

To: Licensing and Gambling Acts Sub-Committee
Date: 30th October 2023
Report of: Executive Director for Communities and People
Title of Report: AU Oxford Limited– Application for a new Premises Licence – Nisa Local, 49 St. Nicholas Road, Oxford, OX4 4PN
Application Ref: 23/03588/PREM

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

Appendices	
Appendix 1	Application for a new Premises Licence
Appendix 2	Thames Valley Police representation and agreed conditions
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 Premises Licence to AU Oxford Limited.

Application Summary

- An application for a new Premises Licence has been submitted by AU Oxford Limited. A summary of the licensable activities applied for and the timings proposed for these activities can be found detailed below:

Supply of Alcohol (Off sales only)

Sunday and Saturday 06:00 hours until 23:00 hours

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

Relevant Representations

- A valid representation was received from Thames Valley (TVP) as detailed in the table below. Following discussions between Thames Valley Police and the Applicant, a raft of additional conditions, have been agreed.

A copy of the representation and agreed conditions are attached at **Appendix Two**.

Responsible Authority	Response	Licensing Objective(s)
Thames Valley Police	Agreed conditions with Applicant	
Fire and Rescue Service	No objection	
Environmental Health	No representation	
Health and Safety	No representation	
Planning	No representation	
Trading Standards	No representation	
Child Safeguarding	No representation	
Licensing Authority	No representation	

- A valid representation has been received from an Interested Party ('Other Persons') as detailed in the table below. A Copy of this representation is attached at **Appendix Three**.

Name	Address	Licensing Objective(s)
J Rybicka	College Lane, Oxford	Public Safety, Protection of Children from Harm, Crime and Disorder, Public Nuisance

Location

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

Statement of Licensing Policy

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

Relevant Policy Matters	Section	Policy
Hours for 'off-sales' of alcohol	5.5.1 to 5.5.2	LH 8
Supply of alcohol for consumption off the premises	7.5.20 to 7.5.21	PP 11

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

Home Office Statutory Guidance

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

Relevant Sections	Relevant Paragraph
Crime & Disorder	2.1 to 2.6
Public Safety	2.7 to 2.9
Public Nuisance	2.20 to 2.26
Protection of Children from Harm	2.27 to 2.36
Hours of Trading	10.13 to 10.15

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

Other Relevant Considerations

11. The Sub-Committee is reminded of its responsibilities under the Crime and Disorder Act 1998 (to co-operate in the reduction of crime and disorder in Oxford) and the Human Rights Act (which guarantees the right to a fair hearing for all parties in the determination of their civil rights, and also provides for the protection of property, which may include licences in existence, and the protection of private and family life) when considering the fair balance between the interests of the

applicant and the rights of local residents. Any decision taken by the Sub-Committee must be necessary and proportionate to the objectives being pursued.

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

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

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

Report author	Richard Masters
Job title	Senior Licensing Compliance Officer
Service area or department	Communities and People Directorate
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Oxford
Application for a premises licence
Licensing Act 2003

For help contact
elms@oxford.gov.uk
 Telephone: 01865 252565

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If the applicant's business is registered, use its registered name.

VAT number Put "none" if the applicant is not registered for VAT.

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

The premises will be a convenience store under the brand of NISA where all types of convenience products will be sold including fresh & frozen food, toiletries, household, newspapers etc. Other services will also be offered to customers such as the ability to pay bills & collect/send packages. Alcohol is not the intended focus of the business and there is an expectation that alcohol sales will have a limited impact on the area as local people are expected to on the whole purchase alcohol along with other products.

Continued from previous page...

In terms of addressing the licensing objectives, this premises will have the installation of CCTV, electronic till prompts and a refusals register. In addition to that, in order to mitigate any risk from the sales of alcohol and its impact on the licensing objectives a number of robust conditions, which reflect the expected policies and procedures to be operated within the business, have been included as part of this application.

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Continued from previous page...

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

None

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

25 End

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.

