

LICENSING SUB-COMMITTEE

A record of proceedings of the Licensing Sub-Committee held at Banbury Cricket Club, White Post Road, Bodicote on 12 March 2008 at 10.00 am.

Membership of the Sub-Committee (all Members present) – Councillors Heath (Chairman), Gibbard and Wyse.

Officers:	S Christie (Assistant Solicitor)	}	Advising the Sub-
	S Lodge (Democratic Services Officer)	}	Committee
	Mrs N Barnes (Licensing Team Leader)	}	Representing the
	M/s W Leigh-Davis (Licensing Officer)	}	Local Authority

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. LICENSING HEARING PROCEDURE

The Hearing was undertaken in accordance with the agreed Licensing Hearing Procedure.

3. APPEAL HEARING – GRANTING OF PREMISES LICENCE – SHAKILS 94 SHEEP STREET BICESTER

Present at the Hearing:	A Bloomfield	-	Thames Valley Police
	Mr D Ali	-	Applicant
	Mr Murray Grant	-	Representing the Applicant.

The Head of Urban and Rural Services stated that an application had been received on 17 January 2008 from Mr D Ali in respect of Shakils, 94 Sheep Street, Bicester to grant a premises licence under the Licensing Act 2003

The report set out:-

- (1) Details of the application for a premises licence to be granted under the Licensing Act 2003.

The proposed application was as follows:-

- (i) To licence the premises for provision of Regulated Entertainment to include Recorded Music, Performances of Dance and Anything of a Similar Description to Recorded Music or Performance of Dance (To Take Place **Indoors** Only)
 - From 11:00 to 00:00 (Midnight) Sunday to Thursday (inclusive)
 - From 11:00 to 01:00 (morning following) Friday to Saturday (inclusive).

- (ii) To licence the premises for provision of Late Night Refreshment (To Take Place **Indoors** Only)
 - From 11:00 to 00:00 (Midnight) Sunday to Thursday (inclusive)
 - From 11:00 to 01:00 (morning following) Friday to Saturday (inclusive)
 - (iii) To licence the premises for provision of Supply of Alcohol (For Consumption **ON** The Premises Only)
 - From 11:00 to 00:00 (Midnight) Sunday to Thursday (inclusive)
 - From 11:00 to 01:00 (morning following) Friday to Saturday (inclusive)
 - (iv) To open the premises to the public
 - From 11:00 to 00:30 (morning following) Sunday to Thursday (inclusive)
 - From 11:00 to 01:30 (morning following) Friday to Saturday (inclusive)
- (2) Details submitted by the applicant which set out support for the promotion of the four licensing objectives ie:-
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance and
 - (d) the protection of children from harm.
- (3) The representations received from the Thames Valley Police Licensing Officer making outright objection to the application for a licence but stating that if a licence were granted seeking the inclusion of a number of conditions along with the request the hours for licensable activities were brought in line with the building conditions from midnight to 23.00 with 30 minutes to clear the premises of patrons and close.

In this connection a copy of the proposed conditions suggested by the police were included (a copy of which is attached to these Minutes).

- (4) Relevant sections of the guidance and Local Authority Policy issued under the Licensing Act 2003.
- (5) Options available through the Sub Committee.

Mr Murray Grant on behalf of the Applicant stated that he wished to amend the application as follows:-

- (i) that provision for regulated entertainment be excluded from the licence;
- (ii) that the provision of late night refreshment be excluded from the licence;
- (iii) to licence the premises for provision of supply of alcohol (for consumption on the premises only)
 - From 11.00 to 23.00
- (iv) to open the premises to the public
 - From 11.00 to 23.30.

He stated that his client was prepared to accept all the conditions proposed by Thames Valley Police except CD17 which stated that glass bottles containing wine may be sold

for consumption with a meal at a table by customers who are seated at an area set aside exclusively for persons taking table meals.

He stated that his client was prepared to discuss with Thames Valley Police ways in which the use of illegal drugs could be prohibited from use within the premises. He stated that Shakils was basically a restaurant with a champagne bar where there was no intention to introduce cut price drinks and the restaurant was aimed at the higher end of the market.

His client had previously operated Café Nur in Bicester without any problems and the restaurant currently operated with two premises licence holders.

Following a question from Councillor Wyse Mr Ali gave an assurance that if licence was granted better attention would be paid to complaints and he anticipated that there would be no further problems at the restaurant.

A Bloomfield on behalf of Thames Valley Police stated that the police's main concern was the champagne bar. Given that there had been no incidents lately and that the applicant was prepared to accept all but one of the conditions now accepted he was prepared to withdraw his objection to the licence.

RESOLVED that the licence be granted for the supply of alcohol within the permitted hours of operation as follows:

11.00 to 23.00 for the supply of alcohol
11.00 to 23.30 opening hours

This was subject to the conditions proposed by Thames Valley Police set out in Appendix 1 as follows:-

1. CD17 to be deleted;
2. CD20 the second sentence to add the words "or other" after the word "non glassware" and the words "to the satisfaction of Thames Valley Police" being added at the end of this sentence.
3. Before the last 6 proposed police conditions (relating to CCTV) there should be added:
"the following CCTV conditions to be implemented to the satisfaction of the Thames Valley Police";
4. That a new condition should be added as follows:
"the Designated Premises Supervisor shall take part in a course leading to a recognised SIA approved qualification as soon as reasonably practicable".

REASONS – the Sub-Committee has taken into consideration the Thames Valley Police's satisfaction with the modification to the application and the applicant's agreement to the proposed conditions as modified, and the willingness of the applicant to work with the police in the management of the premises. Therefore it is considered that the licence objectives are met.

4. **END OF MEETING**

The meeting ended at 10.50 am.