

Licensing Act 2003



Licensing Sub-Committee

Notification of determination

Hearing under Sections 34 and 35 of the Act, and the Licensing Act 2003 (Hearings) Regulations 2005 In respect of an application made to Oxford City Council for a Premises Licence.

Date of hearing:	30th September 2024
Place:	Town Hall, Oxford
Case No:	24/03047/PREM
Applicant:	Oxford Leisure Limited
Premises:	The Bridge
Premiss address:	6 - 9 Hythe Bridge Street, Oxford, OX1 2EW
Licensing Sub-Committee Councillors:	Councillor Katherine Miles (Chair), Councillor Simon Ottino, Councillor Azad
Legal Advisor:	Alison Daly
Licensing Officer:	Richard Masters
Clerk:	Uswah Khan

Chair: Councillor Katherine Miles

The Chair explained the hearing procedures to be followed and asked the attendees to introduce themselves.

The Sub-Committee heard representations from the following:

Licensing Authority: Richard Masters (Senior Licensing Compliance Officer)

Richard Masters (**RM**), Senior Licensing Compliance Officer, presented a summary of the Licensing Authority's report. He stated that the application had received objections from ten interested parties, raising concerns in relation to how the application may fail to uphold the licensing objectives, specifically the prevention of public nuisance, public safety and the prevention of crime and disorder. The application had also attracted a representation from Thames Valley Police.

The Sub-Committee was reminded of its responsibilities under relevant legislations to consider a fair balance between the interest of the applicant and the rights of the residents, and duties to promote the licensing objectives.

Applicant: Jacob Oppon (on behalf of Oxford Leisure Ltd)

Jacob Oppon (**JO**) stated that the initial application sought to extend the current hours of The Bridge to 03:00 hours Sunday to Wednesday, as well as from 12:00 hours everyday of the week. **JO** offered to relinquish the request for the 03:00 hours finish on Sunday to Wednesday and instead amend the existing permission on the premises licence that permitted 20 occasions for additional hours so that they could extend the timings by one additional hour on any day of the week. This flexibility would enable the venue to select a number of events from a wide range of available dates. One of the reasoning behind the extension was due to the closure of another club in Oxford, Atik, where Bridge stepped in and agreed to host displaced Oxford University sports events. **JO** highlighted that these extended hours provide the venue with the flexibility to decide when to hold such events. He emphasised that these events are occasional and not intended to be continuous.

JO stated that the motivation behind the application was the landlord's intent to invest in the site and organise a handful of daytime events, both indoors and outdoors. The purpose of these events was to broaden the venues demographic appeal, extending beyond students to include millennials.

JO noted that in the past, Thames Valley Police (TVP) requested an improved identification system, but no changes have been implemented. He indicated that communication with TVP had been inadequate, and they have been unable to convene to discuss the matters. **JO** stated that the venue had carefully reviewed the comprehensive submission from TVP and had taken the points raised into consideration.

JO distributed additional material containing data regarding the weekend opening hours of Bridge in 2024, and dates when the premises was not open to the public. The material also included an article from the Oxford Mail, featuring a woman who was wanted in connection with an assault that occurred outside the venue, although the nightclub was not open at this time. **JO** presented this material to demonstrate that while the nightclub may be associated with incidents of crime and disorder, it is not always related to activity at the venue or responsible for it.

JO also provided data indicating that the Covid pandemic had resulted in 15 months of restrictions, including prohibition of dancing. Since the pandemic, 47% of Oxford city night clubs had permanently closed and were unable to reopen, with a total of 67% closures since 2018. **JO** noted that when the Council's Special Saturation Policy (SSP) is reviewed it should be noted that the current state of the nighttime economy is less saturated than it had been previously.

Alison Daly (**AD**) asked **JO** to provide clarification regarding the revised offer. **JO** clarified that the intent was to amend the current permission that permits an extension on Fridays and Saturdays on 20 occasions until 04:30 to be revised to one additional hour on any day of the week..

