester Road, Oxford	Public Nuisance
Maria Tudhope	Banbury Road, Oxford	Crime & Disorder, Protection of Children from Harm, Public Nuisance, Public Safety
William Tudhope	Banbury Road, Oxford	Public Nuisance
Christopher Williams	Canterbury Road, Oxford	Public Nuisance

Location

7. A map is attached at **Appendix Four** 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

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

Relevant Policy Matters	Section	Policy
Live Music, Dancing and Theatre	4.2.1 to 4.2.3	GN23
Licensing Hours	5.1.1	LH3
Dispersal Procedures	5.3.1 to 5.3.3	LH6
Public Nuisance	7.3.1 to 7.3.10	LA2 to LA4
Pubs, Restaurants, Hotels, Guest Houses	7.5.1 to 7.5.2	PP1

9. A copy of the Statement of Licensing Policy may be obtained from the Council Offices or found online at:

https://www.oxford.gov.uk/downloads/file/1303/statement_of_licensing_policy

Home Office Statutory Guidance

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

Relevant Sections	Relevant Paragraph
Crime & Disorder	2.1 to 2.6
Public Safety	2.7 to 2.9
Public Nuisance	2.15 to 2.21
Protection of Children from Harm	2.22 to 2.31
Licence Conditions	16.36 to 16.41

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

Other Relevant Considerations

12. 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.
13. 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.
14. 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.
15. 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.
16. 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.

17. 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.
18. 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.
19. Members should note that the applicant or persons making representations have the right of appeal against the decision made by the Sub-Committee.

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

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 Greene King Retailing Limited

(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 05/00785/PREM

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Gardeners Arms 8 North Parade Avenue			
Post town	Oxford	Postcode	OX2 6LX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£6350.00 – Band B

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	Westgate Brewery		
Post town	Bury St Edmunds	Postcode	IP33 1QT

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

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

DD	MM	YYYY

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

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

To vary the layout and design of the premises in accordance with the submitted plan. The changes include moving the bar servery and changes to fixed seating.

Locations of fire safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing plan regulations is indicative only and subject to change.

To extend the supply of alcohol as follows:

10:00 to 00:00 Sunday to Thursday (currently 11:00 to 23:00)
10:00 to 01:00 Friday and Saturday (currently 11:00 to 23:00)

To permit recorded music and live music as follows:

10:00 to 00:00 Sunday to Thursday
10:00 to 01:00 Friday and Saturday

To permit late night refreshment as follows:

23.00 to 00.00 Sunday to Thursday
23.00 to 01.00 Friday and Saturday.

To permit the supply of alcohol, recorded music and live music on notable days from 10.00 hours until 01.00 hours. (the definition of notable days to remain as per the existing premises licence).

To permit late night refreshment on notable days from 23.00 hours until 01.00 hours.

To permit all licensable activities from the start of permitted hours New Year's Eve until the start of permitted hours New Year's Day. (currently permitted from 11.00 NYE until 11.00 NYD)

To remove the following conditions:

3. All staff shall be aware of the law regarding the refusal of service to any person who is drunk or is underage, and shall be aware of how to seek identification from anyone who appears to be underage.

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 18 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 a Proof of Age card carrying a 'PASS' logo.

6. Prominent clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale, advising customers that they may be asked to produce evidence of their age.

7. No person under the age of 18 is allowed in the bar area unless he/she is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

To add the following conditions:

1. All staff who have direct dealings with customers shall be trained in the following:

- Licensing Law and in particular that relating to the sale of alcohol.
- The challenge 25 policy
- Refusal of service for
- The premises licence and its conditions.

A record shall be kept of this training which will be refreshed no less than every 6 months and this record shall be available for inspection by the Licensing Authority or Police upon request.

2. A digital hard drive CCTV system shall be in operation at the premises.

- All CCTV images will be kept for a period of 28 days.
- Any manager left in charge if the business shall be trained in the use of any such CCTV equipment and able to produce/download/burn CCTV images upon request by an authorised officer.
- CCTV shall be maintained on a regular basis and kept in good working order.

3. An incident log will be kept and maintained at the premises and all incidents shall be recorded in it. As a minimum, the log will record the date and time of the incident, the name of the person making the entry, the nature of the incident and any actions taken.

4. The DPS/Manager will undertake a risk assessment in relation to any night where regulated entertainment is provided at the premises past 00.00 hours in order to determine whether SIA door staff will be required to promote the licensing objectives. Where the risk assessment identifies the need for SIA door staff, these will be provided at the times and in the numbers deemed by the risk assessment to be appropriate in the circumstance. This risk assessment to be appropriate in the circumstances. This risk assessment can be undertaken once in relation to a series of nights where the same entertainment is to be provided (for instance, regular Friday night live music), so long as it is revisited regularly to ensure that the risk assessment remain appropriate for that night. The risk assessment is to be in written form and kept at the premises for at least 30 days after the night or series of nights to which it relates.

5. A sign will be displayed at each exit from the premises asking customers to respect the rights of nearby residents not to be disturbed.

6. When regulated entertainment is provided, noise checks will be carried out at the nearest noise sensitive property. A noise check log of these checks will be kept and maintained at the premises. A minimum the log will record the date and time of the check, location of the check, the name of the person making the check, the sound level and if required any action taken. The log will be made available to an authorised officer upon request.

7. A dispersal policy will be in place at the premises to ensure that customers leave the area quietly.

8. All windows and external doors shall be kept closed when regulated entertainment takes place, except for access and egress.

9. A challenge 25 policy shall be implemented and full and appropriate identification shall be sought from any person who appears under the age of 25.

10. Staff will accept the following forms of identification:

- Valid Passport from any country
- Valid EU country identity card with photo
- Valid UK photo driver's licence
- Valid UK photo ID card with 'pass mark'
- Any other form of ID (hard-copy or digital) approved by the Home Office for the purposes of sales of alcohol.

11. A notice shall be displayed indicating that the Challenge 25 policy is in force.

12. A record of sales refusals will be kept at the premises. This may be a manual entry book or electronic record via the tills. The refusals log in any form will be kept for 30 days and be available for inspection by appropriate officers of the responsible authorities.

All other conditions to remain unchanged.

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

Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 5)					
Mon								
Tue								
Wed						State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)	
Day	Start	Finish		
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)	
Tue				
Wed				
Thur				Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur								
Fri						<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 7)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) Amplified and unamplified music played within the premises.					
Mon								
	10:00	00:00						
Tue								
	10:00	00:00						
Wed						<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
	10:00	00:00						
Thur								
	10:00	00:00						
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 7)		
	10:00							
Sat		01:00				10:00 hours to 01:00 hours for all 'notable days' as defined on the premises licence.		
	10:00							
Sun		01:00				From the start of permitted hours New Year's Eve until the start of permitted hours New Year's Day.		
	10:00	00:00						

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u> Recorded music played within the premises.					
Mon								
	10:00	00:00						
Tue								
	10:0	00:00						
Wed						<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
	10:00	00:00						
Thur								
	10:00	00:00						
Fri						<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
	10:00							
Sat		01:00				10:00 hours to 01:00 hours for all 'notable days' as defined on the premises licence.		
	10:00							
Sun		01:00				From the start of permitted hours New Year's Eve until the start of permitted hours New Year's Day.		
	10:00	00:00						

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue			State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

H

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

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5) Hot food and drink served on the premises.		
	23:00	00:00			
Tue					
	23:00	00:00			
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
	23:00	00:00			
Thur					
	23:00	00:00			
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
	23:00				
Sat		01:00	23.00 hours to 01:00 hours for all 'notable days' as defined on the premises licence.		
	23:00				
Sun		01:00	From 23:00 hours New Year's Eve until 05:00 hours New Year's Day.		
	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)					
Mon								
	10:00	00:00						
Tue								
	10:00	00:00						
Wed								
	10:00	00:00						
Thur						<u>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</u> (please read guidance note 7)		
	10:00	00:00						
Fri								
	10:00							
Sat		01:00						
	10:00							
Sun		01:00						
	10:00	00:00						

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>None.</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon			<p><u>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</u> (please read guidance note 7)</p> <p>The current premises licence permit the premises to open at the discretion of the licence holder.</p>
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.

3. All staff shall be aware of the law regarding the refusal of service to any person who is drunk or is underage, and shall be aware of how to seek identification from anyone who appears to be underage.

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 18 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 a Proof of Age card carrying a 'PASS' logo.

6. Prominent clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale, advising customers that they may be asked to produce evidence of their age.

