

**Committee:**           **Licensing Sub Committee**

**Date:**               **Monday 20 April 2009**

**Time:**              **10.30 am**

**Venue**               **Bodicote House, Bodicote, Banbury, OX15 4AA**

**Membership**

**Councillor Eric Heath**

**Councillor Fred Blackwell**

**Councillor Michael Gibbard**

AGENDA

**1. Constitution of the Sub Committee**

The Membership of the Sub-Committee for this meeting will be Councillors Heath, Blackwell and Gibbard.

Please contact Alexa Coates (01295 221591) to tender apologies.

**Note:** Declaration of Interests: Any Member with a prejudicial interest will not be able to participate in the hearing, and should therefore notify the Head of Legal and Democratic Services in advance so that arrangements may be made for an alternate Member to attend.

**2. Licensing Hearing (Pages 1 - 24)**

**Summary**

The purpose of this report is to provide an outline of an application to review that has resulted in the necessity for a hearing.

**Recommendation**

There is no recommendation. In considering the application received and what is appropriate for the promotion of the licensing objectives, the options open to the Sub-Committee are, in broad terms:

1. Modify the conditions of the Premises Licence;
2. Exclude a licensable activity from the scope of the Premises Licence;
3. Remove the Designated Premises Supervisor from the Premises Licence;
4. Suspend the Premises Licence for a period not exceeding three months;
5. Revoke the Licence;
6. Any combination of or none of the above.

## **Information about this Agenda**

The agenda, reports and associated documents for the above hearing together with the Licensing Hearing Procedure are available at Bodicote House, Bodicote, Banbury, Oxfordshire OX15 4AA or on the Council's web site [www.cherwell-dc.gov.uk](http://www.cherwell-dc.gov.uk);

Members are asked to sign the Attendance Register; and

The Council and its Committees and Sub-Committees are required to consider the implications of the Crime and Disorder Act 1998 and the Human Rights Act 1998 when exercising their functions.)

### **Queries Regarding this Agenda**

Please contact Alexa Coates, Legal and Democratic Services [alexa.coates@cherwell-dc.gov.uk](mailto:alexa.coates@cherwell-dc.gov.uk)  
(01295) 221591

**Mary Harpley**  
**Chief Executive**

Published on Wednesday 8 April 2009

# Agenda Item 2

## CHERWELL DISTRICT COUNCIL

### LICENSING SUB COMMITTEE

20 APRIL 2009

#### REPORT OF THE HEAD OF URBAN & RURAL SERVICES

##### PREMISES LICENCE APPEAL HEARINGS – REVIEW OF PREMISES LICENCE

#### **1 Introduction and Purpose of Report**

- 1.1 The purpose of this report is to provide an outline of an application to review that has resulted in the necessity for a hearing.

#### **2 Wards Affected**

- 2.1 Bicester Town Ward

#### **3 Effect on Policy**

- 3.1 None.

#### **4 Contact Officers**

- 4.1 Natasha Barnes (ext. 3738)  
Claire Bold (ext. 3741)

#### **5 Background**

- 5.1 This report contains details of an application for review from Thames Valley Police in respect of The Angel, 102 Sheep Street, Bicester, OX6 7LP that is to be considered by the Committee.
- 5.2 The Premises Licence is held by Punch Taverns Plc of Jubilee House, 2<sup>nd</sup> Avenue, Burton Upon Trent, Staffordshire, DE14 2WF. The current Designated Premises Supervisor in respect of this premises licence is Amanda Smith.
- 5.3 The application is to seek to review the Premises Licence issued under the Licensing Act 2003. Details are provided in respect of the existing licence and grounds for review.

#### **6 Application for review of the premises licence in respect of The Angel, 102 Sheep Street, Bicester.**

- 6.1 The application for the review of the premises licence was first received on 26 February 2009, from Laura Morris on behalf of Thames Valley Police

## 6.2 Description of the grounds for review:

Thames Valley Police are seeking a review of this licence due to concerns over the premises meeting the four licensing objectives.

Thames Valley Police have evidence that the prevention of public safety is not occurring at the premises.

There are also concerns that the premises is not promoting the protection from children from harm.