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

On first appointment, all staff employed at the premises will receive training on the Licensing Act 2003 including input on preventing underage sales, preventing sales of alcohol to people who are drunk and any other relevant matters. Training shall be regularly refreshed at no less than annual intervals. The training must be recorded and be accessible on the premises and made available for inspection upon request of a Police Officer or an authorised officer of a Responsible Authority or (in the case of online training) within 48 hours.

b) The prevention of crime and disorder

A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 30 days. CCTV images will be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA.

c) Public safety

An incident register will be maintained at the premises and made available to the authorities on request.

d) The prevention of public nuisance

A register of refusals of alcohol will be maintained at the premises. The register will be made available for inspection by the Police and an authorised officer of a Responsible Authority.

e) The protection of children from harm

The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they will be asked for proof of their age, to prove that they are 18 years or older. Posters will be on display advising customers of the 'Challenge 25' policy. The only forms of identification that will be accepted will bear their photograph, date of birth and a holographic mark and/ or ultraviolet feature. Examples of appropriate identification include a passport, photocard driving licence, military ID, and Home Office approved proof of age ID card bearing the PASS hologram.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

*

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

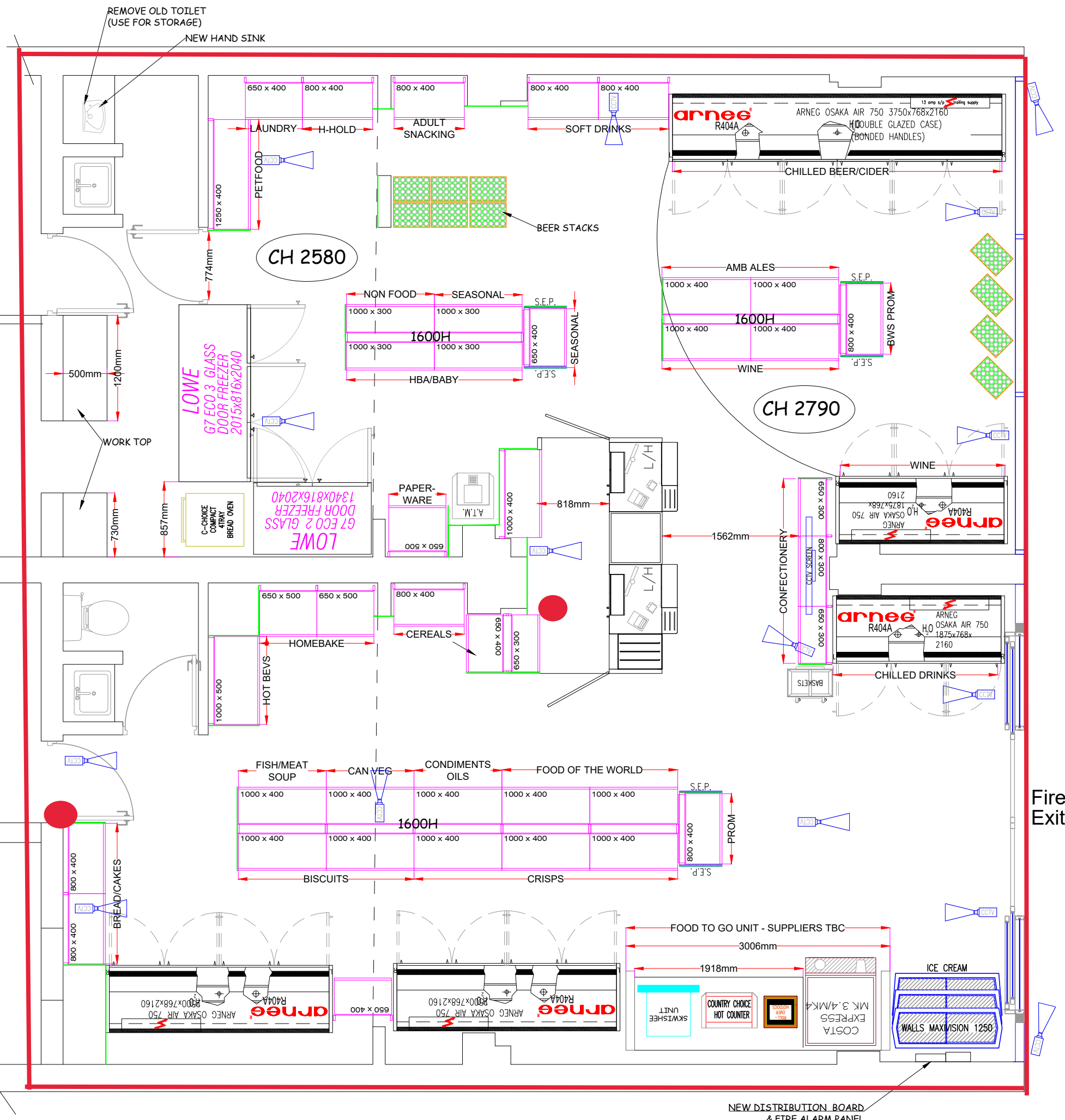
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/oxford/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

