

Minutes of a meeting of the Licensing and Gambling Acts Committee on Wednesday 21 May 2025

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Committee members present:

Councillor Azad	Councillor Clarkson
Councillor Jupp	Councillor Lygo
Councillor Miles	Councillor Muddiman
Councillor Mundy	Councillor Ottino
Councillor Rehman	Councillor Sandelson
Councillor Taylor	Councillor Upton
Councillor Waite	Councillor Yeatman

Officers present for all or part of the meeting:

Alison Daly, Legal Advisor
Joshua Curnow, General Licensing Team Manager
Katie Thorp, Supervising Senior Licensing Officer
Hannah Carmody-Brown, Committee and Member Services Officer
Jonathan Malton, Committee and Member Services Manager
Tanaka Merralls, Trainee Solicitor

Apologies:

Councillor(s) Rawle sent apologies.

17. Election of Chair for Council Year 2025-2026

Councillor Clarkson proposed, and Councillor Taylor seconded the nomination of Councillor Lygo to be elected as Chair of the Committee for 2025/26.

Councillor Sandelson proposed, and Councillor Jupp seconded the nomination of Councillor Miles to be elected as Chair of the Committee for 2025/26.

The two nominations were put to the vote and by 8 votes to 6, the Licensing and Gambling Acts Committee resolved that Councillor Miles be elected as the Chair for 2025/26.

18. Election of Vice-Chair for Council Year 2025-2026

Councillor Taylor proposed, and Councillor Upton seconded the nomination of Councillor Lygo to be elected as Vice-Chair of the Committee for 2025/26.

Councillor Jupp proposed, and Councillor Rehman seconded the nomination of Councillor Mundy to be elected as Vice-Chair of the Committee for 2025/26.

The two nominations were put to a vote and received 7 votes each. The result of a coin toss determined Councillor Mundy as the Vice-Chair of the Licensing and Gambling Acts Committee for 2025/26.

19. Declarations of interest

None.

20. Appointment of the Sub-Committees

The Director of Law, Governance, and Strategy had submitted a report to establish the Licensing and Gambling Casework Acts Sub-Committees for the 2025-26 Council Year to deal with the casework flowing from the Committee's own responsibilities.

The Committee and Member Services Manager introduced the report, explaining that as many Sub-Committees as required can be appointed throughout the year. Members were reminded of the requirement to attend mandatory training in order to ensure their ability to sit on Sub-Committees throughout the forthcoming year. The Committee and Member Services Manager also reminded the Committee that appointments to Sub-Committees are not bound by political proportionality.

The Licensing and Gambling Acts Committee unanimously resolved to:

1. **Appoint** as many licensing casework sub-committees of three members as there are combinations of three members in the total number of members of the Committee.
2. **Note** the Sub-Committees' powers and duties as set out in Appendix 1 to this report.
3. **Agree** the dates on which the Sub-Committees will meet if required.

21. Cumulative Impact Assessment

The Chair invited Councillor Hollingsworth to address the Committee.

Councillor Hollingsworth expressed that his address would not negatively comment on the report or its drafting, but rather on the Special Saturation Policy and the Cumulative Impact Assessment themselves. The Committee were reminded that licensing falls within his Cabinet portfolio. Councillor Hollingsworth outlined that the original version of the policy that existed in the early 2000s and compared the context relating to venues and licenses between that time, and now in 2025. The Committee heard of his concern that premises which positively enable the connection of culture, leisure and art, are being lost through the stipulations of the policy now and licence are being unnecessarily reduced across the city. In concluding, Councillor Hollingsworth requested that the Committee deferred their decision on the report to a later meeting to allow sufficient time for more data and evidence to be reviewed and reconsidered. With a view to recognising the current context of Oxford city as opposed to historical considerations.

The Chair invited the Supervising Senior Licensing Officer to present the report which the Deputy Chief Executive for City and Citizens' Services had submitted to review the Cumulative Impact Assessment and determine the Special Saturation Policy.