7. No person under the age of 18 is allowed in the bar area unless he/she is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

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.

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

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

All staff who have direct dealings with customers shall be trained in the following:

- Licensing Law and in particular that relating to the sale of alcohol.
- The challenge 25 policy
- Refusal of service for
- The premises licence and its conditions.

A record shall be kept of this training which will be refreshed no less than every 6 months and this record shall be available for inspection by the Licensing Authority or Police upon request.

b) The prevention of crime and disorder

- A digital hard drive CCTV system shall be in operation at the premises.
- All CCTV images will be kept for a period of 28 days.
- Any manager left in charge if the business shall be trained in the use of any such CCTV equipment and able to produce/download/burn CCTV images upon request by an authorised officer.
- CCTV shall be maintained on a regular basis and kept in good working order.

- An incident log will be kept and maintained at the premises and all incidents shall be recorded in it. As a minimum, the log will record the date and time of the incident, the name of the person making the entry, the nature of the incident and any actions taken.

- The DPS/Manager will undertake a risk assessment in relation to any night where regulated entertainment is provided at the premises past 00.00 hours in order to determine whether SIA door staff will be required to promote the licensing objectives. Where the risk assessment identifies the need for SIA door staff, these will be provided at the times and in the numbers deemed by the risk assessment to be appropriate in the circumstance. This risk assessment to be appropriate in the circumstances. This risk assessment can be undertaken once in relation to a series of nights where the same entertainment is to be provided (for instance, regular Friday night live music), so long as it is revisited regularly to ensure that the risk assessment remain appropriate for that night. The risk assessment is to be in written form and kept at the premises for at least 30 days after the night or series of nights to which it relates.

c) Public safety

d) The prevention of public nuisance

- A sign will be displayed at each exit from the premises asking customers to respect the rights of nearby residents not to be disturbed.
- When regulated entertainment is provided, noise checks will be carried out at the nearest noise sensitive property. A noise check log of these checks will be kept and maintained at the premises. A minimum the log will record the date and time of the check, location of the check, the name of the person making the check, the sound level and if required any action taken. The log will be made available to an authorised officer upon request.
- A dispersal policy will be in place at the premises to ensure that customers leave the area quietly.
- All windows and external doors shall be kept closed when regulated entertainment takes place, except for access and egress.

e) The protection of children from harm

- A challenge 25 policy shall be implemented and full and appropriate identification shall be sought from any person who appears under the age of 25.
- Staff will accept the following forms of identification:
 - Valid Passport from any country
 - Valid EU country identity card with photo
 - Valid UK photo driver's licence
 - Valid UK photo ID card with 'pass mark'
 - Any other form of ID (hard-copy or digital) approved by the Home Office for the purposes of sales of alcohol.
- A notice shall be displayed indicating that the Challenge 25 policy is in force.
- A record of sales refusals will be kept at the premises. This may be a manual entry book or electronic record via the tills. The refusals log in any form will be kept for 30 days and be available for inspection by appropriate officers of the responsible authorities.

Checklist:

Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	
Date	20 December 2022
Capacity	Solicitor to applicant

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

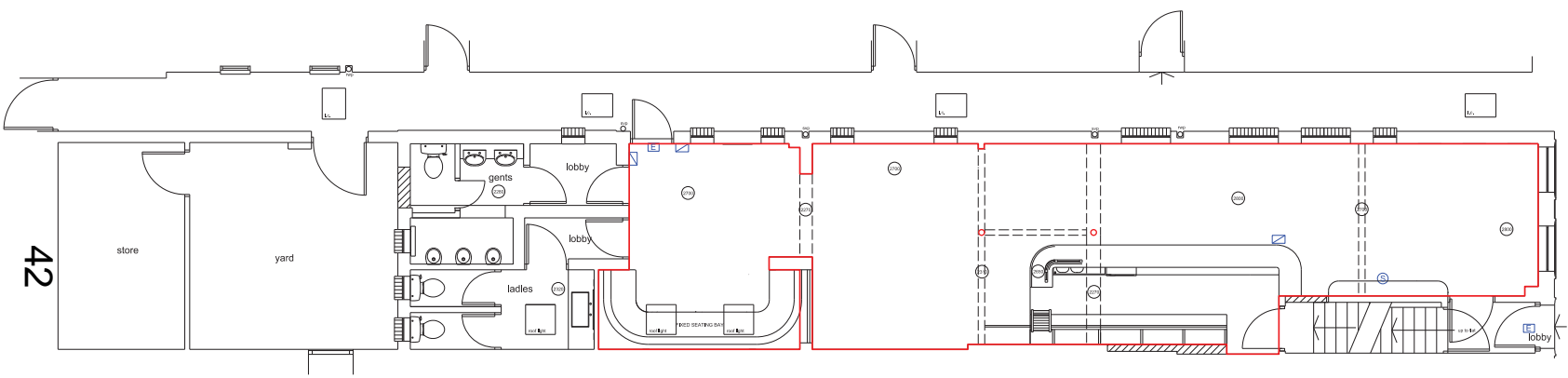
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
TLT Solicitors One Redcliff Street			
Post town	Bristol	Post code	BS1 6TP
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. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:



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-  FIRE EXIT SIGN
-  SMOKE DETECTOR
-  EMERGENCY LIGHT

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CONTRACTORS PLEASE NOTE

- 1) Warning, no dimensions to be scaled from this drawing. All contractors to visit the site and be responsible for taking and checking all dimensions relative to this work. The designer must be advised of any discrepancies in writing.
- 2) This drawing must be used in conjunction with the specification (B) of quantities and related drawings. Any structural work must be carried out to the exact specification and requirements of the client's appointed structural engineer, and any amendments must have his express prior written authority.
- 3) All structural work must be inspected at all relevant stages by the structural engineer and the Local Authority's Building Surveyor and comply with their requirements. Any costs and claims for damages, loss of trade, etc. incurred by failing to do so are the sole liability of the contractor.
- 4) Any discrepancies between drawings and/or drawings and specification, should be reported to the designer prior to any work commencing.

A	09/01/23	Address amended	MS
Date	Revisions		By

concept 

Architecture - Interior Design - Project Management

Unit 1, Sheffield Business Park Ltd
Sheffield Business Centre, Europa Lix
Sheffield, S19 4JZ
Tel: 0114 279 3711
Email: office@concept4ides.co.uk
Web: www.concept4ides.co.uk
Facebook: www.facebook.com/concept4id

Client
GREENE KING PP

Job Title
**THE GARDENERS ARMS
8 NORTH PARADE AVENUE
OXFORD
OX2 6LX**

Drawing Title
LICENSING DRAWING

Scale: **1:50 @ A1** Drawn By: **MS**

Date: **NOV 22** Checked By:

Dis. no. 3124 - 60	Rev.
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APPENDIX TWO

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

Premises Licence *Oxford City Council*

Premises Licence Number

05/00785/PREM

Part 1 – Premises Details

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

Gardener's Arms
8 North Parade Avenue
Oxford
OX2 6LX

Telephone number 01865 554007

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Plays
Provision of facilities for dancing
Sale of alcohol

Times the licence authorises the carrying out of licensable activities

Plays (limited to 1 occasion per year), provision of facilities for dancing:
Monday to Sunday: 00:00 midnight to 00:00 midnight the following day

Provided indoors only

Sale of alcohol

Monday to Sunday: 11:00 hours to 23:00 hours

Notable days: 11:00 hours to 00:00 midnight

New Year's Eve: 11:00 hours to 11:00 hours on New Year's Day

In the timings above, "notable days" means the following:

Christmas Eve

Spring and August Bank Holidays

Good Friday

Easter Saturday, Sunday and Monday

Any other Bank Holidays

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 and off sales

Part 2

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

Greene King Retailing Limited
Abbot House
Bury St Edmunds
Suffolk
IP33 1QT

Tel.:01284 763222

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

5265451

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

David John Rhymes

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:	05/00353/PER
Licensing Authority:	Oxford City Council

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made under the Premises Licence:
 - a. at a time when there is no Designated Premises Supervisor in respect of the Premises Licence,
or
 - b. at a time when the Designated Premises Supervisor does not hold a Personal Licence or his
Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who
holds a Personal Licence.