Further more, despite meetings in the past with the Area Manager for the Brewery and the Designated Premises Supervisor to address some of the issues, Thames Valley Police feel that the number and nature of incidents show that the premises is not being managed well enough to promote the crime and disorder objective of the Licensing Act 2003

## 7 Details of the existing Premises Licence issued under the Licensing Act 2003

### 7.1 The **Current** Premises Licence, which came into force on 24 November 2005, permits:

#### 1. Sale (by retail) of alcohol, For consumption **On and Off** the premises:

- Sunday, Wednesday and Thursday from 10.30 to midnight
- Monday and Tuesday from 10.30 to 23.00
- Friday and Saturday from 10.30 to 02.00 the following morning
- A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.
- A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.
- A further additional hour every Christmas Eve.
- A further additional hour every Boxing Day.
- New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December)

#### 2. Provision of Regulated Entertainment to include live and recorded music and entertainment of a similar description to that falling within making music or dancing, **Indoors Only**:

- for the same times as those stated for the supply of alcohol

#### 3. The premises is permitted to remain open for half an hour following the cessation of the permitted times for the sale of alcohol

### 7.2 The Premises Licence in respect of this establishment came into force on 24 November 2005 and was held by Punch Taverns PLC.

### 7.3 Prior to the commencement of the licence, a hearing was held on 7 June 2005 to determine representations received from the Environmental Health Department. As a result of the hearing, a number of conditions were attached to the licence. The conditions are detailed in Annex 3 of the licence.

### 7.4 A plan of the premises showing the locations of the licensable activities included in the premises is attached at **Annex 1** of this report.

## 8 Objections/Representations received

- 8.1 The review application was served upon the Licensing Authority by Thames Valley Police on 26 February 2009.
- 8.2 A copy of the review application can be found within **Annex 2** of this report.
- 8.3 In accordance with the regulations of the Licensing Act 2003, the Licensing Authority duly displayed the Notice of Review for a period of 28 days starting from the day after the date on which the application was served. The notice was displayed at the premises in question and at Cherwell District Council, Bodicote House.
- 8.4 The consultation period for the review ended on 26 March 2009; no further representations have been received as a result of 8.3 above.

## 9 Supporting Evidence Submitted

- 9.1 At the time of writing this report, no further evidence has been submitted by either party.

## 10 Relevant sections of the Guidance and Licensing Authority Policy issued under the Licensing Act 2003

- 10.1 The relevant sections of the Guidance and Licensing Authority Policy issued under the Licensing Act 2003, which are applicable to the representations for this case are as follows:

### Guidance:

Pages 82 – 83	Sections 11.1 – 11.10	The Review Process
Pages 83 – 84	Sections 11.15 – 11.21	Powers of a Licensing Authority on the Determination of a Review
Pages 21 – 23	Sections 2.32 – 2.40	Public Nuisance
Pages 128 - 133	Annex D	Part 4. Conditions relating to the prevention of public nuisance
Pages 72 - 73	Sections 10.11 – 10.18	Imposed Conditions, Proportionality, Duplication with other statutory provisions

### Cherwell District Council Statement of Licensing Policy:

Page 21	Policies LA3 – LA5	Section 7.3	General prevention of Public Nuisance
Page 23	Policy LA6	Section 7.3.10	Management and Control
Page 32	Policy DPS1	Section 7.6	Designated Premises Supervisors
Page 35	Policy OS2	Section 8.2.2	Log Book
Page 43	Policies RE1 – RE4	Section 10.1	Reviews

- 10.2 Members have been issued with copies of the Guidance, the Statement of Licensing Policy and the Council's pool of conditions and are asked to bring them with them to the meeting.

## 11 Options

- 11.1 There is no recommendation. In considering the application received and what is appropriate for the promotion of the licensing objectives, the options open to the Sub-Committee are, in broad terms:
1. Modify the conditions of the Premises Licence;
  2. Exclude a licensable activity from the scope of the Premises Licence;
  3. Remove the Designated Premises Supervisor from the Premises Licence;
  4. Suspend the Premises Licence for a period not exceeding three months;
  5. Revoke the Licence;
  6. Any combination of or none of the above.
- 11.2 The Licensing Act 2003 at Section 52, Paragraph 11 states:
- “A determination under this section does not have effect-
- (a) until the end of the period given for appealing against the decision, or
  - (b) if the decision is appealed against, until the appeal is disposed of.”
- 11.3 Schedule 5 of the Act, Section 9 Paragraph 2 states
- “An appeal under this Part must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates' court within the period of 21 days....”
- 11.4 Therefore any decisions taken at the Review Hearing by the Licensing Sub-Committee will not take effect until the period within which an appeal can be brought has passed, and then following which until the determination of any such appeal.



