

To: Licensing and Gambling Acts Sub-Committee
Date: 25th April 2023
Report of: Head of Regulatory Service and Community Safety
Title of Report: Hawthorn Leisure Limited Application to vary a Premises Licence – The Berkshire, 200 Abingdon Road, Oxford, OX1 4RA
Application Ref: 23/00661/PREM

Summary and recommendations	
Purpose of report:	To inform the determination of Hawthorn Leisure 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 Hawthorn Leisure Limited's application taking into account the details in this report and any representations made at this Sub-Committee meeting.	

Appendices	
Appendix 1	Application to vary a Premises Licence
Appendix 2	Existing Premises Licence - 21/03836/MVPREM
Appendix 3	Representations of Interested Parties
Appendix 4	Map of Location

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 Hawthorn Leisure Limited.

Application Summary

2. An application to vary a Premises Licence has been submitted by Hawthorn Leisure Limited. A summary of the licensable activities applied for and the time proposed for these activities can be found detailed below:

Supply of Alcohol (On and Off Sales):

Monday to Friday	09:00 until 00:30	(Previously 12:00 until 23:30 Sun-Thurs)
Saturday and Sunday	09:00 until 01:30	(Previously 12:00 until 00:30 Fri-Sat)

Recorded Music (Indoors Only):

Monday to Friday	12:00 until 00:00	(Previously 21:00 until 00:00 Fri-Sat)
Saturday and Sunday	12:00 until 01:00	(Previously 12:00 until 00:00 Sun)

Live Music (Indoors Only):

Monday to Friday	12:00 until 00:00	(Previously 21:00 until 00:00 Fri)
Saturday and Sunday	12:00 until 01:00	(Previously 12:00 until 00:00 Sat) (Previously 12:00 until 23:30 Sun)

Performance of Dance (Indoors Only):

Monday to Friday	12:00 until 00:00	(Not on current Premises Licence)
Saturday and Sunday	12:00 until 01:00	

Anything of a similar description to that falling within Recorded Music, Live Music and Performance of Dance (indoors only):

Monday to Friday	12:00 until 00:00
Saturday and Sunday	12:00 until 01:00

To remove the following existing conditions 10 and 12 namely:

10. No children shall be permitted on the premises after 21.00 hours, unless partaking in a table meal or attending a function

12. 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.

To add the following conditions:

1. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 is required to produce on request an item which meets the mandatory age verification requirement (a photo, name, date of birth & either a holographic mark or ultraviolet feature) and is either a:

- Proof of age card bearing the PASS hologram;*
- Photocard driving licence;*
- Passport; or*

- *Ministry of Defence Identity Card.*

Suitable and sufficient signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.

All other conditions to remain unchanged.

- Both the application and the steps that the applicant intends to take to promote the licensing objectives (as set out in the operating schedule) can be found at **Appendix One**
- In order to assist all parties to this Hearing, the current Premises licence for The Berkshire, reference 21/03836/MVPREM, is attached at **Appendix Two**.

Relevant Representations

- 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	

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

Name	Address	Licensing Objective(s)
H Ahmed	Vicarage Road, Oxford	Public Nuisance
J Moulton	Vicarage Road, Oxford	Public Nuisance
J Baun	Unknown	Public Nuisance
M Chatterton	Summerfield, Oxford	Public Nuisance, Public Safety, Protection of Children from Harm
P Horden	Vicarage Road, Oxford	Public Nuisance
A & A Jacottet	Vicarage Road, Oxford	Public Nuisance

R Martin	Green Place, Oxford	Public Nuisance, Protection of Children from Harm
B Morris	Vicarage Road, Oxford	Public Nuisance
P Pilsbury	Green Place, Oxford	Public Nuisance
B Potter	Unknown	Public Nuisance
Anonymous	Anonymous	Public Nuisance
Anonymous	Anonymous	Public Nuisance, Public Safety
Anonymous	Anonymous	Public Nuisance, Prevention of Crime and Disorder, Public Safety, Protection of Children from Harm
Anonymous	Anonymous	Public Nuisance, Protection of Children from Harm
Anonymous	Anonymous	Public Nuisance, Public Safety
Anonymous	Anonymous	Public Nuisance
Anonymous	Anonymous	Public Nuisance

7. Three representations in support of the application have been received from interested parties in respect of the application, these can be found at **Appendix Four** of the report.

Location

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

Statement of Licensing Policy

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

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

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

Home Office Statutory Guidance

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

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

12. 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

13. 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.
14. 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.
15. 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.
16. 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.
17. 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.