The Committee heard that the report presented the Cumulative Impact Assessment for 2025-2028 following a nine-week consultation period and understood that it serves as an evidence-based tool for considering the adoption of a Special Saturation Policy. As a result of the current CIA, the Supervising Senior Licensing Officer explained that the Licensing Authority is currently of the opinion that the number of licensed premises and club premises within the City Centre and East Oxford is such that it is likely that granting further licences or variations to licences, would be inconsistent with the duty to promote the licensing objectives. Details of the responses to the consultation period were outlined, as enclosed in appendix 2 of the report, and a summary of data and findings relating to crime were summarised. As a result of the consultation period and analysis by the Licensing Authority, the Committee were presented with a new proposed CIA for 2025 to 2028 which retained the opinion of the previous assessment. Details of this were enclosed in appendix 3 for the Committee to review. The Supervising Senior Licensing Officer requested that the Committee recommend to full Council adoption of the CIA 2025-2028 which retains the SSP covering Oxford City Centre and East Oxford.

The Chair thanked the Supervising Senior Licensing Officer and invited questions from the Committee.

Councillor Upton sought clarification of the objectors' argument that the adoption of the SSP could lead to the closure of multiple businesses. The Supervising Senior Licensing Officer noted that there is little evidence to support this argument, and the question would be hard to respond to as it is not the view of the Licensing Authority. It was also clarified that the Licensing Authority does not find the SSP to stop applications being heard on their own merits but does ensure that robust conditions can be added to ensure licensing objectives are upheld. In response to Councillor Upton's questions, Councillor Taylor commented that he also does not see businesses closing because of the SSP, however has observed that planning rules encourage new businesses to open

on the site of previous closures and that the SSP could potentially limit this. The Committee heard some examples.

Councillor Ottino asked the following questions:

- Why the CIA for the city centre does not include Westgate given that it houses bars on the roof terrace.
- Why there is one policy for two different areas of the city, in reference to the city centre and East Oxford.
- Whether there is a means by which police data relating to Cowley Road can be disaggregated to determine those offences linked to drinking and consuming drugs on streets.

In response, the General Licensing Team Manager explained that Westgate is not included because evidence from police data does not support its inclusion. The Committee heard that the Westgate premises are well managed by on-site security, have existing restricted hours, and the zone has not raised concerns within the Licensing Authority or recent CIA. As the data has not changed since 2022, the recommendation to exclude the Westgate has remained. Secondly, regarding the lack of policy separation between Oxford City Centre and East Oxford, the General Licensing Team Manager explained that adoption of an SSP is set out in statute, and a single policy can outline details of one or more area within a district.

Councillor Upton left the meeting.

In response to Councillor Ottino's question regarding police data, the Supervising Senior Licensing officer explained that police data covers the entire Oxfordshire region, from which the Licensing Authority extracts necessary information for the Oxford City region. The Committee heard that this does not always explain specifically where the offences came from and provides more of a general overview of crime and disorder related to the nighttime economy. The General Licensing Team Manager further commented that the police data is combined with other sources including hospitals, from which correlations and conclusions can be drawn in line with central government guidance. It was also explained that the location of an offence is not always recorded in connection with a licensed premises, and rather the pavement outside it, meaning that accurate location understandings cannot always be drawn.

In relation to Westgate, Councillor Ottino noted that the policy is focused on future issues and licences so therefore questioned why historical data relating to Westgate is related to the Licensing Authority's considerations. It was also noted that Westgate currently holds some empty units and concern for the effects of these on the city centre was expressed. The General Licensing Team Manager noted that all premises at Westgate have a capped closure time and therefore do not enter the periods considered to be that of the nighttime economy, as such the empty units would have no bearing on the SSP. It was also assured that the later hours premises have not been evidenced to have an impact on the nighttime economy either and police are not

attending this area. The Chair also clarified that the point of the CIA is to focus on retrospective data to inform future policy.

Councillor Rehman supported Councillor Hollingsworth's and Councillor Taylor's earlier suggestions that what worked twenty years ago, is not necessarily now appropriate for the area. In regards Westgate specifically, it was asked whether its exclusion from the CIA affords the site preferential treatment in comparison to an area such as George Street. Secondly, compared to Oxfordshire, Councillor Rehman noted that he would expect a city to have more people, more police and more crime, so questioned whether data is measured in percentages to allow accurate analysis. Finally, Councillor Rehman advocated for close working with the police and fire service and supported Councillor Hollingsworth's suggestion of the need for more data and analysis from these sources to ensure that the economy is being thought about more broadly, with recognition that the nighttime economy is suffering.