Annex 2 – Conditions consistent with the Operating Schedule

3. All staff shall be aware of the law regarding the refusal of service to any person who is drunk or is underage, and shall be aware of how to seek identification from anyone who appears to be underage.
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 18 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.
5. Persons under the age of 18 will only be admitted if accompanied by a responsible adult who will be responsible for those under 18 whilst on the premises.
6. Prominent clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale, advising customers that they may be asked to produce evidence of their age.
7. No person under the age of 18 is allowed in the bar area unless he/she is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

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

Not applicable

Annex 4 – Plans

See attached sheet (1 x A1 plan)

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 22/04848/PREM
Date: 15 January 2023 14:36:09

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 15/01/2023 2:35 PM from Mrs Diana Artley.

Application Summary

Address:	The Gardeners Arms 8 North Parade Avenue Oxford OX2 6LX
Proposal:	Premises Licence
Case Officer:	Richard Masters

[Click for further information](#)

Customer Details

Name:	Mrs Diana Artley
Email:	
Address:	Winchester Road OXFORD

Comments Details

Commenter Type:	Neighbours
Stance:	Customer objects to the Licensing Application
Reasons for comment:	- Crime and Disorder - Public Nuisance

Comments: 15/01/2023 2:35 PM I am a local resident whose back garden is very close to the site of the Gardeners Arms, and I strongly object to the proposed variation of the premises licence. This is a quiet residential area, and a pub with a late night licence, particularly for music, would cause significant noise disturbance to the surrounding houses. I have never been disturbed by noise from the Gardeners Arms previously, and while the Rose & Crown does have live music once a week, on Sundays, this is only in the early evening (and the site in any case is further away from the houses in Winchester Road).

I am also concerned about noise from people leaving the pub late at night. At present, North Parade is quiet in the evenings, but an extension of licensing hours would inevitably lead to disturbance in the street in the middle of the night. I am not aware of any other pubs in North Oxford that have such a late licence, so I fear that if the application were to be granted, the Gardeners Arms would become a magnet for late night drinking and potential disorder.

Kind regards

From:
To: [licensing](#)
Subject: licensing application 22/04848/PREM
Date: 16 January 2023 08:51:05

I live at Canterbury Road, Oxford, . I am writing to object strongly to the changes proposed by the Gardener's Arms in licensing application 22/04848/PREM.

I regard the Gardener's Arms with affection as something of a North Parade institution. The previous landlords operated in a manner highly sympathetic to the context of the street and were familiar figures to most residents. I wish the pub well under its new regime and welcome the plans for its physical renovation.

However, I have serious concerns about the new licensing application. I am not aware of any dialogue between the pub and local residents about these changes. I believe that it would not be appropriate for Licensing to approve an application that is very likely to have a significant deleterious effect on the atmosphere of a quiet residential area.

My biggest concern is for **public nuisance in the form of excessive noise late at night**. The pub is not designed as a music venue with appropriate sound insulation. I anticipate that loud music inside the venue will be audible across the neighbourhood. The application includes a section proposing sound checks at neighbouring properties, but the proposed controls are insufficiently well defined to offer any reassurance on this score. Experience suggests that the late-night behaviour cannot be anticipated in advance.

My second concern is for **safety and public order**. If the pub hosts musical events that attract a large audience many of whom will arrive by car, there will be an increase in the frequency that people drive while intoxicated, park illegally, damage property (e.g., vehicles, garden walls), and perhaps injure our neighbours (or worse). With an increased crowd attending the pub until later at night, more alcoholic drinks will be consumed, with all of the attendant problems – litter, fighting, shouting, public urination, etcetera. North Parade experienced these issues some time ago when a wine bar occupied 9B North Parade. Winchester Road residents had the same problem when the gate to St Hugh's College was open all night. They should not be allowed to recur in this neighbourhood.

Third, it is a relevant matter of grave concern that the University of Oxford is proposing a **very large development immediately south of the Parade, including 350 new student accommodation units**. I appreciate that the pub's licensing application is formally unrelated to this development. However, the combination of much longer pub hours with amplified music and this huge shift in the neighbourhood population, is bound to give rise to consequences very deleterious to this quiet residential enclave.

I therefore ask the Licensing Board to reject application 22/04848/PREM in order to protect the residential nature of the local community.

Timothy Garton Ash, Canterbury Road, Oxford,

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

17th January 2023

REPRESENTATIONS RE GARDENERS ARMS LICENSING APPLICATION

On behalf of Mrs Mary Alison Bickmore of ■ North Parade Oxford OX2 6LX

To Oxford City Licensing Authority

By letter to Town Hall, St Aldate's Chambers
Oxford OX1 1BX

and

By email to licensing@oxford.gov.uk

Licensing Application 22/04848

Gardeners Arms 8 North Parade Oxford OX2 6LX

Representations by Mrs Mary Alison Bickmore of ■ North Parade Oxford OX2 6LX.

These representations are made on behalf of Mrs Mary Alison Bickmore by Mr Francis Bickmore and Mr Peter Shaw. Mr Bickmore and Mr Shaw are the son and brother respectively of Mrs Bickmore and hold a Lasting Power of Attorney from her. A copy of the Power of Attorney will be sent following this under separate email cover. These representations are made at the express request of and on the instructions of Mrs Bickmore with the concurrence of both attorneys.

It is strongly urged that the consideration of these representations is made in the light of the following information on Mrs Bickmore's health. She will be 91 in late April.



LOCATION In relation to the representations below and to clarify the location of Mrs Bickmore's property ("8A") and the application premises ("The Pub") the items set out in bold below are sent with and appear at the end of these representations.

Copy Land Registry filed plan of the Title to 8A showing the registered property arrowed and edged by a thick black line. The Pub has also been arrowed showing what is assumed to be the land relating to it hatched. This should not be

taken as evidence of title to the Pub and is for illustration only as to the Pub's position.

Official copy of title to 8A. Showing Mrs Bickmore as owner .**N.B.** the Property Register shows 8A as enjoying right of way over the passage between 8A and the Pub. ("the Alley"). The land on which the Alley is built is believed to be vested in whoever has title to the land on which the Pub is built but we do not currently have documentary evidence of that.

Copy of the Licensing drawing submitted with the application. **N.B.** As has already been pointed out to your office this when originally submitted was mistakenly entitled 'The Gardeners Arms 39, Plantation Road, Oxford OX2 6JE' Presumably this was a clerical error but it has now been corrected on the version appearing on line. Whatever the case it is accepted that the drawing is substantially accurate in showing the floor plan of the Pub and the extent and position of the Alley.

To clarify items in the licensing drawing the following annotations or amendments have been made to it.:

- a) The front door of 8A, the only access from it to the Alley, has been marked
- b) For illustration only, and not to scale, the approximate position of 8A has been sketched in
- c) The position of North Parade Avenue has been shown

PROXIMITY

The proximity between 8A and the pub and the narrowness of the Alley are of relevance to the Representations below and the following should be noted

1. The Alley is the only access for 8A to North Parade itself. The Alley is narrow, it's recently measured width being 119cm at the entrance from North Parade, 113cm outside the door of 8a North Parade, and 93cm being the narrowest passing point beside the meter box. The distance from North Parade to the front door of 8A is approximately 24 metres.
2. The Alley also serves numbers 13 and 14 Winchester Road and it is believed that the owners and occupiers of those two properties either have or will be making representations on the application.

REPRESENTATIONS

Mrs Bickmore has the following representations:

- a) Objection is made to any extension of licensed hours for the supply of alcohol.

- b) Objection is made to the permitting of music whether live or recorded at any time

GROUNDS OF OBJECTION

The grounds for the above objections are in each case similar relating to the risk, if the licensing changes are made, of nuisance affecting 8A and other nearby residential properties, particularly 13 and 14 Winchester Road.

It is presumably the intention of the applicant that the proposals made should, if sanctioned, bring about an improvement in their business through an increase in customer numbers and general footfall at the Pub. That is a perfectly legitimate commercial objective and Mrs Bickmore has no wish to hinder the proper development of the applicants business nor to prejudice the proper enjoyment of the facilities provided to its customers. However she is concerned that in the nature of the increased numbers this will only result in an increased risk of activities currently, properly enjoyed and contained within the Pub, emanating outside to the detriment of neighbours and the general community.

More particularly the application envisages:

Increased hours for the supply of alcohol,

Live and recorded music not previously permitted

Increased hours for the supply of light refreshment.