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

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Job title	Licensing Compliance Officer
Service area or department	Regulatory Services and Community Safety
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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 Hawthorn Leisure 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

21/03836/MVPREM

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
The Berkshire
200 Abingdon Road

Post town	Oxford	Postcode	OX1 4RA
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£12,250
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Part 2 – Applicant details

Daytime contact telephone number	
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E-mail address (optional)	
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Current postal address if different from premises address	One St Peter's Square
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Post town	Manchester	Postcode	M2 3DE
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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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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)

This application seeks to vary the permitted hours for the existing licensable activities as follows:

- To vary the hours for the sale of alcohol to read as follows: Sunday to Thursday 09:00h until 00:30h (Currently 12:00h until 23:30h), Friday and Saturday 09:00h until 01:30h (Currently 12:00h until 00:30h), the hours for the sale of alcohol on New Year's Eve is to remain the same ("from the end of normal licensed hours to the beginning of normal licensed hours on New Year's Day")
- To vary the hours for the provision of live music to read as follows: Sunday to Thursday 12:00h until 00:00h, Friday and Saturday 12:00h until 01:00h (Currently Friday 21:00h until 00:00hrs midnight, Saturday 12:00 noon until 00:00h midnight, Sunday 12:00 noon until 23:30 hours, New Year's Eve 12:00 noon until 01:00 hours the following day)
- To vary the hours for the provision of recorded music to read as follows: Sunday to Thursday 12:00h until 00:00h, Friday and Saturday 12:00h until 01:00h (Currently Friday and Saturday – 21:00h until midnight; Sunday – 12:00h noon until midnight.) New Year's Eve 12:00h noon until 01:00h the following day to remain the same.

This application also seeks to add the following licensable activities to the premises licence to read as follows:

- To allow the provision of entertainment facilities for dancing: Sunday to Thursday 12:00h until 00:00h, Friday and Saturday 12:00h until 01:00h.
- To allow the provision of anything similar description to live music, recorded music, and performance of dance: Sunday to Thursday 12:00h until 00:00h, Friday and Saturday 12:00h until 01:00h.

To remove the following condition from the operating schedule of conditions:
Annex 2 Condition 10 – *"No children shall be permitted on the premises after 21.00 hours, unless partaking in a table meal or attending a function"*.

To remove Annex 2 Condition 12 which states: *"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."*

To add the condition that the premises will operate a challenge 25 policy, to read as follows:

"A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement (photo, name, date of birth & either a holographic mark or ultraviolet feature) and is either a:

- (a) Proof of age card bearing the PASS Hologram;
- (b) Photocard driving licence;
- (c) Passport; or
- (d) Ministry of Defence Identity Card.

Suitable and sufficient signage advertising the "Challenge 21" policy will be displayed in prominent locations in the premises. "

There are no further changes being made as part of this application.

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 checked="" type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input checked="" 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	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 6)		
Wed			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors <u>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 the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 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			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
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)			Will the boxing or wrestling entertainment 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 boxing or wrestling entertainment (please read guidance note 6)		
Thur								
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)					
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>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)		
Mon		00:00			
	12:00				
Tue		00:00			
	12:00				
Wed		00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
	12:00				
Thur		00:00			
	12:00				
Fri		00:00	<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)		
	12:00				
Sat		01:00	As per currently permitted		
	12:00				
Sun		01:00			
	12:00				

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>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)		
Mon		00:00			
	12:00				
Tue		00:00			
	12:00				
Wed		00:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
	12:00				
Thur		00:00			
	12:00				
Fri		00:00	<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</u> (please read guidance note 7)		
	12:00				
Sat		01:00	As per currently permitted		
	12:00				
Sun		01:00			
	12:00				

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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon		00:00			
	12:00				
Tue		00:00			
	12:00				
			State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed		00:00			
	12:00				
Thur		00:00			
	12:00				
			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) As per currently permitted		
Fri		00:00			
	12:00				
Sat		01:00			
	12:00				
Sun		01:00			
	12:00				

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 checked="" type="checkbox"/>
Mon		00:00		Outdoors	<input type="checkbox"/>
	12:00			Both	<input type="checkbox"/>
Tue		00:00	<u>Please give further details here</u> (please read guidance note 5)		
	12:00				
Wed		00:00			
	12:00				
Thur		00:00	<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)		
	12:00				
Fri		00:00			
	12:00				
Sat		01:00	<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)		
	12:00				
Sun		01:00	As per currently permitted		
	12:00				

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

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>	
				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		00:30				
	09:00					
Tue		00:30				
	09:00					
Wed		00:30				
	09:00					
Thur		00:30				<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) As per currently permitted
	09:00					
Fri		00:30				
	09:00					
Sat		01:30				
	09:00					
Sun		01:30				
	09:00					

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>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)			

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.

To remove Annex 2 Condition 10 – *“No children shall be permitted on the premises after 21.00 hours, unless partaking in a table meal or attending a function”*.

To remove Annex 2 Condition 12 which states: *“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.”*

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)

As per the current licence, save for those changing as part of this application

b) The prevention of crime and disorder

As per the current licence, save for those changing as part of this application

c) Public safety

As per the current licence, save for those changing as part of this application

d) The prevention of public nuisance

As per the current licence, save for those changing as part of this application

e) The protection of children from harm

As per the current licence, save for the following:

To add the condition that the premises will operate a challenge 25 policy, to read as follows:

“A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement (photo, name, date of birth & either a holographic mark or ultraviolet feature) and is either a:

- (a) Proof of age card bearing the PASS Hologram;
- (b) Photocard driving licence;
- (c) Passport; or
- (d) Ministry of Defence Identity Card.