AD inquired why **JO** was opposed to implementing an ID screening, to which **JO** responded that it was due to privacy concerns. He further explained that the venue has a CCTV system in place, which is used to maintain a record of attendees at events.

Councillor Ottino inquired about the daytime application and asked whether the events would be intended to be held indoors or outdoors. **JO** responded that the aim would be to request for Friday, Saturday and Sunday noon. He clarified that the event would be both indoors and outdoors, noting that while amplified music is only played inside the venue, imposing a complete ban for music outside would be detrimental.

Councillor Miles raised concerns about the soundproofing system and asked how the venue ensure the music played outside complies with environmental health rules. **JO** stated that the interior is soundproofed with blocked-up windows which are highly effective. The outdoor system is equipped with limiters to control the noise level.

Councillor Miles asked if there is a landline number where residents can reach them and how it is managed. **JO** said that his business partner, Simon, manages the phone and he can be called at any time of day or night. Councillor Miles asked how this is communicated with residents, to which **JO** said there is an answer machine and Simon has given his personal number to residents in the past.

AD inquired whether the daytime events would require ticketing. **JO** said that the motivation is that the people who come during the day would be expected to leave before it turns into a night club.

Sergeant Pete Neale (**PN**), Thames Valley Police pointed out that there are two nightclubs, Spirit and Bridge, that are near to each other and connected at the back, with one opening at midday. **JO** pointed out that admission to one nightclub does not grant entry to the other.

AD asked if the doors are open between both the nightclubs and **JO** responded that the doors are closed on weekends at night and there is always a member of staff monitoring the doors.

Responsible Authorities: Alex Bloomfield, Thames Valley Police, Sergeant Pete Neale, Thames Valley Police, Ed Davis, Environmental Health

Councillor Ottino asked **PN** about the crime rate report during the daytime in the area and **PN** responded that the daytime is typically quiet.

Councillor Miles inquired about crime rates over weekends and the measures in place to manage them. Alex Bloomfield (**AB**), Thames Valley Police, responded, noting that weekends do typically see a higher incidence of crime. He mentioned that late shifts are scheduled specifically for weekends, generally running from 10pm to 3am, and confirmed that there is no additional nighttime policing from Monday to Thursday.

Councillor Ottino asked a question regarding potential conditions the police might apply to manage crime. In response, **AB** stated that certain conditions could be put in place to mitigate the risks. However, he acknowledged challenges in identifying specific conditions that would fully address the SSP, explaining that while some of the proposed measures could help mitigate risks, not all risks would be entirely addressed through these actions.

AD asked **TVP** whether they were withdrawing their objection in light of the measures proposed by the venue. **TVP** responded that their objection remained in place, though they acknowledged that the venues proposal, particularly concerning the 20 specified occasions, offered some mitigation.

Interested Parties: Councillor Pressel (Ward Councillor), Barbara Mercer (Local resident), James Young (Local resident), Amy Storey (Local resident), Dr Albert Lu (Local resident).

Amy Storey (**AS**), a long-time resident who has attended these meetings for decades, voiced her strong objections to the application, citing concerns about public nuisance and excessive noise. She expressed frustration over the lack of progress on these issues, noting that the noise from events have severely disrupted her sleep, particularly over the last few weeks. She shared that the disturbances have been so severe that she sets up alarms for 3am to check her windows and doors. **AS** criticised the applicant's data, stating that it was irrelevant, as it failed to address noise complaints and did not account for unanswered calls or messages left on the answering machine.

Albert Lu (**AL**), another long-time resident, spoke about the discomfort he has experienced during his time living in the area. He recounted witnessing people vomiting in public, often into plastic bags, which they then threw into the river.