# PREMISES LICENCE

Issued under the Licensing Act 2003

## Part A

Premises Licence Number

**CHERWELL PRM 0001**

### Part 1 - Premises Detail

**Postal Address of Premises, or if none, ordnance map reference or description**

Angel  
102 Sheep Street  
Bicester  
Oxfordshire  
OX26 6LP

**Telephone:** 01869 252395

**Licensable activities authorised by the licence**

**Provision of Regulated Entertainment**

- (a) Live Music
- (b) Recorded Music

**Provision of Entertainment Facilities for**

- (c) Entertainment of a similar description to that falling within making music or dancing.

**Sale (By Retail) of alcohol**

**The times the Licence authorises the carrying out of licensable activities**

LICENSABLE ACTIVITY	DAY	START	FINISH	START	FINISH
Sale (By Retail) of Alcohol	Monday			10:30	23:00
Sale (By Retail) of Alcohol	Tuesday			10:30	23:00
Sale (By Retail) of Alcohol	Wednesday			10:30	00:00
Sale (By Retail) of Alcohol	Thursday			10:30	00:00
Sale (By Retail) of Alcohol	Friday			10:30	02:00
Sale (By Retail) of Alcohol	Saturday			10:30	02:00
Sale (By Retail) of Alcohol	Sunday			12:00	00:00
Sale (By Retail) of Alcohol	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday week-end.				
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Sale (By Retail) of Alcohol	A further additional hour every Christmas Eve.				
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Sale (By Retail) of Alcohol	To reflect existing New Year's Eve/Day hours.				
Sale (By Retail) of Alcohol	New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December)				

LICENSABLE ACTIVITY	INDOORS		DAY	START	FINISH	START	FINISH
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	BOTH						
Provision of Regulated Entertainment as detailed above		✓				10:30	23:00
Provision of Entertainment Facilities as detailed above							

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Provision of Entertainment Facilities as detailed above					
Provision of Regulated Entertainment as detailed above	Wednesday			10:30	23:00
Provision of Entertainment Facilities as detailed above					
Provision of Regulated Entertainment as detailed above	Thursday			10:30	23:00
Provision of Entertainment Facilities as detailed above					
Provision of Regulated Entertainment as detailed above	Friday			10:30	02:00
Provision of Entertainment Facilities as detailed above					
Provision of Regulated Entertainment as detailed above	Saturday			10:30	02:00
Provision of Entertainment Facilities as detailed above					
Provision of Regulated Entertainment as detailed above	Sunday			12:00	00:00
Provision of Entertainment Facilities as detailed above					
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Provision of Entertainment Facilities as detailed above	A further additional hour every Christmas Eve.				
Provision of Entertainment Facilities as detailed above	A further additional hour every Boxing Day.				
Provision of Entertainment Facilities as detailed above	To reflect existing New Year's Eve/Day hours.				

#### Opening Hours of the Premises

DAY	START	FINISH	START	FINISH
Monday			10:30	23:30
Tuesday			10:30	23:30
Wednesday			10:30	00:30
Thursday			10:30	00:30
Friday			10:30	02:30
Saturday			10:30	02:30
Sunday			12:00	00:30
A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday week-end.				
A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday week-end.				
A further additional hour every Christmas Eve.				
A further additional hour every Boxing Day.				
To reflect existing New Year's Eve/Day hours.				

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

Sale (By Retail) of Alcohol - On and Off Premise



Part 2

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

Punch Taverns plc  
Jubilee House  
2nd Avenue  
Burton-upon-Trent  
Staffordshire  
DE14 2WF

Telephone number: 01283 501600

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

03752645

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

Amanda Dawn Smith  
The Angel  
102 Sheep Street  
Bicester  
Oxfordshire OX26 6LP

Telephone number: 01869 252395

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licence No. : Cherwell PSL0031  
Authority : Cherwell District Council



**C R Baynes**  
Head of Corporate Services

**24 November 2005**

## Annex 1 - Mandatory conditions

### Sale of alcohol

1. No supply of alcohol may be made under this licence:-
  - (a) at a time when there is no designated premises supervisor in respect of it, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
3. Alcohol shall not be sold or supplied except during permitted hours.
4. The above restrictions do not prohibit:-
  - (a) the consumption of the alcohol on the premises by person taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals;
  - (b) consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;
  - (c) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
  - (d) the sale of alcohol to a trader or club for the purposes of the trade or club;
  - (e) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
  - (f) the taking of alcohol from the premise by a person residing there;
  - (g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
  - (h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