Suitable and sufficient signage advertising the "Challenge 21" policy will be displayed in prominent locations in the premises. “

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 application
- I understand that I must now advertise my application. ☐ Online 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	9 February 2023
Capacity	Solicitor to applicant

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Fleur Baughen TLT Solicitors One Redcliff Street			
Post town	Bristol	Post code	BS1 6TP
Telephone number (if any)	0333 006 0921		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Fleur.baughen@tltsolicitors.com			

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:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar

- community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

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

**Premises Licence
*Oxford City Council***

Premises Licence Number

21/03836/MVPREM

Part 1 – Premises Details

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

The Berkshire
200 Abingdon Road
Oxford
OX1 4RA

Telephone number: 01865 204331

Where the licence is time limited the dates:

Not applicable

Licensable activities authorised by the licence:

Indoor sporting events
Live music
Recorded music
Sale of alcohol

Times the licence authorises the carrying out of licensable activities:**Indoor sporting events:**

Sunday to Thursday: 12:00 noon to 23:30 hours
Friday to Saturday: 12:00 noon to 00:30 hours the following day
New Year's Eve: 12:00 noon to 01:00 hours the following day

Live music:

Friday: 21:00 hours to 00:00 midnight
Saturday: 12:00 noon to 00:00 midnight
Sunday: 12:00 noon to 23:30 hours
New Year's Eve: 12:00 noon to 01:00 hours the following day
Provided indoors only

Recorded music:

Friday and Saturday: 21:00 hours to 00:00 midnight
Sunday: 12:00 noon to 00:00 midnight
New Year's Eve: 12:00 noon to 01:00 hours the following day
Provided indoors only

Sale of alcohol:

Sunday to Thursday: 12:00 noon to 23:30 hours
Friday to Saturday: 12:00 noon to 00:30 hours the following day
New Year's Eve: from the end of normal licensed hours to the beginning of normal licensed hours on New Year's Day

On Christmas Eve, Christmas Day, Boxing Day, New Year's Day, Spring Bank Holiday, August Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday and all other Bank Holidays, the permitted hours for licensable activities shall be as follows:

Sale of alcohol: 12:00 noon to 00:30 hours the following day
All regulated entertainment: 12:00 noon to 00:00 midnight

The opening hours of the premises:

At the discretion of the licence holder

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

On and Off sales

Part 2

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

Hawthorn Leisure Limited
One St Peter's Square,
Manchester,
M2 3DE

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

08791672

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

Aldonio Mendes Gois

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: 09/01029/PER
Issuing Authority: Oxford City Council

Annex 1 – Mandatory conditions

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

- a) a holographic mark; or
- b) an ultraviolet feature.

6. The responsible person must ensure that—

- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - i) beer or cider: ½ pint;
 - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii) still wine in a glass: 125 ml;
- b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1:

- (a) duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) permitted price is the price found by applying the formula: $P=D+(D \times V)$ where:
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) relevant person means, in relation to premises in respect of which there is in force a premises licence:
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) relevant person means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) valued added tax means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (the first day) would be different from the permitted price on the next day (the second day) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

8. Noise emanating from the premises as a result of regulated entertainment shall not exceed 45dB(A) as measured 1 metre from any residential building.
9. The Premises Licence Holder shall ensure children are accompanied by an adult at all times
10. No children shall be permitted on the premises after 21.00 hours, unless partaking in a table meal or attending a function
11. The premises shall comply with the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks and with the Portman Group's Retailer Alert Bulletins.
12. 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.
13. No outside area shall be used for consumption of alcohol or provision of Regulated Entertainment unless the area is clearly marked or defined. On days that the premises is open for the sale of alcohol, any outside area shall not be used for the consumption of alcohol after 2300 hours and the area cleared of customers.
14. Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises.
15. All external doors (except when persons are entering and leaving premises) and windows at the premises shall remain closed at all times when regulated entertainment takes place.
16. The following dispersal policy shall be followed:
 - Prominent, clear notices will be displayed at all exits requesting that customers respect the needs of local residents and leave the premises and the area quietly.
 - At the end of the opening hours staff will ensure that all customers are not causing a nuisance and have moved away from the vicinity of the premises.
 - The volume of background music will be reduced between regulated entertainment finishing and the premises closing.
 - Patrons will be able to call a taxi from within the premises.
 - Taxi drivers will be asked to turn off their engines when waiting for passengers, and to enter the premises to collect fares and not sound their horns outside.
 - All staff will be informed of and trained in the dispersal policy.

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

Not applicable

Annex 4 – Plans

See attached

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 23/00661/PREM
Date: 08 March 2023 17:05:54

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 08/03/2023 5:05 PM from Mrs Bridget Morris.