The combined effect of these changes must be, as the applicant would no doubt wish, to increase customer numbers and footfall leading to the following possible nuisances:

- Increased noise heard outside the Pub as a mixture of music, possibly over amplified, and revelry from customers
- Increased bottle noise as the bins situated in the alley are filled and emptied. This noise is audible daily at present and greater numbers will only lead to increase to an intolerable level together with the risk of broken glass as a hazard to all users of the Alley particularly children.
- Use of the Alley as an adjunct to the pub premises by the spilling out of customers from the Pub onto the Alley. The premises have previously held a pavement licence for the frontage of the Pub onto North Parade Avenue and knowledge of that may encourage patrons into such use of the Alley. That

would seriously impede access to 8A together with 13 and 14 Winchester Road in what would be a totally unacceptable manner.

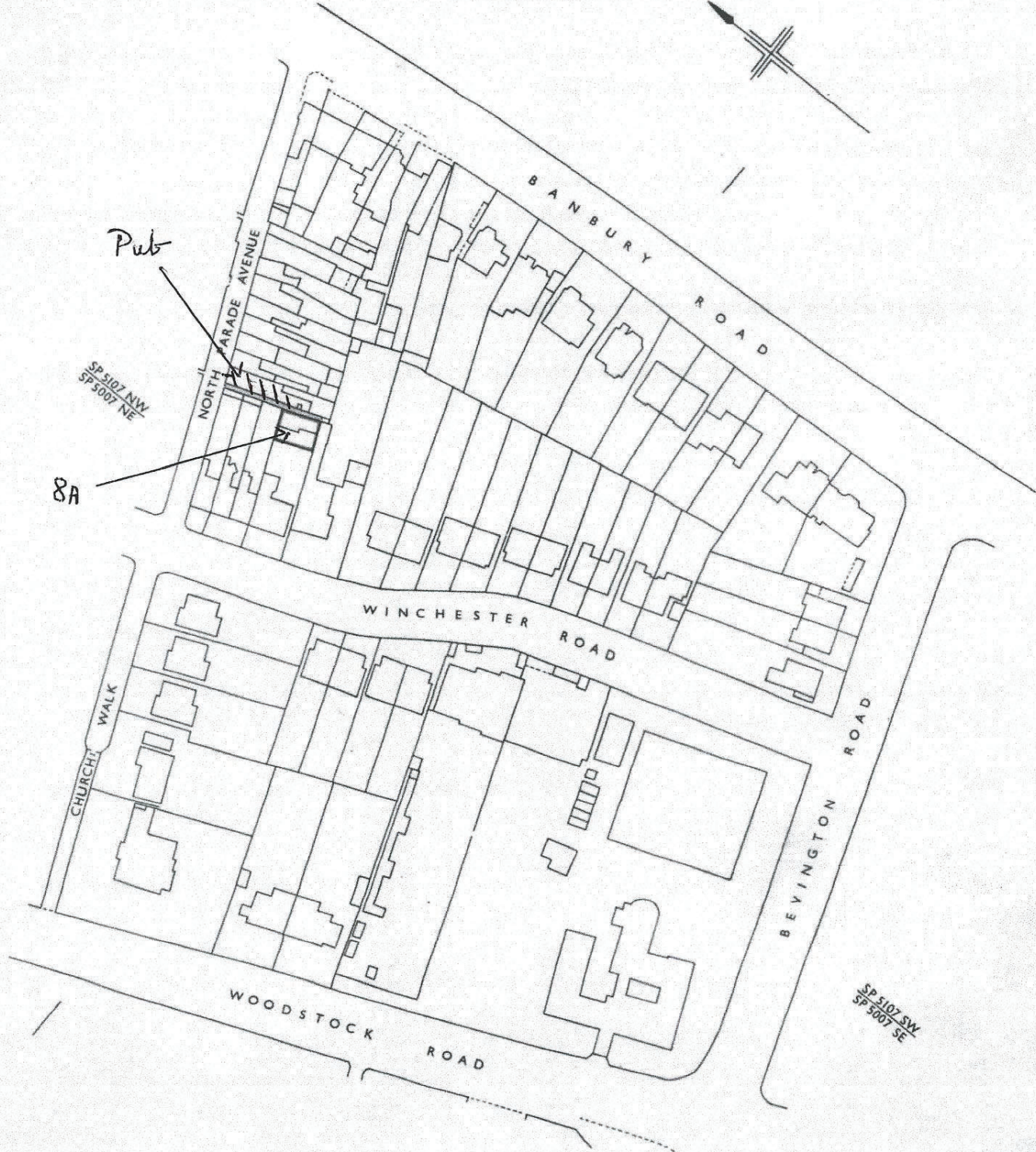
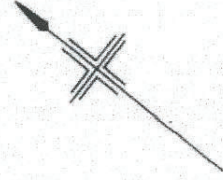
- In relation to the previous point it should be noted from the licensing drawing that there is an exit door onto the Alley from the room shown as containing a fixed seating bay. This exit would allow customers in any part of the Pub to access the Alley and also the areas shown on the drawing as 'yard' and 'store'. There is a gate shown giving access from the Alley to the yard. Access to these areas would particularly affect 8A as they are immediately visible, and also audible, from the upper floor of 8A. Whilst the objections to the application above are maintained it is therefore strongly urged that any licence that is granted should contain conditions specifically prohibiting the service or consumption of alcohol or refreshments in the Alley, Yard and Store. Conditions should also be imposed requiring the management of the Pub to discourage customers from congregating in these areas by notices, staff direction and other appropriate means.

H. M. LAND REGISTRY

NATIONAL GRID PLAN SP 5107 SECTION D
(OXFORD)

Scale 1/1250

CITY OF OXFORD



SP 5107 NW
SP 5007 NE

8A

Pub

SP 5107 SW
SP 5007 SE

Old Reference OXFORDSHIRE XXXIII 15 N
Crown Copyright Reserved





Official copy of register of title

Title number ON3669

Edition date 02.09.2010

- This official copy shows the entries on the register of title on 11 JAN 2023 at 10:06:12.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 11 Jan 2023.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Gloucester Office.

A: Property Register

This register describes the land and estate comprised in the title.

OXFORDSHIRE : OXFORD

- 1 (22.11.1957) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 8a North Parade Avenue, Oxford (OX2 6LX).
- 2 The land has the benefit of a right of way over the passage tinted brown on the filed plan a right to use the drain on 12 Winchester Road, connecting with the main sewer in Winchester Road and a right of entry on No. 12 aforesaid to repair and maintain such drain.

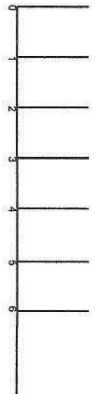
B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (02.09.2010) PROPRIETOR: MARY ALISON BICKMORE of 8a North Parade Avenue, Oxford OX2 6LX.
- 2 (02.09.2010) The price stated to have been paid on 24 August 2010 was £610,000.