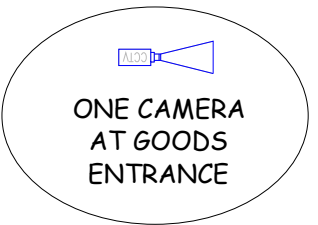
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

Any item not covered by the plan regulations of the Licensing Act 2003 is subject to change without notice.



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GENERAL NOTES

Store plan indicative only.
Do not scale from this drawing.
All dimensions to be checked on site.
Layout may be subject to planning and building regulations approval.

CEILING HEIGHT - 2790/2580
SHELVING TYPE -
STORE SIZE - 1200sq/ft

THIS PLAN IS FOR SHOPFITTING PURPOSES ONLY. BUILDING AND STRUCTURAL ALTERATIONS / ADDITIONS WILL REQUIRE THE SERVICES OF AN ARCHITECT / STRUCTURAL ENGINEER. IT IS THE RESPONSIBILITY OF THE RETAILER TO ENSURE ALL BUILDING REGULATIONS ARE MET AND PLANNING PERMISSIONS OBTAINED.

Drawing Title		
Proposed Plan 49 St Nicholas Square Littlemore Oxford OX4 4PN		
Scale	Drawing No	Date
1/50	KL28072023-B	22/8/23
Drawn	Revisions	
Kevin Lear		Rev B

Nisa
WALDO WAY
NORMANBY ENTERPRISE PARK
SCUNTHORPE, NORTH LINCOLNSHIRE, DN15 96E
Telephone: 01724 282028 WWW.NISA-TODAYS.COM

From:

Subject:

Date:



FW: Nisa Local 49 St Nicholas Road, Oxford - New Premises Licence Application

11 October 2023 12:05:03

To The Licensing Authority- Oxford City Council,

Regarding the recent application to conduct licensable activities at 49 St Nicholas Road Oxford (your reference 23/03588/PREM) TVP have identified a number of risks regarding the licensing objectives. We have however been able to discuss and agree for the most part a raft of conditions to mitigate most of those concerns.

A finalised list of those conditions along with the discussion leading up to them being agreed is contained below in the email chain.

Provided those agreed conditions are included within the grant TVP have no objections.

Yours Sincerely

[Redacted signature]

[Redacted signature block]

[Redacted] | Force Licensing Officer | Policing Strategy (Local Policing inc Licensing)
| Thames Valley Police, HQ South |



Want to know more about Licensing or the Night Time Economy?
Read our [Alcohol Licensing Operational Guidance](#) and [Night Time Economy Operational Guidance](#)

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[Redacted header]

Sent: 11 October 2023 10:59

[Redacted header]

Subject: RE: Nisa Local 49 St Nicholas Road, Oxford - New Premises Licence Application

Caution: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe - If unsure email ICTSecurityTeam@thamesvalley.police.uk to report this message.