Application Summary

Address:	Berkshire House 200 Abingdon Road Oxford OX1 4RA
Proposal:	Premises Licence
Case Officer:	Richard Masters

[Click for further information](#)

Customer Details

Name:	Mrs Bridget Morris
Email:	[REDACTED]
Address:	[REDACTED] Vicarage Road Oxford OX14RB

Comments Details

Commenter Type:	Neighbours
Stance:	Customer objects to the Licensing Application
Reasons for comment:	<ul style="list-style-type: none"> - Crime and Disorder - Protection of Children from Harm - Public Nuisance
Comments:	<p>08/03/2023 5:05 PM This is a residential area where people live closely to one another in small terraced housing. Even as things stand there is a need for everyone to be respectful of each other's space, noise, disturbance at night time - and especially in summer time when people sleep with open windows.</p> <p>It is a mixed community including older people as well as young children and it seems unfair on them to expose them to (almost) daily live music and recorded music, that continues into the night hours.</p>

Kind regards

From: [REDACTED]
To: [licensing](#)
Subject: Berkshire House Abingdon Road/Hawthorn Leisure
Date: 06 March 2023 17:12:32

To the north of the Berkshire are a shop, café, chemist shop and a building site where the former Victoria Hotel is situated: however in Vicarage Road and Abingdon Road to the south there is family housing.

At present we are disturbed by customers arriving at and leaving the pub in the evenings in particular by slamming car doors and gratuitous revving of motorbikes. [REDACTED]

We would oppose any extension of the opening hours which have already increased in recent times. It would be preferable to co-ordinate closing and opening times with the other two pubs in Abingdon Road so that people cannot come to continue drinking at the Berkshire when other places have closed. We also oppose the proposal to allow children on the premises beyond 21.00. This would not seem desirable for the children concerned or for the neighbourhood as we are already disturbed in warm weather by children playing late in the garden or on the pavement forecourt.

Re the provision of facilities for dancing and music; this is a relatively small pub where amplified music unless strictly sound limited can easily cause a disturbance for neighbours. Setting up loudspeakers in the garden or in front of the building is even more intrusive.

These proposals by Hawthorn Leisure are inappropriate for a residential neighbourhood where people have the right to a reasonable night's sleep before a day at work, at school, or being alert to deal with whatever the day may bring. We would therefore wish to register our opposition.

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From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 23/00661/PREM
Date: 26 February 2023 20:50:19

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 26/02/2023 8:50 PM from Ms Humaira Erfan-Ahmed.

Application Summary

Address:	Berkshire House 200 Abingdon Road Oxford OX1 4RA
Proposal:	Premises Licence
Case Officer:	Richard Masters

[Click for further information](#)

Customer Details

Name:	Ms Humaira Erfan-Ahmed
Email:	[REDACTED]
Address:	[REDACTED] Vicarage Road Oxford OX1 4RE

Comments Details

Commenter Type:	Neighbours
Stance:	Customer objects to the Licensing Application
Reasons for comment:	<ul style="list-style-type: none">- Public Nuisance- Public Safety
Comments:	26/02/2023 8:50 PM I would like to object to the proposal of extending the licensing hours and to allow live, recorded, and dancing at Berkshire Arms.

[REDACTED]

Public Nuisance

I am concerned too that if the pub were allowed extended licensing hours and to have music and dancing till midnight and early hours of the morning, the noise emanating from them will make life unbearable for me. On the nights when they have had music in the summer, it was impossible to hear my own music or go to bed with the thumping. I am also concerned about the fact that when the customers leave the pub late in the early hours, the noise of car door slamming and the chatter of departing people, while to be expected, will be very discombobulating.

From experience, I can say that the publican does not have the ability to ensure his clientele conduct themselves with due consideration for other users of the neighbourhood.

Kind regards

From: [REDACTED]
To: [licensing](#)
Subject: Error while submitting your comments
Date: 08 March 2023 22:09:06

Error while submitting your comments

- Your comments could not be submitted due to an error in the system.

Dear Licensing Team,

It is 10 pm on Wednesday, 8 March, and I have just received this message several times while trying to submit a comment on this licensing application:

23/00661/PREM | Premises Licence | Open for Consultation | Berkshire House 200 Abingdon Road Oxford OX1 4RA

I would be very grateful if you could receive my comment and get it to the right place by the deadline! I am registered with the system.

With many thanks, Jane

Here is the text of the comment:

We are a residential neighbourhood with young children, not a city-centre entertainment district. I object strongly to the Berkshire's request to increase opening/music hours and start sale of alcohol from 9am. These changes will aggravate the considerable **public nuisance** already endured by residents, compromise **public safety**, and **cause harm to children**. More alcohol means more public urination, street arguments, [REDACTED]. A recent example (Sat. 25 Feb 2023): very loud music until 1230am (violating current licence); thudding bass heard clearly over TV & music in our house all evening. For the next hour, 1230-130, constant talking, shouting, car doors slamming, engines revving up and down Vicarage Road. It is a narrow road [REDACTED] with bedroom windows directly above the pavement: street noise is loud and clear. At 115am, jolted awake by the roar of multiple motorcycles leaving. This is our reality on big nights at the pub. Street drama & car movement can continue for several hours after closing, until 2am. If the pub is allowed to operate fully until 1am, noise nuisance will persist until 3am, compromising sleep even further. Noise nuisance intensifies in warmer weather from open windows and the beer garden. We can put up with it when it's 'only' Saturday night (although many people work early on Sunday—priests/vicars, medical workers, etc.). But for it to be possible **every night of the week** is an unacceptable infringement of the right of residents to enjoy their property in peace. The noise nuisance compromises sleep and increases stress hormones, harming mental & physical health. Children are harmed by noise nuisance on school nights preventing sleep. I strongly urge that the proposed extension of hours for selling alcohol, playing music, and providing dancing facilities, be rejected. In addition, I urge that publicised maximum decibel levels be set for music, with robust enforcement.