## **Annex 2 - Conditions consistent with the operating Schedule**

### **General – all four licensing objectives**

Following an assessment of the premises and its surrounding area the following is proposed: 30 minute "drinking up" time will allow appropriate dispersal, use of lavatories etc. In order to further the licensing objectives the licensee reserves the right to move the fire appliances, AWP machines, cigarette machines and/or any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.

### **The prevention of crime and disorder**

The premises has CCTV. External lighting is supplied to cover all external aspects of the building, including the car park. The retailer is an active member of the local Pub Watch initiative. Most customers are local within walking distance.

### **Public Safety**

The retailer is fire, health and safety trained, health and hygiene, food and hygiene. The outlet has fire fighting equipment. Door controls in place for various occasions as required.

### **The prevention of public nuisance**

The outlet has lockable/closed windows. The retailer ensures managed customer departure to minimise any disturbance. Noise survey undertaken to ensure minimum disturbance. Managed customer departure. No adjoining local residents. The fabric of the building retains sound as is Cotswold Stone construction. Volume control in place for juke box.

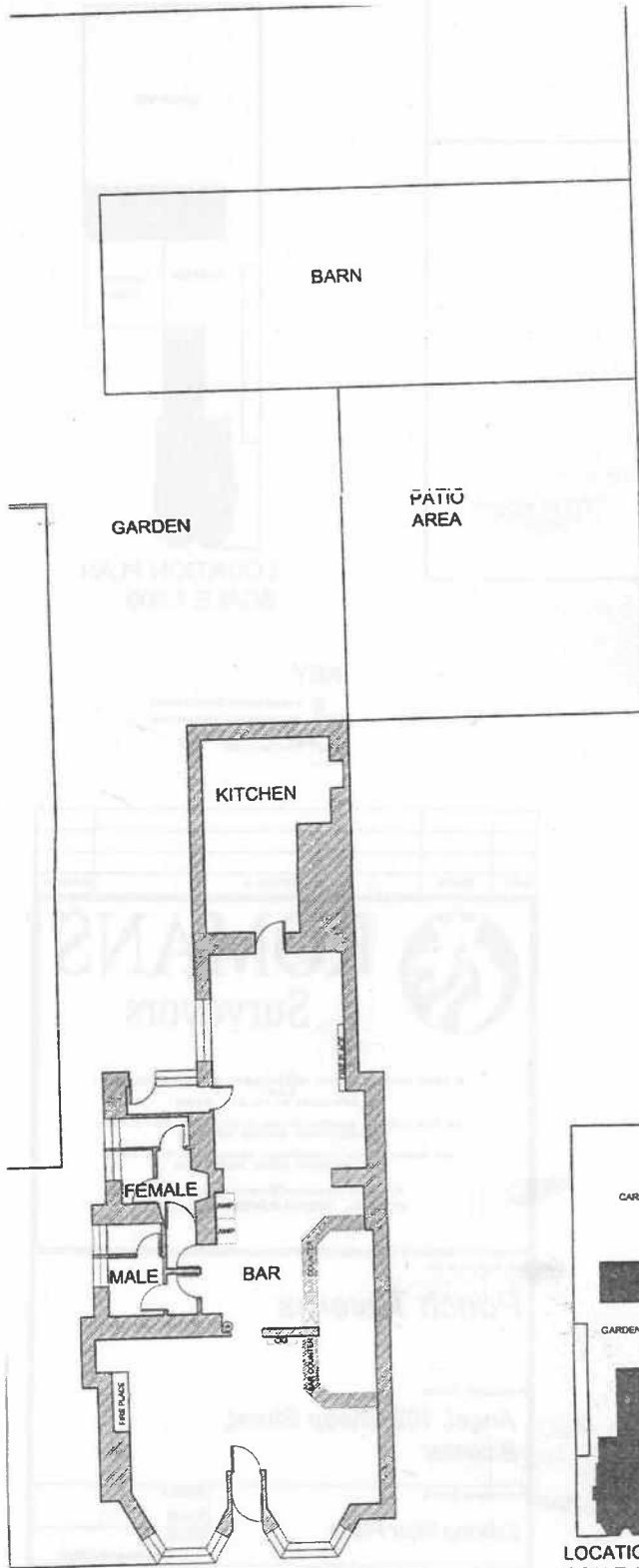
### **The protection of children from harm**

No unaccompanied children are allowed on the premises. Gaming/tobacco vending machines are away from children's access and clearly visible from the servery areas.