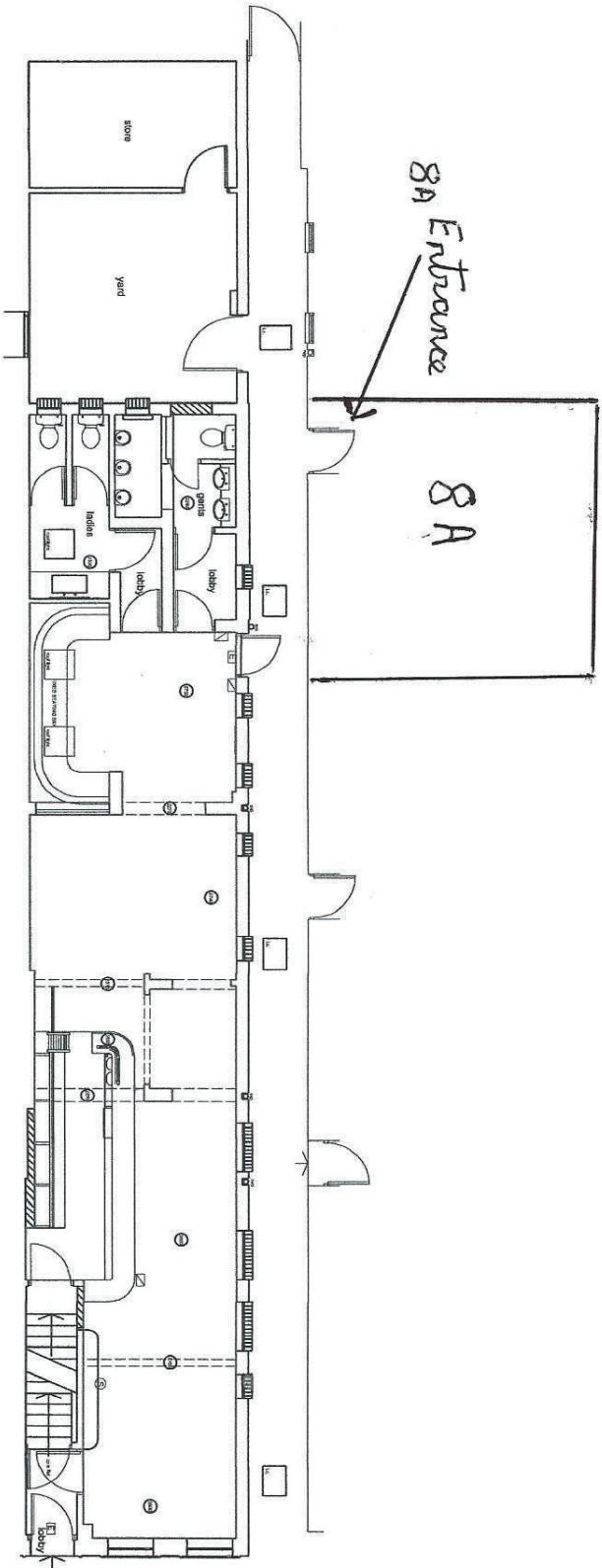
End of register



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8A Entrance

8A



FIRE DOOR SIGN
 SMOKE DETECTOR
 EMERGENCY LIGHT

← NORTH PARADE AVENUE →

59

CONCEPT
 ARCHITECTURE, INTERIOR DESIGN, ENGINEERING
 4, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100
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Client:
 GREENE KING PP

Job Title:
 THE GARDENERS ARMS,
 39 PLANTATION ROAD,
 OXFORD,
 OX2 9JE

Drawn by:
 LICENSING DRAWING

Scale:
 1:50 @ A1

Date:
 NOV 22

Drawn by:
 MS

Checked by:

Drawn by:
 3124-60

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 22/04848/PREM
Date: 16 January 2023 10:55:07

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 16/01/2023 10:54 AM from Mr Richard Briant.

Application Summary

Address:	The Gardeners Arms 8 North Parade Avenue Oxford OX2 6LX
Proposal:	Premises Licence
Case Officer:	Richard Masters

[Click for further information](#)

Customer Details

Name:	Mr Richard Briant
Email:	r
Address:	Canterbury Road Oxford

Comments Details

Commenter Type:	Neighbours
Stance:	Customer objects to the Licensing Application
Reasons for comment:	<ul style="list-style-type: none">- Protection of Children from Harm- Public Nuisance
Comments:	<p>16/01/2023 10:54 AM There is a huge difference between 2300 hours and 0100. Inevitably there will be noise as people leave the pub when (and after) music is playing. This will be a nuisance to neighbours.</p> <p>There is also a risk to young children from broken glass and rowdy behaviour. This is a residential area with many families with children. Pedestrianisation has helped make North Parade very family-friendly. The proposed licensing variation risks undermining that.</p>

Kind regards

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 22/04848/PREM
Date: 16 January 2023 12:37:41

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 16/01/2023 12:37 PM from Mrs Romy Briant.

Application Summary

Address: The Gardeners Arms 8 North Parade Avenue Oxford OX2 6LX

Proposal: Premises Licence

Case Officer: Richard Masters

[Click for further information](#)

Customer Details

Name: Mrs Romy Briant

Email:

Address: Canterbury Road OXFORD

Comments Details

Commenter Type: Neighbours

Stance: Customer objects to the Licensing Application

Reasons for comment: - Public Nuisance

Comments: 16/01/2023 12:37 PM I am emailing to express my concern at the licensing application made by the Gardener's Arms in North Parade for opening hours to 1 am and music on the grounds of preventing public nuisance.

Ours is a residential neighbourhood with local families. We live in a three generation home with young children . We can sometimes hear people passing in the late evening in Winchester Road but on the whole it is relatively quiet and a wonderful area for families. The other local pub in the road, the Rose and Crown, closes its door at 11. Local University Colleges very infrequently (biennially) have late events and they always warn us several weeks in advance. Music playing nearby, together with people leaving the pub and gathering in the local streets at one o'clock in the morning every weekend after a long evening drinking will (potentially) impact both on us and on our neighbourhood enormously. I request that the licensing application is not approved.

With best wishes

Romy

Romy Briant

From:
To: [licensing](#)
Subject: 22/04848 comment
Date: 12 January 2023 22:37:38

Sent from my iPhone

Begin forwarded message:

From:
Date: 12 January 2023 at 08:54:43 GMT
To: licensing@oxford.org.uk
Subject: 22/04848 comment

Hi,

I would like to submit the following response to the application for a change of license to the Gardeners Arms pub on North Parade

Many thanks
Olivia Clark
Canterbury road, Oxford

I and my family object to the application on the grounds of public nuisance and noise. This is a quiet residential family area, where there is no precedent at all for late night noisy venues playing music or open past midnight. Although the Rose and Crown pub has a license to stay open till Midnight and play music, it is known for being a quiet pub and not playing music at any volume that would annoy the neighbourhood, but we have no guarantee that the new owner of the Gardeners arms would take this thoughtful and respectful approach. I am one of many families in surrounding streets with young children (in my family's case a disabled child) and would not want their sleep to be disturbed by loud music.

Additionally we would be concerned about the change this could bring to the atmosphere and safety of this conservation area - again this is a very quiet family area with no precedent for an atmosphere of late night drinking and partying. We don't as residents want to encourage drunk people in our streets at I am causing potential disturbance or disruption that could make this area less safe, and leaving litter.

Sent from my iPhone

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

From:
To: [licensing](#)
Subject: Comment on 22/04848/PREM Gardeners Arms Pub North Parade
Date: 16 January 2023 18:19:49

Thank you for inviting comments on the proposed changes to the Gardeners Arms pub in North Parade.

I live at Winchester Road, with our garden immediately behind the Gardener's Arms. We have two small children who play on the pedestrianised street outside, and who use the alleyway between our house and the pub daily, to cycle to school etc. We have never had any problems with the previous owners or the pub in any way. We also have no problems with the other pub on North Parade – the Rose and Crown. They are very respectful and all music ends at 9pm, which causes no trouble for anyone.

However, I am extremely concerned by the application to have extended drinking hours and late music. First, this would create a risk for my children (and there are many other local children who play on the street) – late night drinking often brings with it broken glass, people who are drunk in the neighbourhood, and cigarette stubs in the street.

Second, late night music and drinking will keep my children awake (their room backs directly onto the pub) and this will be a real problem for us.

Third, we have an elderly and frail neighbour whose house at the end of our garden, adjacent to the pub, and who would be very distressed by late music and drinking, especially as the alleyway of the pub is the only way into her home.

I strongly object to this application.

Regards,

Lucie Cluver

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From:
To: [licensing](#)
Subject: Objection to licensing application 22/04848/PREM.
Date: 15 January 2023 23:38:51

Dear Sirs,

I live at Winchester Rd Oxford . I am writing to object strongly to the changes proposed by the Gardener's Arms in licensing application 22/04848/PREM.

I regard the Gardener's Arms with affection as something of a North Parade institution. The previous landlords operated in a manner highly sympathetic to the context of the street and were familiar figures to most residents. I wish the pub well under its new regime and welcome the plans for its physical renovation.

However, I have serious concerns about the new licensing application. I am not aware of any dialogue between the pub and local residents about these changes. I believe that it would not be appropriate for Licensing to approve an application that is very likely to have a significant deleterious effect on the atmosphere of a quiet residential area.

My biggest concern is for public nuisance in the form of excessive noise late at night. The pub is not designed as a music venue with appropriate sound insulation. I anticipate that loud music inside the venue will be audible across the neighbourhood. The application includes a section proposing sound checks at neighbouring properties, but the proposed controls are insufficiently well defined to offer any reassurance on this score.

My second concern is for safety and public order. If the pub hosts musical events that attract a large audience many of whom will arrive by car, there will be an increase in the frequency that people drive while intoxicated, park illegally, damage property (e.g., vehicles, garden walls), and perhaps injure residents. With an increased crowd attending the pub until later at night, more alcoholic drinks will be consumed, with all of the attendant problems – litter, fighting, shouting, public urination, etcetera. North Parade experienced these issues some time ago when a wine bar occupied 9B North Parade. They should not be allowed to recur in this neighbourhood.

Third, it is a relevant matter of grave concern that the University of Oxford is proposing a very large development immediately south of the Parade,

including 350 new student accommodation units. I appreciate that the pub's licensing application is formally unrelated to this development. However, the combination of much longer pub hours with amplified music and this huge shift in the neighbourhood population, is bound to give rise to very damaging consequences to this quiet residential enclave.