Revd Dr Jane Baun, [REDACTED]
[REDACTED]

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From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 23/00661/PREM
Date: 25 February 2023 18:12:52

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 25/02/2023 6:12 PM from Dr Jeannie Moulton.

Application Summary

Address:	Berkshire House 200 Abingdon Road Oxford OX1 4RA
Proposal:	Premises Licence
Case Officer:	Richard Masters

[Click for further information](#)

Customer Details

Name:	Dr Jeannie Moulton
Email:	[REDACTED]
Address:	[REDACTED] Vicarage Road Oxford OX1 4RB

Comments Details

Commenter Type:	Neighbours
Stance:	Customer objects to the Licensing Application
Reasons for comment:	- Public Nuisance
Comments:	25/02/2023 6:12 PM I am generally supportive of the Berkshire and have not had much problem with noise since they've taken over, but I do not think a neighbourhood venue should have such extended hours.


It reads that the application is only for indoor music, but I am concerned that live music indoors in the summer with open windows or doors will be too loud and would like to see the license state an enforceable, residential friendly dB limit. I trust should such a disturbance occur, I could speak to the current owners with reasonable results, but should the pub change hands, it is not sure that I could.

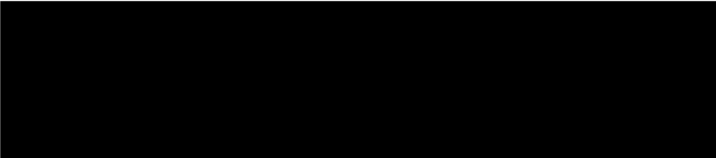
[REDACTED]
[REDACTED] that I am not particularly up for dealing with late night noise. I would also like to take this moment to point out that not having an out-of-hours noise complaint service is a frustrating and effectively permits anti-social behaviour. This should either be reinstated or handled by the police.

Kind regards

6th March 2023.

Alex and Azadeh Jacottet

 Vicarage Road
Oxford, OX1 4RB.


R.E. Hawthorn Leisure Limited applicatn. for
extended licensing hours for the Berkshire pub,
200 Abingdon Road, OXFORD, OX1 4RA.

Dear Sir/Madam,

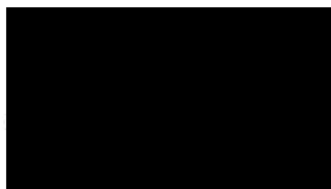
With respect to the application for late licensing at the Berkshire pub on the Abingdon Road, we live three doors away, as the pub is on the corner of Vicarage Road. Even now, without the extended licensing hours, the pub sometimes has disco nights that last until around 11pm. The music can be very clearly heard from our house, as well as drunken people screaming and shouting as they come onto the pavement regularly during the night in order to smoke their cigarettes. We have an 8 year old son with autism and ADHD, and it is important that he gets his sleep. These parties have disrupted his sleep.

For the health of our son and not to disturb the neighbourhood, we would like to object to the granting of a late night licence to the Berkshire pub.

Yours sincerely,



ALEX JACOTTET



AZADEH JACOTTET

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 23/00661/PREM
Date: 04 March 2023 11:35:35

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 04/03/2023 11:35 AM from Mr Michel Chatterton.

Application Summary

Address:	Berkshire House 200 Abingdon Road Oxford OX1 4RA
Proposal:	Premises Licence
Case Officer:	Richard Masters

[Click for further information](#)

Customer Details

Name:	Mr Michel Chatterton
Email:	[REDACTED]
Address:	[REDACTED] Summerfield White British OX1 4RU

Comments Details

Commenter Type:	Neighbours
Stance:	Customer objects to the Licensing Application
Reasons for comment:	<ul style="list-style-type: none">- Crime and Disorder- Protection of Children from Harm- Public Nuisance- Public Safety
Comments:	04/03/2023 11:35 AM This is a family area which already has significant social problems, especially the dealing of drugs openly on the streets. The proposed licencing will make this problem worse. I already feel unwilling to let my children go out alone due to the threatening environment of criminals dealing drugs on our street and don't want anything else to attract more of an illicit night time economy to the area. This will also early lead to more antisocial behaviour and night time noise which is not appropriate for an area with a high concentration of young families.

Kind regards

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 23/00661/PREM
Date: 08 March 2023 15:15:04

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 08/03/2023 3:14 PM from Mr Peregrine Horden.