### Annex 3 - Conditions attached after a hearing by the licensing authority

CD38	The CCTV system shall incorporate a recording facility which shall be retained and stored in a suitable and secure manner for a minimum of one calendar month. A system shall be in place to maintain the integrity of the recorded image and a complete audit trail maintained. The system will comply with the Data Protection Act 1998 and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. For premises using a video recording systems, to maintain the quality of the recorded image the cassette tape shall be used on no more than 12 occasions.
CD40	The CCTV system must be notified to the Office of the Information Commissioner, <a href="http://www.informationcommissioner.gov.uk">www.informationcommissioner.gov.uk</a>
CD41	The positions of all CCTV cameras shall be clearly shown on the deposited plans and any alteration to the system should only be carried out after consultation with Thames Valley Police and the Licensing Authority.
PN12	All external doors and windows must be kept closed, other than for access and egress, in all rooms where entertainment involving the use of sound amplification equipment is taking place.
PN17	The garden must not be used by customers after the hours of 23:30.
PN18	Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises.

**Annex 4 - Plans**




EXISTING GROUND FLOOR PLAN

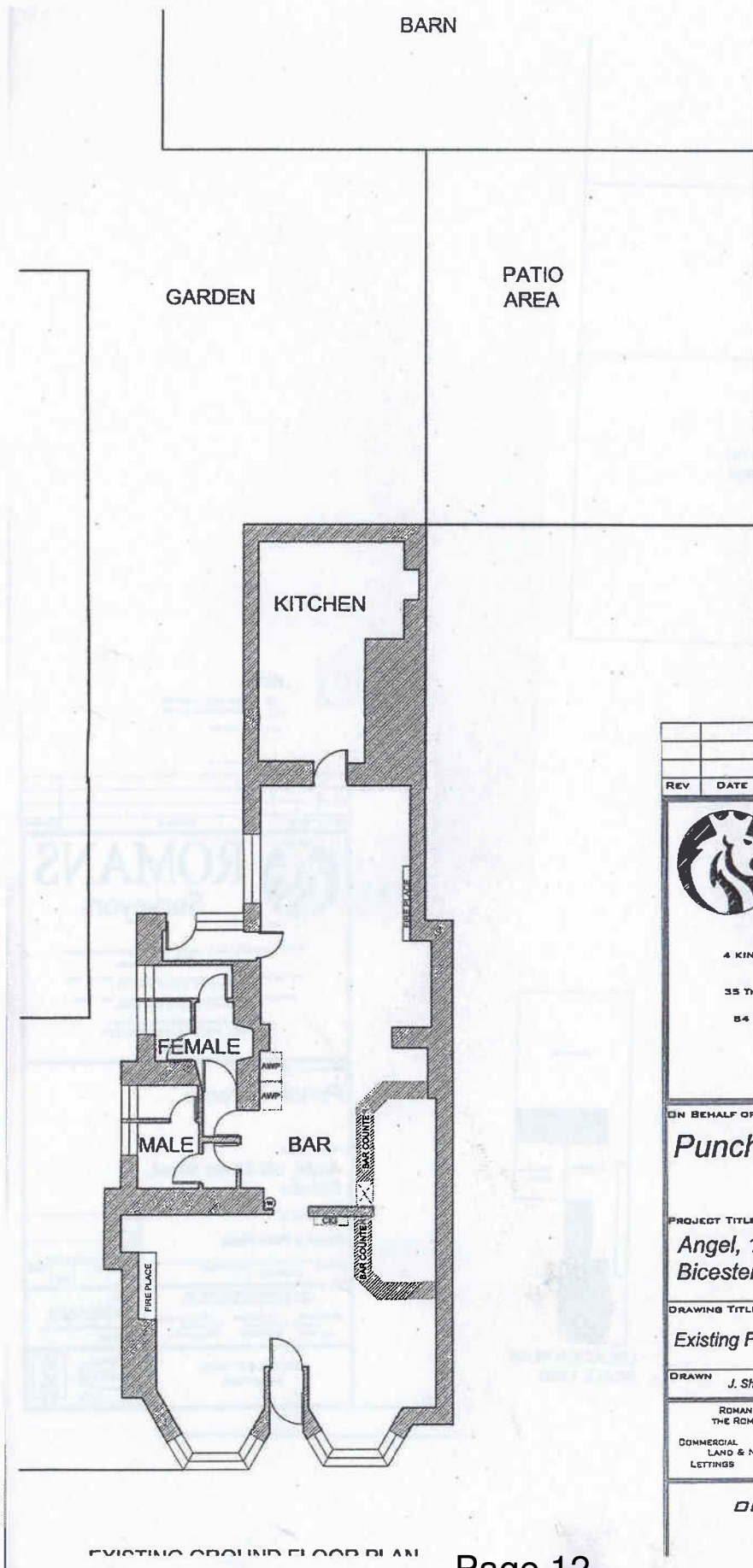


LOCATION PLAN  
SCALE 1:500

**KEY**

- ⊙ 8 LITRE WATER EXTRACTOR
- ⊙ CO. CIGARETTE VENDING MACHINE
- ⊙ FAULT MACHINE

REV	DATE	DETAILS	DRAWN
 <b>ROMANS</b> Surveyors			
4 KING STREET LANE, WINNERBISH, BERKSHIRE, RG41 5AP. TELEPHONE: 0118 936 6699			
33 THE AVENUE, SOUTHAMPTON, HAMPSHIRE, SO17 1KN. TELEPHONE: 0330 850110			
84 HEATH ROAD, TWISSENHAM, MIDDLESEX, TW1 4BW. TELEPHONE: 0208 388 0330			
E-MAIL: ROMANS@ROMANS.CO.UK WWW.ROMANS.CO.UK			
ON BEHALF OF <b>Punch Taverns</b>			
PROJECT TITLE <b>Angel, 102 Sheep Street, Bicester</b>			
DRAWING TITLE		SCALE	
Existing Floor Plans		1:100	
DATE		DATE	
17th November 2004		17th November 2004	