Hi [Redacted]

Yes you are quite correct with your assessment below.

Many Thanks



[Redacted]
Licensing Matters Ltd
[Redacted]

The small print

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Registered office: 54 Fairfield Drive, Clitheroe, Lancashire, BB7 2PE.

From: [Redacted]
Sent: Tuesday, October 10, 2023 4:54 PM
To: [Redacted]
[Redacted] Nicholas Road, Oxford - New Premises Licence Application

Dear Both,

Thank you for the below.

I am keen to see if we can get the matter squared away and in order to do that I will need to be able to give the Licensing Authority a clear idea of what we have agreed.

I think the following is correct but of course ask that one of you please confirm that in this email chain.

Once I have that I will be able to email the council (tomorrow being the last day) to say we have been able to agree some conditions that address some of the police's concerns to the extent we are satisfied.

That I understand:

Conditions 1 & 2- agreed to

1.	<p>The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of training prior to them being authorised to sell or supply alcohol. Such training shall consist of providing staff with an understanding of:</p> <ul style="list-style-type: none"> • The need to ensure the responsible sale and supply of alcohol • The need to refuse the sale and supply of alcohol to persons who are intoxicated or underage • The need to seek credible age verification from persons seeking to be sold or supplied alcohol who may appear under the age of 25 years old
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	<p>Where subsequent issues related to the training is brought to the premises licence holder's attention by either the Licensing Authority and/or responsible authorities named in the Licensing Act, the premises licence holder will make amendments to redress those concerns</p> <p>Records of the training programme shall be maintained and made available to Thames Valley Police or the Licensing Authority upon request.</p> <p>The Premises Licence holder shall provide a "refresher" training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every 12 months.</p>
2.	<p>A Premises Daily Register shall be held at the premises. This Register shall be maintained for a rolling minimum period of 12 months, and shall record:</p> <ul style="list-style-type: none"> • The name of the person responsible for the premises on each given day. • The name of the person authorising the sale of alcohol each day. • All calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made and any actions taken to deal with the call. • Any refusals on grounds of age and/or intoxication (to include date, time, member of staff involved, reason for refusal as well as a brief physical description of the person refused) • Any incident of crime, disorder, or antisocial behaviour in or within the immediate vicinity of the premises (whether it required the police or not) (to include date, time, details of any member of staff involved, the situation, the outcome as well as a brief physical description of the members of public involved) • Any safeguarding/vulnerability occurrence in or within the immediate vicinity of the premises (to include date, time, details of any member of staff involved, the situation, the outcome as well as a brief physical description of the members of public involved) • Where the off sale of alcohol is by way or remote ordering and delivery to a customer's address It will also record any delivery where age verification was requested by the delivery staff and shall include: <ul style="list-style-type: none"> 1. The date and time of delivery 2. The person and address to which the delivery was made 3. Any request made for proof of age/ID 4. What was provided 5. Any further action or outcome from this (ie refund given subsequently / this address/person now barred etc) <ul style="list-style-type: none"> • Weekly checks of the CCTV, to ensure it is fully operational and any faults are dealt with including the time of the check and the person that carried it out. • Any calls to or visits by Thames Valley Police in relation to any crime and disorder or like related matter. <p>The Designated Premises Supervisor, or in their absence duly appointed member of staff, shall check the Premises Daily Register on a weekly basis ensuring that it is completed and up-to-date, sign the Premises Daily Register each time that it is checked, and make the Premises Daily Register available for inspection by any Authorised Officer of the Licensing Authority or Thames Valley Police throughout the trading hours of the premises.</p>

Condition 3 dropped in lieu of police advice that these are policy areas the premises are expected to address as a responsible retailer promoting the licensing objectives and have steps in place for. Should one or more of these policy areas found not to be appropriately addressed and become an issue we make reliance on the review process having given the advice at this juncture

Condition 4 dropped and the original CCTV condition within the application to go on