Application Summary

Address:	Berkshire House 200 Abingdon Road Oxford OX1 4RA
Proposal:	Premises Licence
Case Officer:	Richard Masters

[Click for further information](#)

Customer Details

Name:	Mr Peregrine Horden
Email:	[REDACTED]
Address:	[REDACTED] Vicarage Road Oxford OX14RE

Comments Details

Commenter Type:	Neighbours
Stance:	Customer objects to the Licensing Application
Reasons for comment:	- Public Nuisance
Comments:	08/03/2023 3:14 PM I want to object very strongly to this application's request to extend opening/music hours. This is a residential street which is generally very quiet, even though we have Air B and Bs and student housing in multiple occupancy. The only regular disturbance is from the pub, on Fridays and at weekends, with thumping of music in the evenings which gets worse in the spring and summer as the windows are opened, and with loud conversations in the street and bike revving after closing time. All this will be pushed later and will cause further disturbance to families with young children plus any of us who might hope to get to sleep at a reasonable hour. And there are some nearby who have to get up early for work on Sunday. For all this late-night disturbance to be possible any night of the week really would be intolerable. There is no likelihood that loud music will be turned down in volume at any hour before closing time. So I urge you to reject the proposed extension of hours for selling alcohol, and providing live and recorded music and dancing. In this residential area it would be more appropriate if maximum decibel levels could be set for music, and enforced.

Kind regards

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 23/00661/PREM
Date: 08 March 2023 16:32:39

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 08/03/2023 4:32 PM from Mrs Patricia Pilsbury.

Application Summary

Address: Berkshire House 200 Abingdon Road Oxford OX1 4RA

Proposal: Premises Licence

Case Officer: Richard Masters

[Click for further information](#)

Customer Details

Name: Mrs Patricia Pilsbury

Email: [REDACTED]

Address: [REDACTED] Green Place Oxford OX1 4RF

Comments Details

Commenter Type: Neighbours

Stance: Customer objects to the Licensing Application

Reasons for comment: - Amenities or Facilities required

Comments: 08/03/2023 4:32 PM The. Berkshire House is a Pub and Restaurant but as it is in a quiet, closely inhabited, family and student locality we should not have loud, audible music or noise of any sort inflicted on us in our homes. This is especially so as it requested all week during afternoons and evenings.

Kind regards

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 23/00661/PREM
Date: 03 March 2023 13:04:55

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 03/03/2023 1:04 PM from Rosemary Martin .

Application Summary

Address:	Berkshire House 200 Abingdon Road Oxford OX1 4RA
Proposal:	Premises Licence
Case Officer:	Richard Masters

[Click for further information](#)

Customer Details

Name:	Rosemary Martin
Email:	[REDACTED]
Address:	[REDACTED] Green Place Oxford OX1 4RF

Comments Details

Commenter Type:	Neighbours
Stance:	Customer objects to the Licensing Application
Reasons for comment:	<ul style="list-style-type: none">- Crime and Disorder- Protection of Children from Harm- Public Nuisance- Public Safety
Comments:	<p>03/03/2023 1:04 PM I object to extended licensing hours after midnight on Fridays and Saturdays on the above grounds The Berkshire is close to a densely populated residential area with many young families and elderly people. Noise and disturbance and potential disorder and alcohol fuelled behaviour on the corner of Abingdon road and Vicarage Road as people spill out of the pub in the early morning is not at all desirable.</p> <p>[REDACTED]</p> <p>I object to children being in the Berkshire for any reason after 10 pm on grounds of their safety.</p>

Kind regards

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 23/00661/PREM
Date: 16 February 2023 08:10:02

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 16/02/2023 8:09 AM from [REDACTED]

Application Summary

Address:	Berkshire House 200 Abingdon Road Oxford OX1 4RA
Proposal:	Premises Licence
Case Officer:	Richard Masters

[Click for further information](#)

Customer Details

Name:	[REDACTED]
Email:	[REDACTED]
Address:	[REDACTED]

Comments Details

Commenter Type:	Neighbours
Stance:	Customer objects to the Licensing Application
Reasons for comment:	<ul style="list-style-type: none">- Other objection- Protection of Children from Harm- Public Nuisance
Comments:	<p>16/02/2023 8:09 AM Noise from the Berkshire pub keeps my children up at night until late enough already. The beer garden is adjacent to the backs of quite a number of houses along which sound travels down quite some distance. Extending a further hour is unconscionable for children who need to get up the next day to go to school or take part in other activities.</p> <p>[REDACTED]</p> <p>By then, of course, all the pub revellers have left, leaning glasses and cigarette butts lying around (when not having loud conversations and arguments at 1am).</p> <p>[REDACTED]</p>

NB I do not wish my personal details to be made public. Thank you.

Kind regards

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 23/00661/PREM
Date: 23 February 2023 17:57:46

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 23/02/2023 5:57 PM from [REDACTED]

Application Summary

Address:	Berkshire House 200 Abingdon Road Oxford OX1 4RA
Proposal:	Premises Licence
Case Officer:	Richard Masters

[Click for further information](#)

Customer Details

Name:	[REDACTED]
Email:	[REDACTED]
Address:	[REDACTED]

Comments Details

Commenter Type:	Neighbours
Stance:	Customer objects to the Licensing Application
Reasons for comment:	<ul style="list-style-type: none">- Crime and Disorder- Protection of Children from Harm- Public Nuisance- Public Safety

Comments: 23/02/2023 5:57 PM I do not wish my comments to be made public. Thank you.