The Chair summarised by asking whether the CIA prevents new applicants from being licensed and for officers to confirm that if objections are raised, that the application is brought to a Sub-Committee.

Councillor Rehman reiterated that the rules set 20 years ago are no longer appropriate to the local context, noting that establishments are closing and new ones not arising because rules are outdated.

The General Licensing Team Manager explained the context of the policy in Oxford and how it operates, recognising that the language and terminology used in CIA and SSP is strong however also explaining that it does not mean that no consideration will be made to other future applications. The Committee heard that the policy is supported by Secretary of State guidance and is used as the basis for why an application could be refused if necessary; this does not mean that the fundamental way in which decisions are made are altered. It was confirmed that each application is considered on a case-by-case basis and on individual merit with consideration of licensing objectives. The General Licensing Team Manager detailed the process through which applications go if more information is required, including liaison with other responsible authorities. If these stages fail, then an application will go to a Sub-Committee for determination. The Committee heard some statistics to support this, including that the General Licensing Team Manager had not found evidence over the last 8 years of an application refusal based solely on the SSP.

Councillor Rehman reiterated his question about the Westgate receiving preferential treatment as it is excluded from the CIA and noted his belief that it should be considered as part of the city centre. The General Licensing Team Manager clarified that there is no preferential treatment as the policy puts all applications through the same scrutiny process for need to uphold licensing objectives. The only difference to being included within the policy is the enhanced requirement to demonstrate a more detailed and thoughtful application, with regard for the context of the city centre. The Committee understood that the policy seeks to flip the assumption that licenses are

automatically given and to encourage more detailed applications and planning for premises. In regard local crime rates, the General Licensing Team Manager agreed that Oxford is expected to exhibit higher numbers and thus, the CIA is adopted in the city as opposed to rural areas to support this matter.

Councillor Muddiman asked Councillor Hollingsworth firstly, if the Committee did pause and requests a review of the policy, what new evidence would he be seeking, and secondly, whether the evidence provided during the meeting had influenced his request in any way. Councillor Hollingsworth noted that his only request is for more exploration into the existing data to be pursued and more in-depth conclusions to be presented. The Committee also heard that the statistics provided only relate to those who have applied for a licence; he raised concern about how many may be deterred from applying in the first instance by the presence of strong wording within the SSP, and therefore whether businesses are being pushed out of Oxford. Possible examples were provided. Councillor Taylor echoed these comments and noted concern for the presence of possible survivorship bias in the data. Councillor Clarkson disagreed and referred to the national trend of nightclub closures and broader economic trends which the CIA could not be responsible for.

Councillor Mundy asked what would necessitate a reconsideration of the need for the SSP and whether this hinges entirely on representations from statutory bodies. Concern was noted about whether the policy is geared at addressing resourcing issues of the police, for example. Councillor Mundy also asked whether there is an understanding that the weekend will always exhibit an unbalanced impact on the need to maintain a secure environment as it will always inherently differ from ordinary weekdays. Finally, the Committee noted the broadly shared concern for the need to protect and encourage a variety of venues in Oxford City and Councillor Mundy's wish for more stakeholders to have responded to the consultation survey. It was asked whether more could be done to obtain more responses in the future.

Councillor Jupp asked Councillor Hollingsworth whether deferring recommendation of the policy would just be postponing the necessary scrapping of the policy to which the Committee heard that it is not necessarily negative for the area to have an SSP, but more that the wording of the CIA and the unintended deterrents of the CIA could require additional consideration.

The Chair expressed concern for the protection of the public, noting that she resides near a cumulative impact area and has firsthand experience of the impacts of the nighttime economy on vulnerable residents. Details regarding the scrapping of the Council's noise reporting service were detailed alongside her personal view that work should be done to support the changing business models of businesses. The Chair asked at what stage edits to soften the language used within the policy could be made along with additions to recommend work to assess how the nighttime economy could be supported.

The Legal Advisor offered to explain options available to the Committee following a response from the General Licensing Team Manager on the sequence of questions asked.