I therefore ask the Licensing Board to reject application 22/04848/PREM in order to protect the residential nature of the local community.

Fram Dinshaw

WinchesterRoad
Oxford

Tel

Mob

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

From: [REDACTED]
To: [REDACTED] on 22/04848/PREM — Gardeners Arms Pub North Parade
Subject: 12 January 2023 18:57:19
Date:

I am writing to comment on licensing application 22/04848/PREM by the Gardeners Arms (GA) pub in North Parade Avenue, OX2.

My name is Prof. Richard Katz and I live at [REDACTED] Winchester Road with my wife, [REDACTED], and our two children, ages [REDACTED] and [REDACTED]. We own the property and have been there since 2015. Our back garden ends at the alleyway along the side of the Gardeners Arms and we use the alleyway daily to access our property. The back windows of our house, including two bedrooms, face toward the Gardeners Arms pub. Moreover, our children use North Parade Avenue during pedestrianisation hours for recreation (scooting, drawing with chalk, etc). Changes to the urban environment of North Parade thus have potentially significant implications for my property and my family, including but not limited to their safety (the protection of my children from harm); nuisance from noise, litter, disorderly or antisocial behaviour; and any crime that might occur in the neighbourhood.

In this letter, I argue that all four of the licensing objectives are relevant in this case and I discuss them in order of decreasing importance.

Before doing so, let me state that I support the commercial development of North Parade. Indeed, I was a champion of pedestrianisation as Secretary of the North Parade Residents and Traders Association. I believe that North Parade can and should balance the needs of traders, residents and visitors to create a harmonious shared neighbourhood. The neighbourhood currently achieves this balance, thanks to legal restrictions and the cooperative and community-minded spirit of the residents and traders.

Let me further state that I am supportive of the two pubs on North Parade, of which the GA is one. These have been anchors of the local community, drawing distinct but loyal clientele for a long time. I am pleased that the GA will undergo physical renovation and I welcome the new publican(s). My family had a warm, neighbourly relationship with the previous publicans David and Jenny, and we cooperated on various neighbourhood issues. David and Jenny were always conscientious and protective of the neighbourhood's balance between sometimes competing needs of residents and traders.

The new publicans are unknown to me. They have not reached out with any information about what they are planning or how they envision the next iteration of the GA. They have not asked anyone in the neighbourhood for information about their concerns. Hence I have had no reassurance that they will be respectful of neighbours.

The aim of their licensing application is presumably to increase visitors to the pub and to sell more food and drinks to gain more revenue. There is nothing wrong with these aims per se. However, I think it is the role of Licensing to ensure that they are not achieved at the expense of the local community (in terms of the four objectives). The link between alcohol consumption and public disorder, noise, and erosion of safety is very well established. I next discuss why I think that the application creates a threat to all four of the Licensing objectives.

1. Prevention of public nuisance. The Gardeners Arms pub is in an old building, probably dating back to the 1830s. It is not built for containing the sounds generated by modern amplification equipment, drum kits, or patrons shouting over the ambient noise level. Hence it is almost certain that music played within the pub will be

readily audible in my garden and in my house (probably even with windows closed). Having small children, I object to such noise after 9pm on weekends and 8pm on weekdays. On Sunday evenings, I enjoy the faint sounds of jazz that waft up from the Rose & Crown pub — but are always finished by 9pm. In a neighbourhood such as ours, the behaviour of the Rose & Crown sets a standard for consideration of the community.

There is a counter-example of consideration that pre-dates my arrival in the neighbourhood — a wine bar that was based at 9B North Parade. This will certainly be reviewed in other letters by neighbours who experienced the disturbance it caused. This example provides clear evidence that in such a tightly packed and enclosed space, many neighbours will be highly exposed to sounds that emanate from the GA.

2. Prevention of harm to children. There are various ways that the licensing change could lead to harm to my children. It could keep them awake at night beyond their bedtime. This could potentially create health issues and behavioural issues that would affect their schooling and the harmony of our home. If, due to licensing changes, the GA begins to attract a different crowd that drinks more, litters more, smokes more, fights more, drives while intoxicated, or generally behaves antisocially, this will create stress and potentially a safety hazard for my children. That these behaviours are correlated with consumption of alcohol is well established and should not require specific evidence.

I am particularly concerned about the possibility that patrons of the pub would begin to use the alleyway as a place for smoking and drinking. Such access was strictly forbidden by Jenny and David, but this is not noted in the licensing application or the layout drawing submitted. If the narrow alleyway becomes accessible to the public, my children would be exposed to cigarette smoke when they traverse it, and might also have to avoid broken glass and other litter. Such problems would also have a severe effect on my neighbour who lives at [REDACTED] and whose home is accessible only by this alleyway.

3. Prevention of Crime and Disorder. If the GA licensing application is successful and leads to a sharp increase in non-neighbourhood visitors to the pub and consumption of alcohol, there will very likely be an increase in disorder in the neighbourhood. More people will be driving to attend the pub, which means more pressure on parking and more illegal parking. It also means more people driving while intoxicated, with potential implications for damage to property. And it certainly means an increase in litter including broken glass. These changes would be intolerable in our community, where we aim for harmony between residents and traders.

An increase in crime is a possible outcome of late-night drinking on North Parade. It is an otherwise extremely empty street at night, with no CCTV cameras or public presence. And yet there are many vulnerable shops along the road that could be easy targets of break-in late at night. This is unlikely, but even one additional crime due to an influx of drunk people is intolerable.

4. Public safety. Again, if the GA licensing application is successful and the pub attracts more people from further afield, including those who arrive by car, then there will likely be an increase in the incidence of driving while intoxicated, with obvious consequences for public safety.

It is possible that the above reflects a pessimistic view of what would actually happen if GA's licensing application is successful. However, I think it is consistent with Licensing's objectives to ensure that such a scenario is prevented from occurring. Moreover, I think that Licensing should seek to maintain the status quo balance between traders and residents in North Parade, and the harmony of a street where the proximal neighbours include the young children and the elderly. I implore you to protect this harmony.

--

Richard Foa Katz

[REDACTED]
[REDACTED]
[REDACTED]

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From:
To: [licensing](#)
Subject: Objection to Licensing Application 22/04848/PREM
Date: 13 January 2023 18:38:34

Hi, I have been unable to submit my objection to this application on the website so have copied it below. I'd appreciate an acknowledgment that this has been received and associated with the application.

Many thanks
Athena

Licensing – Application Comments

22/04848/PREM | Premises Licence | Open for Consultation | The Gardeners Arms 8 North Parade Avenue Oxford OX2 6LX

Application Reference:	22/04848/PREM
Address:	The Gardeners Arms 8 North Parade Avenue Oxford OX2 6LX
Licence Category:	Premises Licence
Application Type:	Variation

Name: Ms Athena McKeivitt

Address: Winchester Road, Oxford

Email:

Commentor Type: Neighbour

Stance: OBJECT

Reason for comment: Public Nuisance

I object to this planning application. I am a direct neighbour to the Gardeners Arms and object to the application to play music and the extension of hours as both will be a huge public nuisance.

North parade has a significant number of residents with all direct neighbours of this premises being residential and including families with small children and pensioners. It is not appropriate to extend opening hours and music licence given the locality. This is more suitable for city centre pubs.

Other pubs in the surrounding areas restrict opening times to 11pm. If the extension in opening time is granted this pub will become a magnet for late drinkers. The Rose and Crown has chosen to limit its hours to 11pm as it was impossible to manage the exit of these type of customers without impacting the residential community, demonstrating a clear understanding of the relationship needed between commercial and residential occupants on North Parade.

The Gardeners Arms is also not suitable for live or loud music. It is a small pub, which combined with another application to move the bar from its current location means any musicians will be closer to the outside walls. This is an old building with minimal insulation and maximum opportunity for noise to be a nuisance to neighbours. Furthermore if hours are extended then there will be the added nuisance of musicians exiting the building after hours extending the disturbance further.

It should also be noted that the reopening hours for the pedestrian gates have been agreed at 9pm in the summer, despite a later option being considered. This reflected the needs and wishes of the residential community in and around North Parade where an earlier time was deemed the best balance for all concerned ensuring no public nuisance occurred. The support shown by residents for pedestrianisation shows the understand they have from the needs of the commercial occupants, but this application goes too far and asks too much from residents.