I was concerned to learn of the proposed extension to the Berkshires's licensing hours and live music hours in an area which is predominantly residential. Already if returning on a Saturday evening I have been concerned at the [REDACTED] number of people milling around outside, particularly later in an evening when some of the clients have had more than a couple of drinks. This becomes a risk to public safety and particularly to single women like myself. I am particularly concerned at the proposal to start the serving of alcohol at 9am in the morning, and the extension of the hours of music into the early hours of the morning.

Kind regards

From: [REDACTED]
To: [licensing](#)
Subject: Comments on licensing application 23/00661/PREM
Date: 23 February 2023 09:53:46

Good morning,

I am writing to submit comments on licensing application 23/00661/PREM, for The Berkshire pub at 200 Abingdon Road. I wish my comments to be treated anonymously, so I am submitting them via email rather than using the comments form on the web.

I live in close proximity to this business, and am concerned about some of the changes being proposed and the impact they will have on local residents. New Hinksey, particularly Vicarage Road, Lake Street, that section of the Abingdon Road, and the surrounding streets, is a very quiet residential area. Apart from The Berkshire, AkiPort and the pharmacy, there are no shops in the area, nor other entertainment venues. The residents are largely families; many with young children. I outline my concerns about the proposed changes in relation objectives below.

Prevention of crime and disorder: the extension of hours for service of alcohol, playing of live and recorded music, and new provision for dancing, is likely to lead to an increase in disorder outside the venue and in the nearby streets, particularly because the increased provision of alcohol is likely to lead to antisocial behaviour from people who are intoxicated.

Promotion of public safety and protection of children from harm: again, for the reasons given above, I am concerned about risk to public safety for residents, especially those with young children, due to antisocial behaviour from those who are intoxicated. Particularly because the extension of the licence into morning hours will mean there's further risk when children are outside.

Prevention of public nuisance: this is the greatest area of concern. The extension of service of alcohol is likely to lead to increase noise outside the venue and in the surrounding streets of people leaving the pub and wandering around outside, and as this is such a quiet residential area, with many families with young children going to bed early, increased noise will have a particular impact on those living nearby.

I am also concerned about noise levels from the venue itself in view of the extension of hours for live and recorded music and dancing. Residential properties in the area are geographically very close to the venue, and I can attest from experience to how loud the music from the venue is in surrounding homes, even with windows closed. The bass from the music being played makes floors in nearby houses shake. Any extension of hours for these activities is only going to increase these problems.

[REDACTED]

Thank you for taking my comments into consideration and for treating them anonymously.

[REDACTED]

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

From: [REDACTED]
To: [licensing](#)
Subject: 23/00661/PREM
Date: 26 February 2023 14:18:03

23/00661/PREM

Berkshire House 200 Abingdon Road Oxford OX1 4RA

I do not want my details to be made public and I cannot see how to ensure that on the online form. It is not clear how to protect my identity from the people running the pub. I am therefore emailing my objections.

I want to make 4 licensing objectives:

[REDACTED]

Public nuisance: the noise from the pub garden is particularly bad in the summer when windows are open. Noise would be even worse with longer licensing hours. We have been kept awake by it. They are not at all considerate. When we have had people in our own garden for a meal the noise from the pub garden disturbs the peace.

Protection of children from harm: they will be disturbed by the noise. The events last summer were very noisy with music and some **terrible** singing (live music).

[REDACTED]

But this is a residential area with families, working residents and the elderly who do not want the noise of a city centre venue.

In the application they want children to be permitted to stay after 9pm which is again a Mediterranean thing, but at the detriment of local families who do not keep their children up late.

Kind regards

[REDACTED]

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

From: [REDACTED]
To: [licensing](#)
Subject: Objection to licensing application 23/00661/PREM
Date: 05 March 2023 09:18:11

Dear Sir/Madam

I would like to register my objections to the licensing changes requested by the Berkshire Arms, 23/00661/PREM. Please redact my details.

Public Nuisance:

The noise from music in the pub can be heard clearly in adjacent houses even when doors and windows are closed and is significantly worse in warmer months. There is no acoustic protection from the pub garden which backs onto neighbouring houses and the street so noise nuisance created by music and by people in the pub garden and gathering outside the front of the pub (where there are tables) carries far. It is unrealistic that doors to the pub garden or the entrance door to the Abingdon Road will remain closed as people will come and go with drinks and to smoke outside. The nuisance and disturbance from an additional music and dancing license during the working week, running until midnight, is unacceptable as is the extension of the alcohol license which will only increase the noise levels and nuisance caused by people drinking for longer and later as they leave the pub. I fully understand and respect the need for this business to be successful but this licence application will increase this noise and nuisance during weekdays in a quiet residential area.