DRAWN J. Sheridan		CHECKED	
DWG NO. 001		REV	
ROMANS SURVEYORS ARE PART OF THE ROMANS GROUP (INCORPORATING)		The ROMANS Group	
COMMERCIAL LAND & NEW HOMES	SURVEYORS	ARCHITECTURAL	FLOWER IFA
LETTINGS	RESIDENTIAL	RELOCATIONS	
OUTLET NO. 866783		 	
		ISO 9001	



LOCATION PLAN  
SCALE 1:500

KEY

- 9 LITRE WATER EXTINGUISHER
- CIGARETTE VENDING MACHINE
- FRUIT MACHINE

EXISTING GROUND FLOOR PLAN

REV	DATE	DETAILS	DRAWN
 <h2 style="margin: 0;">ROMANS</h2> <h3 style="margin: 0;">Surveyors</h3> <p style="font-size: small; margin: 5px 0;">4 KING STREET LANE, WINNERSH, BERKSHIRE, RG41 5AB. TELEPHONE: 0118 936 6699</p> <p style="font-size: small; margin: 5px 0;">35 THE AVENUE, SOUTHAMPTON, HAMPSHIRE, SO17 1XN. TELEPHONE: 02380 820110</p> <p style="font-size: small; margin: 5px 0;">84 HEATH ROAD, TWICKENHAM, MIDDLESEX, TW1 4BW. TELEPHONE: 0206 288 0330</p> <p style="font-size: small; margin: 5px 0;">E-MAIL: ROMANS@ROMANS.CO.UK WWW.ROMANS.CO.UK</p>			
<p>ON BEHALF OF</p> <h2 style="margin: 0;">Punch Taverns</h2>			
<p>PROJECT TITLE</p> <h3 style="margin: 0;">Angel, 102 Sheep Street, Bicester</h3>			
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J. Sheridan		001	
ROMANS SURVEYORS ARE PART OF THE ROMANS GROUP INCORPORATING:		<b>The ROMANS Group</b>	
COMMERCIAL LAND & NEW HOMES LETTINGS	SURVEYORS RESIDENTIAL	ARCHITECTURAL FLOWER IFA RELOCATIONS	
<b>OUTLET NO. 866783</b>			
		ISO 9001	

# PREMISES LICENCE

Issued under the Licensing Act 2003

## Part B PREMISES LICENCE SUMMARY

Premises Licence Number

CHERWELL PRM 0001

Part 1 - Premises Detail

**Postal Address of Premises, or if none, ordnance map reference or description**

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Bicester  
Oxfordshire  
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**Telephone:** 01869 252395

**Licensable activities authorised by the licence**

**Provision of Regulated Entertainment**

- (a) Live Music
- (b) Recorded Music

**Provision of Entertainment Facilities for**

- (c) Entertainment of a similar description to that falling within making music or dancing.