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Athena McKeivitt

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Comments for Licensing Application 22/04848/PREM

Application Summary

Application Number: 22/04848/PREM

Address: The Gardeners Arms 8 North Parade Avenue Oxford OX2 6LX

Proposal: Premises Licence

Case Officer: Richard Masters

Customer Details

Name: Mrs Marianne Moxon

Address: North Parade Avenue Oxford

Comment Details

Commenter Type: Neighbours

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Public Nuisance

Comment:07/01/2023 5:51 PM I am a pensioner who has lived on North Parade opposite The Gardeners Arms for 19 years. During this time we have had a friendly and peaceful relationship with the pub and the publicans as did the previous owners of this house. North Parade is a quiet historic street in the Victorian conservation area. It is a unique vibrant community of residents and traders who have cooperated with the Council to create a safe and friendly environment for families with children and dogs. The pedestrianisation of the street has created a peaceful cafe atmosphere. The proposed extended hours and live & recorded music in the pub would alter this environment creating loud noise, drunkenness and extra rubbish in the street. There would be a danger to children and dogs from broken glass and other unsavoury rubbish. The Council and the North Parade community have invested funds in creating a peaceful and family friendly environment which would be destroyed by the licensing of the loud music and extended hours.

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 22/04848/PREM
Date: 07 January 2023 16:37:13

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 07/01/2023 4:37 PM from Dr Richard Moxon.

Application Summary

Address: The Gardeners Arms 8 North Parade Avenue Oxford OX2 6LX

Proposal: Premises Licence

Case Officer: Richard Masters

[Click for further information](#)

Customer Details

Name: Dr Richard Moxon

Email:

Address: North Parade Avenue Oxford

Comments Details

Commenter Type: Members of the Public

Stance: Customer objects to the Licensing Application

Reasons for comment: - Public Nuisance

Comments: 07/01/2023 4:37 PM Public nuisance

We have lived immediately opposite The Gardeners Arms on North Parade for 19 years and coexisted with the pub in quiet harmony as did the previous occupants of our house. This is a peaceful family friendly neighbourhood where we all worked hard with the Council to achieve pedestrianisation which has provided a safe and friendly environment for families.

The sale of alcoholic beverages until the early hours of the morning at weekends will be an unwelcome public nuisance because of the inevitable consequences of inebriation and the unrestricted endorsement of loud music - whether live or streamed. The council will be aware of the decibels and profound vibrations generated by modern acoustic equipment.

The street is a jewel in the crown of Oxford, an exemplary community consisting of a combination of residents and traders in a location specifically recognising its historic Victorian legacies. The proposed revised licence seeks to alter the long-established, character of North Parade and its adjacent streets by endorsing late- night alcoholic consumption and unrestricted music that betrays the spirit and peaceful ambience of the street and, inevitably, its wider community (especially Winchester, Bevington and Canterbury Roads).

Late night music and alcohol will inevitably result in littering, the fouling of the street through alcohol- associated vomiting, this being another consideration of the public nuisance afforded if this proposed revised licence is granted. Broken glasses and bottles will be a danger to the many dogs and children who frequent the street. . There have been many communications among traders and residents on this matter. Council can be assured that the community is solidly opposed to the proposed change to the current licensure.

Kind regards

From: [REDACTED]
Subject: [licensing](#)
Date: Gardens Arms
02 January 2023 21:11:22

I am writing to express my concern about the proposed late opening times of the Gardens Arms pub in Oxford. As a member of the community, I am particularly concerned about the impact that these late hours will have on the quality of life for residents, particularly those with young children.

The noise and disturbance that can be caused by patrons leaving pubs late at night is disruptive to those who are trying to sleep, and can lead to ongoing issues with sleep deprivation and related health problems. This is of particular concern in a quiet neighborhood such as ours, where the presence of loud, late-night activity may be particularly disruptive.

In addition, the presence of intoxicated individuals on the streets late at night can create a safety hazard for all members of the community, including children.

I urge you to carefully consider the potential consequences of allowing the Gardens Arms to extend their hours of operation to as late as 1 am. I believe that limiting the hours of operation for this establishment will help to improve the overall quality of life for residents, and create a safer and more peaceful environment for all, especially families with young children.

Thank you for considering my concerns.

Sincerely,

Frederick

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From: [REDACTED]
Subject: [licensing](#)
Date: Gardens Arms
02 January 2023 21:20:31

[REDACTED]

I am writing to formally express my concern about the proposed late opening times of the Gardens Arms pub in our community. As a member of the community, I am deeply troubled by the potential impact that these late hours will have on the quality of life for myself and my fellow residents.

The noise and disturbance that can be caused by patrons leaving pubs late at night is a serious issue, as it can lead to ongoing issues with sleep deprivation and related health problems for those living in close proximity to the establishment. This is especially concerning in a quiet neighborhood like ours, where the presence of loud, late-night activity may be particularly disruptive.

Furthermore, the presence of intoxicated individuals on the streets late at night poses a safety hazard for all members of the community, including those who may be more vulnerable due to age or other factors.

I urge you to consider the potential negative consequences of allowing the Gardens Arms to extend their hours of operation to as late as 1 am, and to take appropriate action to protect the quality of life and safety of our community. I believe that limiting the hours of operation for this establishment will help to create a safer and more peaceful environment for all.

I thank you in advance for your consideration of my concerns.

Sincerely,
Leda

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

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 22/04848/PREM
Date: 23 December 2022 15:43:43

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 23/12/2022 3:43 PM from Mr Alan Smith.

Application Summary

Address:	The Gardeners Arms 8 North Parade Avenue Oxford OX2 6LX
Proposal:	Premises Licence
Case Officer:	Richard Masters

[Click for further information](#)

Customer Details

Name:	Mr Alan Smith
Email:	
Address:	Winchester Road, Oxford

Comments Details

Commenter Type:	Neighbours
Stance:	Customer objects to the Licensing Application
Reasons for comment:	- Public Nuisance

Comments: 23/12/2022 3:43 PM I wish to register my objections to the changes in licensing hours applied for by The Gardener's Arms on North Parade. The proposed changes will inevitably cause a significant public nuisance.

North Parade is a mixed street with both businesses and residential properties along both sides of the road. The Gardener's Arms itself has residential properties next to it on all four sides. Their direct neighbours include a family with young children and an elderly lady.

Extending the licensing hours will cause noise and disruption later into the night for local residents. An 11pm closing time is already late enough in this residential location. The playing of music (live or otherwise) will also cause significant nuisance to neighbours, especially if this continues late into the night. The building itself is an old brick structure with no sound proofing, so any noise will certainly not be contained within the pub.

People with long memories will recall that the building opposite The Gardener's Arms was once a wine bar. Legal action had to be taken to curtail the noise and anti-social activity that occurred late at night. No-one wants to find themselves in a repeat situation with The Gardener's Arms. The licensing changes applied for make this more likely.

Kind regards

From:
To: [licensing](#)
Subject: REF: 22/04848/PREM Gardeners Arms application - objection
Date: 16 January 2023 19:01:05
Importance: High

Status: Resident of North Parade Avenue
Expressed view: Objection to application

I should be grateful if you would take into account the following submissions:

1. Prevention of public nuisance/protection of children from harm: Whilst there is a right, enshrined in law, to the peaceful enjoyment of one's own property, there is no such matching right to operate commercial premises in a way potentially injurious to the interests of residents. The latter need to be able to live their daily lives, to work from their homes and to sleep undisturbed at night. The rights of residents - both in North Parade Avenue and in surrounding streets - should not be trumped by the desires of a corporate entity to extend income-generating hours of business.

North Parade is a shared community area - one in which there have been concerted efforts, supported by the City Council, to create a family-friendly environment, with access for all. The equilibrium between the interests of the traders and of the residents is a delicate one. The latter understand the need to operate business, but already bear the burden of noise from late-night patrons, as well as early morning (recently, pre-dawn) rubbish collections from business premises. There can be little doubt that the extension of licensing hours and granting of a music licence will place further stress on those whose homes are here. I have particular concerns about the adverse effects upon school age children, of whom there are a number living in proximity to the licensed premises in question.

2. Prevention of crime & disorder/promotion of public safety : In the event of a successful application, there is no doubt that this premises will attract nighttime patrons from urban to residential neighbourhoods. The proliferation of late night entertainment venues should be focussed in the central city area, where any associated criminal activity can be the subject of a focussed, and swift, police response.