Barbara Mercer (**BM**), a local resident of many years, criticised the applicant's claim that people would not be staying from the afternoon until late night drinking, questioning "But what if they do?". She also took the issue with the applicant's statement about limiting alcohol consumption during events, pointing out that there is a Sainsbury's nearby where people can easily purchase more alcohol. **BM** also expressed deep concern about the growing number of alcohol bottles being discarded in the river and on the streets.

James Young (**JY**), another local resident for decades, spoke about the longstanding neglect of local infrastructure. He highlighted the lack of parking enforcement after 9pm, often leaving him struggling to find a space when returning home late. He criticised the city council's street services for failing to collect litter, highlighting that the city's entrance is often strewn with vomit and trash. **JY** further complained about ongoing noise disturbances between 10pm and 3am, calling it "absurd" that the applicant is now pushing for daytime events. Additionally, he emphasised how the constant disturbances and lack of sleep have been detrimental to his health and well-being. He strongly urged the committee to reject the application.

Councillor Pressel, sitting with the residents, noted that the conditions set forth were not being observed. She highlighted that complaints have been made for years with no action taken. Councillor Pressel urged the applicant to review the application thoroughly, ensuring it addresses the SSP and the residents' concerns, particularly the high volume of noise complaints. She expressed a desire for fewer late-night events, no outdoor music in residential areas, and no extension of operating hours. Additionally, she requested a written plan detailing the necessary steps to address these issues.

Closing Submissions:

The Applicant summarised by stating that he aimed to develop a vibrant nighttime economy, highlighting that there were 60,000 students in the city. He made one final attempt to clarify the amendment to the 20 occasion permission and they were trialling daytime events to assess their effectiveness.

Responsible authority (Thames Valley Police) summarised by noting the resource implications associated with the extended activities, indicating that there was a reasonable level of quiet during the day.

Interested parties summarised that the infrastructure necessary to support nighttime activities in the area had never been adequately addressed. They stated the lack of parking facilities and the high levels of noise complaints that had also never been resolved.

Licensing officer summarised that the premises was located within the Council's SSP area and that the policy states that there is a rebuttable presumption that any application to vary a premises licence would be refused, unless it can be demonstrated that the operation of the premises involved will not add to the cumulative impact already being experienced. It was also noted that the Applicant failed to address the SSP issues in their Operating Schedule, which is required to rebut such a presumption.

The Licensing Officer, applicant, responsible authority and interested parties were asked to leave the room whilst the Sub-Committee deliberated in private.

Decision and Reasons of the Sub-Committee

Refusing the extension and the application as it stands.

1. The Sub-Committee considered all written submissions and oral representations made in relation to the application. The Sub-Committee acknowledged the seriousness of the long-standing concerns raised by the residents' and decided to reject the application.
2. The Sub-Committee took into account the points that the applicant raised and their amended proposal presented at the meeting but ultimately rejected the application based on the failure to rebut the presumption created by the Saturation Policy and the objections of TVP and residents.
3. The Sub-Committee noted that the objection from Thames Valley Police should be given weight and Thames Valley Police had not withdrawn their objection although they accepted there was some mitigation of their concerns if the proposal put forward by the applicant was accepted.
4. The Sub-Committee discussed proposed new conditions that had been verbally presented, which included adjustments to the 20 occasions currently permitted under the license and the one-hour extension allowed any day of the week. However, they were not convinced that concerns regarding public nuisance and crime and disorder raised by TVP and the residents were sufficiently addressed by this proposal.
5. The Sub-Committee concluded that the applicant needed to address the issues concerning public nuisance, crime and disorder, and public safety in their operating schedule which they had not done and the proposed amendments to the application did not persuade the Sub-Committee that licencing objectives would be met or the Saturation Policy presumption rebutted.

It was noted in the Sub-Committees discussion that the applicant can put in another application that addresses the saturation policy. The applicant may appeal within 21 days to the magistrate's court.

The Sub-Committee resolved to:

- **Refuse the licence.**

Signed: Councillor Katherine Miles

Chair of Licensing Sub-Committee

Notes:

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