**Sale (By Retail) of alcohol**

**The times the Licence authorises the carrying out of licensable activities**

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### Opening Hours of the Premises

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To reflect existing New Year's Eve/Day hours.				

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

Sale (By Retail) of Alcohol - On and Off Premise



**Name, (registered) address of the holder of premises licence**

Punch Taverns plc  
Jubilee House  
2nd Avenue  
Burton-upon-Trent  
Staffordshire  
DE14 2WF

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

03752645

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

AMANDA DAWN SMITH

**State whether access to the premises by children is restricted or prohibited**



---

**C R Baynes**  
**Head of Corporate Services**

**24 November 2005**



**Laura Morris**  
Licensing Co-ordinator  
Thames Valley Police  
St. Aldates  
OXFORD  
OX1 1SZ

**Tel: 01865 266 109**  
**Fax: 01865 266 104**

[laura.morris@thamesvalley.pnn.police.uk](mailto:laura.morris@thamesvalley.pnn.police.uk)

Annex 2

**Licensing Dept**  
Cherwell DC  
Bodicote House  
Bodicote  
Banbury  
Oxfordshire  
OX15 4AA



Please find enclosed a copy of the application for review of the premises license for The Angel, Bicester.

**Distribution List:**

Licensing Authority  
Environmental Protection  
Health & Safety  
The Planning Authority  
Trading Standards, Oxfordshire  
Fire & Rescue Service, Oxfordshire  
Social & Health Care, Oxfordshire  
Premises License Holders

Enclosed: Application Review for The Angel

**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Thames Valley Police

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> The Angel 102 Sheep St Bicester	
<b>Post town</b> Oxon	<b>Post code (if known)</b> OX6 7LP

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Punch taverns Plc
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<b>Number of premises licence or club premises certificate (if known)</b> 03752645
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**Part 2 - Applicant details**

I am

**Please tick yes**

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A)  below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

**Please tick**

Mr  Mrs  Miss  Ms  Other title  
(for example, Rev)

**Surname**

**First names**

I am 18 years old or over

**Please tick yes**

**Current postal address if different from premises address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address
Telephone number (if any)
E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Laura Morris Thames Valley Police licensing officer St Aldates Police Station Oxford OX1 1SZ
Telephone number (if any) 01865 266109
E-mail address (optional) laura.morris@thamesvalley.pnn.police.uk

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

**Please state the ground(s) for review** (please read guidance note 1)

Thames Valley Police are seeking a review of this licence due to concerns over the premises meeting the four licensing objectives.

Thames Valley Police have evidence that the prevention of public safety is not occurring at the premises.

There are also concerns that the premises is not promoting the protection from children from harm.

Further more, despite meetings in the past with the Area Manager for the Brewery and the Designated Premises Supervisor to address some of the issues, Thames Valley Police feel that the number and nature of incidents show that the premises is not being managed well enough to promote the crime and disorder objective of the Licensing Act 2003

**Please provide as much information as possible to support the application**  
(please read guidance note 2)

The following are all incidents which show a high rate of crime and disorder. We also have concerns as the majority are discovered or reported by members of the public or police rather than being reported by the premises.

06/10/07 01:50

Incident was seen by Police on routine patrol.

Fight in the smoking area outside the premise. The 2 males were arrested one victim was arrested and then de-arrested. The fight spilled into the street the victim was taken to hospital with a bitten ear.

11/11/07 02:00

Noticed by Police on patrol of town centre.

Person outside the Angel with a glass of drink brought from inside. He was asked to take it inside which he duly did.

07/12/07 23.50

Cherwell CCTV.

2 males assaulted in side alley to premises. One male was knocked unconscious the other has been punched in the eye and nose. Both were released from hospital on the same day. This could be a follow on from an earlier assault.