Public Safety

[REDACTED] Extending opening hours with the sale of alcohol from 9am until 12.30 at weekends presents a risk for public safety and public nuisance as it will encourage more drinking and lead to potential issues with drunken behaviour. Underage drinking will become easier if there is no requirement for staff to check the ID of those who appear under 18 and this will attract underage drinkers to the pub who can remain unchallenged drinking alcohol, all day at weekends.

Many thanks

[REDACTED]

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

From: [REDACTED]
To: [licensing](#)
Subject: 23/00661/PREM
Date: 05 March 2023 20:57:11

I am writing to express my concerns regarding the licensing request out forward by the Berkshire to be able to sell alcohol and play loud music later into the night. I live on [REDACTED] and from our bedrooms we can hear the music from the Berkshire. We have small children and especially in the summer the noise is already a disturbance. I therefore oppose their request and would urge the council to not approve the sale of alcohol and the playing of loud music until any later than what it is now.

I would like for my name to be withheld as I am a neighbour and customer of the Berkshire.

Thanks

[REDACTED]

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

From: [REDACTED]
To: [licensing](#)
Subject: 23/00661/PREM
Date: 08 March 2023 17:56:46

I wanted to put in my objection to the change in licensing hours but didn't want my details on full view.

I am objecting in the basis that this is a family oriented residential area and late night drinking and associated activities and [REDACTED] can cause disruption to Residents.

Many thanks,

[REDACTED]

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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 23/00661/PREM
Date: 25 February 2023 16:03:43

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 25/02/2023 4:03 PM from Mrs judith bell.

Application Summary

Address: Berkshire House 200 Abingdon Road Oxford OX1 4RA

Proposal: Premises Licence

Case Officer: Richard Masters

[Click for further information](#)

Customer Details

Name: Mrs judith bell

Email: [REDACTED]

Address: [REDACTED] green place oxford OX1 4RF

Comments Details

Commenter Type: Neighbours

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 25/02/2023 4:03 PM The current applicants have consistently demonstrated a commitment to the area. They are motivated to continue providing hospitality and services which benefit those living locally. Without their ongoing investment there is a real possibility that the established provisions could be lost permanently. As such I think it is essential that the local community in turn supports them in their endeavour.

Kind regards

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 23/00661/PREM
Date: 06 March 2023 18:59:18

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 06/03/2023 6:59 PM from Mr Patrick Bolton.

Application Summary

Address:	Berkshire House 200 Abingdon Road Oxford OX1 4RA
Proposal:	Premises Licence
Case Officer:	Richard Masters

[Click for further information](#)

Customer Details

Name:	Mr Patrick Bolton
Email:	[REDACTED]
Address:	[REDACTED] School Place Oxford OX14RG

Comments Details

Commenter Type:	Neighbours
Stance:	Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 06/03/2023 6:59 PM AKI Port and The Berkshire Arms have never had a complaint for anti-social behaviour...

The management at Aki Port Cafe/The Berkshire Arms provide an outstanding asset to the community with their two businesses in South Oxford.

Both the cafe and the Bar/Restaurant provide an incredibly welcoming atmosphere for families, couples, groups of friends or people on their own who crave a friendly and sociable space.

Bachata Dance classes have been running at The Berkshire on Thursdays - far from creating an anti-social atmosphere, the Thursday nights provide a space for people to practice Bachata and provides music culture. The music always finishes at 9pm and there has never been even a suggestion of any disorderly behaviour from any of the customers. Music culture should be encouraged in Oxford given the closure of so many venues, and therefore the erosion of the city's individual culture. This is especially true when the management at the Berkshire have been so responsible in running a space which has never had a complaint for anti-social behaviour.

The change to the licensing hours will give the management an opportunity to book more family orientated events (weddings christenings etc). This will hopefully increase their turnover and allow them to continue to serve their local community which they do brilliantly.

Kind regards

From: [Planning](#)
To: [licensing](#)
Subject: Comments for Licensing Application 23/00661/PREM
Date: 04 March 2023 14:14:01

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 04/03/2023 2:13 PM from Mr Guy Fletcher-Wood.

Application Summary

Address:	Berkshire House 200 Abingdon Road Oxford OX1 4RA
Proposal:	Premises Licence
Case Officer:	Richard Masters

[Click for further information](#)

Customer Details

Name:	Mr Guy Fletcher-Wood
Email:	[REDACTED]
Address:	[REDACTED] Summerfield Oxford OX1 4RU

Comments Details

Commenter Type:	Neighbours
Stance:	Customer made comments in support of the Licensing Application
Reasons for comment:	- Amenities or Facilities required
Comments:	<p>04/03/2023 2:13 PM As local residents we enjoyed using the Berkshire; visited 'Home' in the same location once and found it disappointing, then were pleased to see the new Berkshire. It's a welcoming establishment that brings real value to the area.</p> <p>The only antisocial behaviour or disorder we have seen in that area is the cars parked to block both the pavement and the cycle lane outside - but those seem to be associated with the cafe two doors down rather than the pub.</p> <p>Very happy to support the Berkshire being able to run more events and activities and improve what they can offer to the area.</p>

Kind regards