The General Licensing Team Manager firstly responded to Councillor Taylor and clarified that it is the view of the Committee as to whether they are concerned about those who may be deterred from submitting applications based on the policy; there is no evidence to support this. In response to Councillor Mundy, the General Licensing Team Manager explained that a review of the policy would be necessitated if requested by the Committee, however this already occurs every three years; the presentation of the report at this meeting is the opportunity for the Committee to amend and review the policy. Regarding the lack of responses to the consultation, the Committee heard that the Licensing Authority had worked as hard as possible to obtain responses and contacted every licence holder in Oxford and all relevant bodies. Out of 12 responsible authorities, only 3 had responded and the General Licensing Team Manager noted that it is challenging to encourage responses when people cannot visualise directly the results of the policy in question. The Committee were also assured that the 9-week consultation period was longer than the 3-week standard timeframe. In response to Councillor Hollingsworth, the General Licensing Team Manager outlined that if the report were deferred, there would be concern about what more could be obtained and analysed as officers possess no authority to compel others to provide more evidence. Finally, in response to Councillor Miles' concerns about protection of the public, the Committee were assured that parallel work is ongoing to promote the nighttime economy, and more details could be offered on this which had not been included in the report at this meeting as it was not deemed directly relevant. The General Licensing Team Manager explained that the CIA and SSP are only one way the Council attempts to protect the public, as dictated by legislation. It was also explained that the strong language within the policy is dictated by central government guidance and cannot be altered or 'softened'.

The Legal Advisor informed the Committee that they are required to consider the recommendation with the report; agreeing would take the report to full Council at which time it would be voted to either adopt the policy or not. If the Committee during this meeting chose to vote against the recommendation, then further recommendations might be proposed, seconded and voted on. Members were reminded that all relevant matters for their consideration were contained within the report but if they felt that they did not have sufficient information, they may propose to defer a decision. If the latter option were selected, it would be good practice for the Committee, through the Chair, to state what is missing, and the questions they would like officers to work on ahead of the next meeting. The Legal Advisor also advised the Committee on the timelines. Finally, the Legal Advisor clarified that the Committee is tasked with voting on the recommendation, and not the report, therefore it may not have much impact to alter the wording of the report.

The Committee and Member Services Manager also clarified that the next full Council meeting is on 14 July 2025, and the report would reach this meeting if the recommendation was agreed during this meeting. If not, any further work by officers

would need to come back before an additional meeting of this Committee before this date. The final option would be for any recommended policy to go before full Council in October 2025, and the next meeting of the Licensing and Gambling Acts Committee would be as scheduled in September 2025.

The Chair sought to clarify that if there is no current SSP in place, whether any new applications in the meantime would be subject to the conditions of the policy. The Legal Advisor explained that if the Committee vote to bring the policy into effect and vote to reconvene to make further recommendations and review, then the policy would be in place and could be applied to applications. However, if the Committee did not vote to recommend the policy to full council today, then it would not be ratified and adopted. If this were the case, then applications could still be received, considered, and brought to a Sub-Committee if necessary.

Councillor Muddiman acknowledged that the wording of the policy could not be altered but sought to clarify whether the Committee could vote to scrap the policy all together during this meeting.

The General Licensing Team Manager clarified that if the Committee believed that the addition of new or varied premises would not undermine the Council's ability to uphold licensing objectives, then they should not recommend the Policy to full council. The Committee also heard that this would not prohibit the principles of cumulative impact being considered on a case-by-case basis when decisions are being made on applications, but that those considerations need to be backed by relevant evidence and/or given less weight.

Councillor Muddiman expressed her view that she would not be content with scrapping the policy entirely and suggested that the Committee now approve it to retain it and recommend a review in the future. The Legal Advisor reiterated that if the Committee agree to recommend the policy to full Council with a review, then the agenda for this workstream should also be set.

Upon a vote on whether to recommend to Full Council the adoption of the Cumulative Impact Assessment for 2025-2028 and continued Special Saturation Policy covering City Centre and East Oxford areas, 5 members voted in favour and 7 members voted against. The recommendation to Council was voted against.

The Legal Advisor explained that the Committee could now set a timeframe for any further work they wished to see in order to review the policy, noting the options of this being completed by either July or October to enable any recommended policy to go to full Council.

The Chair requested the views of the Committee members and commented that it may not be reasonably possible to expect this work in time for a deadline of July. The Chair

suggested the work be requested for the next meeting of the Committee in September, to ensure that the report could be taken to Full Council in October.