Conditions 5 & 6 agreed to

5.	The premises shall adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they will be asked for proof of their age, to prove that they are 18 years or older. Posters will be on display advising customers of the 'Challenge 25' policy. The only forms of identification that will be accepted will bear their photograph, date of birth and a holographic mark and/or ultraviolet feature. Examples of appropriate identification include a passport, photocard driving licence, military ID, and Home Office approved proof of age ID card bearing the PASS hologram.
6.	Clear and prominent signage shall be displayed within areas where alcohol is merchandised highlighting that proxy purchasing of alcohol on behalf of children is an offence

Condition 7 –reluctantly dropped in lieu of police advice that cash carrying makes the delivery personal soft targets for theft and robbery and this matter will be monitored by the police to see if they impact on us under the licensing objectives should it become a concern for us and we can make reliance on the review process having given the advice at this juncture

Conditions 8 – 13 agreed

8.	Where the off sale of alcohol is for delivery to a customer, the customer shall be informed prior to taking the payment that should they look under 25 they will be required to provide valid ID for age verification
9.	Where the off sale of alcohol is for delivery to a customer address, the customer placing the order shall be required to confirm that they are over the age of 18 at the time of making payment.
10.	In the event the premises under its 'off sales' function provides a home delivery ordering service whenever alcohol is delivered to the purchaser, it shall only be delivered to a residential address or business address and not a public place, for example a Park.
11.	In the event the premises under its 'off sales' function provides a home delivery ordering service all persons delivering alcohol must be aged 18 or over.
12.	In the event the premises under its 'off sales' function provides a home delivery ordering service orders of, or orders including alcohol will be delivered no later than 30 minutes after the terminal hour for the sale of alcohol
13.	Where the off sale of alcohol is for remote ordering/delivery to a customer address the premises shall: either <ul style="list-style-type: none"> • If the premises uses a third party agent -there shall be a written agreement between the two regarding the premises needs for responsible sale, supply and delivery of alcohol

and that amongst that their staff are fully trained on the need to refuse any delivery if the person receiving the alcohol appears to be under the age of 25 and is unable to prove they are 18 or over. It shall also include the need to refuse the person receiving the alcohol if they appear to be excessive intoxicated.

or

- If the premises uses staff directly employed and managed by the premises that all staff whose role includes delivery of alcohol to a customer address are fully trained on the need to refuse any delivery if the person receiving the alcohol appears to be under the age of 25 and is unable to prove they are 18 or over. It shall also include the need to refuse the person receiving the alcohol if they appear to be excessive intoxicated.

If my assessment of the conditions that have been agreed to could be confirmed please I can send my response to the Council and we can draw a line under the matter.

Kind regards

■

[Redacted signature block]

[Redacted name] | Force Licensing Officer | Policing Strategy (Local Policing inc Licensing)| Thames Valley Police, HQ South |



Want to know more about Licensing or the Night Time Economy?

Read our [Alcohol Licensing Operational Guidance](#) and [Night Time Economy Operational Guidance](#)

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[Redacted sender information]

Sent: 10 October 2023 09:34

[Redacted recipient information]

licensingmatters.net>

[Redacted recipient information]

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Comments for Licensing Application 23/03588/PREM

Application Summary

Application Number: 23/03588/PREM

Address: 49 St Nicholas Road Oxford Oxfordshire OX4 4PN

Proposal: Premises Licence

Case Officer: Richard Masters

Customer Details

Name: Ms Joanna Rybicka

Address: College Lane Oxford

Comment Details

Commenter Type: Members of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime and Disorder
- Protection of Children from Harm
- Public Nuisance
- Public Safety

Comment:01/10/2023 6:16 PM I strongly object this premises licence application. As a Personal Licence Holder myself, I must bring to your attention to the level of crime and disorderly behaviour within this area already. Allowing sale of alcohol at this premises will substantially affect the already heavily addiction affected community and cause more harm to children. There is enough off licence shops in this deprived area as it stands.