Maria Tudhope
Banbury Road
Oxford OX2

--

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From:
To: 22/04848/PREM - Comments on variation of Premises Licence: Gardeners Arms, North Parade, Oxford OX2
Subject: 6LX
Date: 11 January 2023 10:50:08

Dear Sir/Madam,

YOUR REF: 22/04848/PREM

Variation of Premises Licence: Gardeners Arms, 8 North Parade Avenue, Oxford OX2 6LX

From: William Tudhope, Banbury Road,

I am writing to object to the proposed variation of premises licence for the Gardeners Arms on the grounds of Public Nuisance. I am a neighbour of the Gardeners Arms.

I live on North Parade. I object to both the extension of the hours for which Greene King are applying for the Gardeners Arms in North Parade and the application to play music in the pub. Both would constitute a public nuisance for the residents of the area.

North Parade and its surrounding streets are a residential area. There are families with young school age children who live here; there are many who work from home in the immediate vicinity of the Gardeners Arms; there are students who live all around the pub as well as many residents who would simply like to have the peaceful enjoyment of their own home. The requested extension of hours and introduction of a music licence would severely compromise the quality of life of all the residents in the area.

Every morning, the residents of North Parade are awoken by the rubbish collection trucks emptying the bins between 5.40a.m. and 6.40a.m. The proposed extension of the opening hours of the Gardeners Arms until 1.00a.m., means that all those living in the area will only be able to get four hours uninterrupted sleep. That is simply insufficient sleep for anybody. North Parade is a very narrow street where the noise from late night drinkers in the street reverberates. The din from drinkers leaving the Gardeners Arms after 1.00a.m. would be intolerable.

As is well known in the licensing trade, if all the pubs in a given area close their doors at 11.00pm, then one pub gets a licence to open until 1.00a.m., then after 11.00pm the hard core of those who wish to continue drinking will descend on the only pub in the area which is open until 1.00a.m. This is inevitable. It has happened on North Parade before when Papa Chico's, at 9b North Parade, got a late night drinking and music licence. The noise, anti-social behaviour and litter was intolerable as the late night drinkers from the other pubs in the area descended on Papa Chico's after 11.00pm. It was only after considerable expense on legal fees was incurred by the local residents that the extension to the licence beyond 11.00pm was revoked. It is important not to repeat a licensing mistake learnt in exactly the same area.

The recent pedestrianisation of North Parade, ably championed by the Council, has created a family friendly space enjoyed by the whole community. It would be tragic to see that lost to the anti-social behaviour of late night revellers. Late night drinking and music licences are meant for the centre of town, like Park End Street, where there are no residents, and not for residential

areas like North Parade and its environs.

William Tudhope
Banbury Road

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

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 22/04848/PREM
Date: 07 January 2023 17:12:19

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 07/01/2023 5:12 PM from Mr Christopher Williams.

Application Summary

Address: The Gardeners Arms 8 North Parade Avenue Oxford OX2 6LX

Proposal: Premises Licence

Case Officer: Richard Masters

[Click for further information](#)

Customer Details

Name: Mr Christopher Williams

Email:

Address: Canterbury Road OXFORD

Comments Details

Commenter Type: Neighbours

Stance: Customer objects to the Licensing Application

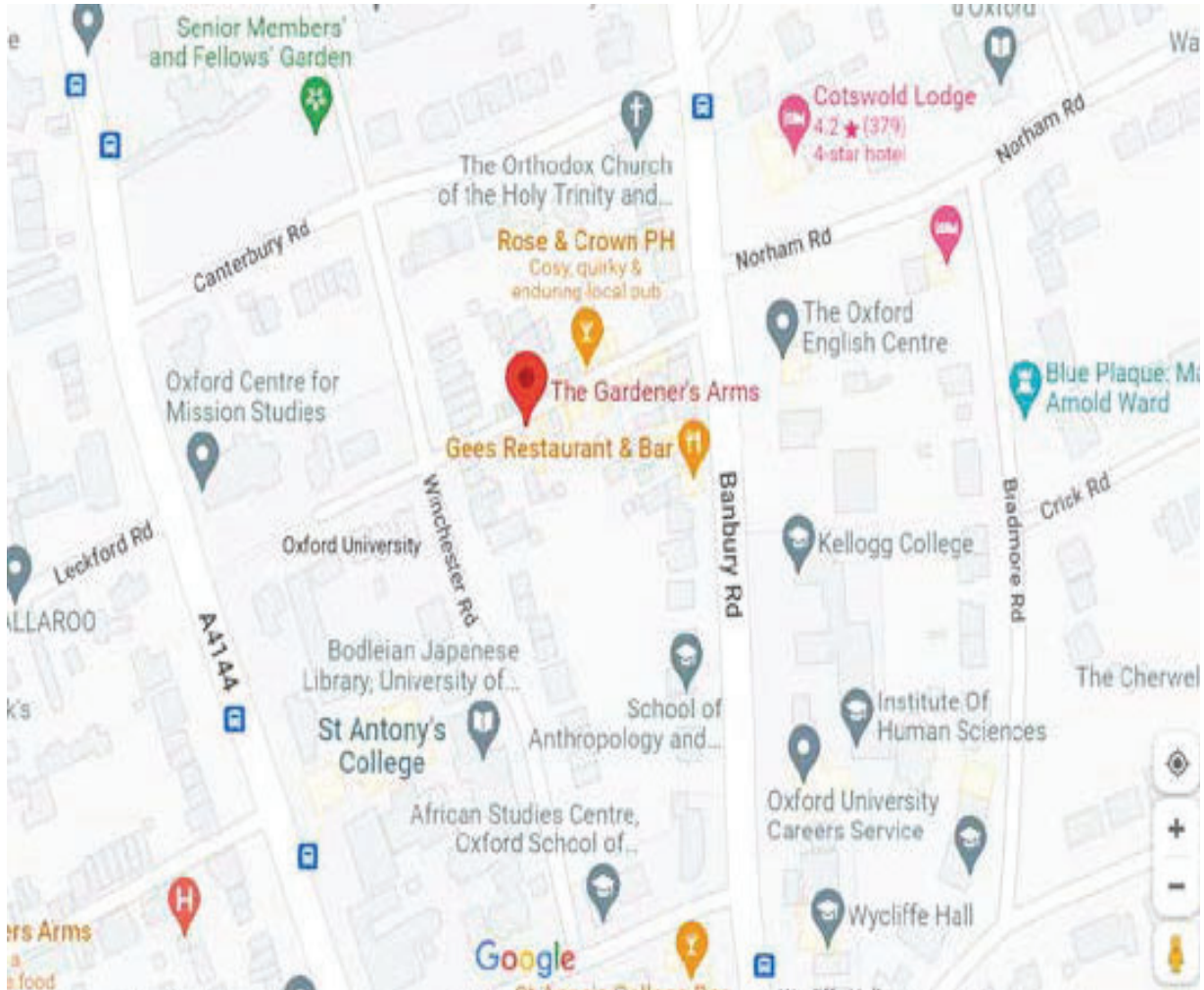
Reasons for comment: - Public Nuisance

Comments: 07/01/2023 5:12 PM The Gardeners Arms is situated at the western end of North Parade in the heart of the North Oxford Victorian Suburb Conservation Area. North Parade is a very narrow street dating from the 1830s and is thus exposed to any excess noise; it is occupied by traders and residents alike. The parade is located within an entirely residential area which benefits from low traffic volumes and a tranquil ambience. As a reaction to the Covid-19 pandemic the Parade itself was pedestrianised in early 2021.

The other public house in North Parade is the Rose and Crown, at the eastern end of the parade. It is by far the more popular of the two and although the customer volumes can be high, it does not present the community with any unreasonable noise or disturbance. The landlord at the Rose and Crown effectively polices any bad behaviour, tailoring his closing hours to suit the needs of the day within his licensable activities times. The Gardeners Arms has had low customer volumes, although some residents remember a period some years ago when a licenced establishment at the western end adjacent to the Gardeners Arms was a source of extensive bad and rowdy behaviour into the evenings and early hours. An injunction had to be sought to curtail this unacceptable behaviour.

My comments seek to convey my unease at the proposed extension of licensable hours at the Gardeners Arms up to midnight or 1am, which I oppose. I do so because a new landlord would need to ensure that his house respects the ambience of North Parade and its peaceable location, and the community would have no influence on whether the new landlord would effectively police the area against public nuisance. It will be more effective to limit licensing hours to those currently applicable as specified in the existing licence (07/00785/PREM) than to allow significant extensions beyond the current closure times as applied for.

Kind regards



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