Councillor Jupp requested that the Committee vote on whether to scrap the policy and no further work to be requested of officers. Councillor Jupp proposed an alternative recommendation to scrap the SSP; this was seconded by Councillor Taylor.

Councillor Lygo sought clarity on the implications of voting to scrap the policy. Councillor Jupp clarified that his recommendation did not request further work to be brought back just a scrapping of the policy in its entirety.

The Chair clarified that the recommendation from Councillor Jupp proposed no further work to take place surrounding the policy and for it to be scrapped. It was also noted that this would be contrary to the request from the Licensing Authority to support the recommendation of the policy.

The Legal Advisor supported this summary and clarified that any recommendation of the policy to full Council in the near future would be quashed. If Councillor Jupp's recommendation were to fall, then there could be further recommendations for work from officers and a further report to the Committee.

The Chair verbally considered the licensing objectives and clarified the implications of the recommendation to the Committee.

Upon a vote, the Committee voted against Councillor Jupp's alternative recommendation to scrap the policy by 9 to 2.

The Legal Advisor noted that further recommendations could now be tabled.

Councillor Lygo raised a point of order and requested the Committee adjourn. The Chair rejected this.

Based on earlier comments, Councillor Rehman proposed an alternative recommendation to ask officers to include the Westgate centre within the city centre CIA and to have a separate policy for Cowley Road.

In response to questions, it was clarified that this recommendation could be debated.

Councillor Ottino proposed additions to the recommendation including a request for additional evidence regarding different areas within the CIA, on the number of premises

within each part of the city, on police numbers, and statistics on declines over a 10-year period.

The Legal Advisor and General Licensing Team Manager discussed the feasibility of these requests.

The General Licensing Team Manager explained that data on declines in premises numbers could be provided however it would be more difficult to distinguish types of license and provided data on this as it would not align to the way in which premises are defined under legislation; they are defined by the activities they permit, for example sale of alcohol which could be a music venue, a bar, or a pub. In regard policing numbers, the ability to report on this to the Committee depends on the police providing such information and this cannot be guaranteed. Finally, in response to the request for varying policy for different premises, this could not be achieved as legislation does not allow for it.

Councillor Muddiman suggested a review timetable for the next 6 months be established and for the policy to be put in place in full in the meantime, pending the results of the review.

The Legal Advisor noted that the ability to vote on this would require Councillor Rehman to withdraw his recommendation.

Councillor Sandelson queried whether new licenses are pursued after a premise closes down to which the General Licensing Team Manager explained the lifetime of premises licences and the conditions around these.

Councillor Jupp seconded Councillor Rehman's recommendation with the inclusion of Councillor Ottino's amendments.

Councillor Rehman withdraw his recommendation.

Councillor Muddiman proposed an alternative recommendation to review the policy over six months and recommend the SPP to full Council for adoption at its next meeting; Councillor Lygo seconded. Councillor Muddiman clarified that she accepted Councillor Ottino's amendments as criteria for the suggested review.

The Chair and Legal Advisor clarified that the recommendation could only be to recommend work be undertaken to review the policy before the next Committee meeting and not recommend the existing policy to full Council as this had already been voted down by the Committee.

The General Licensing Team Manger confirmed that it could be feasible to consider most of Councillor Ottino’s recommendations and return to a future Committee meeting with alternative options and recommendations.

Upon a vote, the Committee voted in favour of Councillor Muddiman’s revised recommendation by 12 to none with one abstention:

- 1. For Officers to **review** the comments received from the Committee regarding the initially proposed Special Saturation Policy and draft a further report that would be brought to the next Licensing and Gambling Acts Committee meeting in September 2025.

22. Minutes of the previous meeting

The Committee resolved to **approve** the minutes of 10 February 2025 as a true and accurate record and accurate record.

23. Dates and times of meetings

The Committee noted the dates and times of future meetings.

The meeting started at 6.05 pm and ended at 8.10 pm

Chair
2025

Date: Monday 22 September

When decisions take effect:
Cabinet: after the call-in and review period has expired
Planning Committees: after the call-in and review period has expired and the formal decision notice is issued
All other committees: immediately.
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