Evening of 04/04/08 into 05/04/08

Following an interview of 2 persons arrested for disorder in town centre.

Stated that these under age people had been drinking in the Angel and have been served on at least 2 occasions before. Age 16 and 17.

19/04/08 00.10 - 01.50

Noted by local officers.

Male who is on Pubwatch was seen by Police entering the Angel at 00.10. At 01.37 a fight occurred outside the Angel. Police attended and found that one of the aggressive parties was this male on Pubwatch. The fight began inside the premises. During this incident many customers (3 plus) exited the premises with their glasses considering the situation this could have been dangerous.

01/07/08 23.40 URN 1686

Anonamous male called in.

Male has been punched in the face by another male. Male was very aggressive and would not give information. Spoke to Landlady and all in order there were a few unknown males in the premises but they have now left.

26/07/08

Serious assault 23.59 26/07/08.

Fight occurred in the female toilets. The victim was very drunk and unable to defend herself, punches were thrown with the victim receiving 15 or so punches to the face. Another female tried to stop the fight and received a punch to the face aswell. The offender then pulled out a can of CS Gas and sprayed it point blank into the other females face. The room was then srpayed causing the gas to contaminate the whole room. The victim then had trouble breathing and her eyes rolled back and she stopped breathing. The offender then administered CPR and the female started to breath again. The victims head was then smashed against the cistern approx. 3 or 4 times. The attacked female then lost conciousness again. A bartender then entered the toilets and the offender left. The victim was escorted outside by her friends where an ambulance was flagged down. There was no CCTV of this incident. When taking statements it came to light that the canister of CS gas was given to the Landlady of

the Angel who stated that she would give this into the Police. This was not done and Police had to return to the Angel to retrieve the evidence from the landlady.

27/07/08 00.30 - 01.00

Information received after taking the statements from above incident.

After the victim had fited she was dragged out in front of the landlady and barstaff and no ambulance was called by them. After the incident the suspect claims that they were hurried out of the premise. The police returned to collect statements from the staff at the premises before the cs gas was known about and the landlady stated that some girl had hyperventilated in the toilets and it was nothing more than that. After the offender was interviewed and confessed the PC returned to the Angel and told the landlady that he wanted the CS gas only then was this given to the officer. Why did they not call the police? Why did they not call an ambulance? Why did landlady lie about what had occurred? Why did landlady conceal evidence and thus be in possession of a section 5 firearm and what was she going to do with it?

16/08/08 23.46

Officer called in.

Fight outside premises male is on the ground and females has facial injury.

10/09/08 17.21

Member of the public calling.

She states that she parked at the rear of the premises and saw 2 young males aged 8-13 yrs. When she returned her car had been clamped and the youths were asking for £60 to release it. There were no notices but the boys stated that they had written on the wall as you come into the car park in chalk. When caller spoke to the female inside the premises she was told you had better pay them then. This is a civil matter.

14/09/08 00.28

CCTV Cherwell.

Male flat out drunk outside the Angel.

17/10/08 22.00 - 23.59

Discovered as part of routine patrols.

Approximately 10 youths were loitering in the smoking area/ alley way to the side of the premises on previous occassions one of these youths was found inside the sig drinking beer but refused to say how he got the beer. It was only when police parked a transit van outside the premises that the landlady came out and moved them on.

06/11/08 23.07

3<sup>rd</sup> party reporting (this male now works at premises unknown if working there at the time)

Male has put money into cigarette machine and it has not worked. Got very aggressive with barstaff and then kicked in the door. Landlady does not wish to make a complaint as this was dealt with in house.

07/11/08 22.35

Reported by barstaff.

A group of 5-6 youths are outside shouting through windows premises has tried to move them on but they are still hanging around. Spoken to premises there is no one there now but there is still a few of them hanging around in the street although they are not doing anything.

07/11/08 20.00

Reported by Licensing Officer.

17 year old male extremely intoxicated said he had been in the Angel drinking.

29/11/08 02.30

Police on patrol.

On attendance up to 40 people were found standing outside side entrance area with drinks in bottles and glasses being generally rowdy. People were spoken to on earlier visits about bringing glass outside. On entering many people from inside started to leave (approx another 40). The landlady then also exited and started shouting and swearing at people to leave. The land lady was intoxicated and after officers mentioned underage reports that evening she stated that they had been requesting ID and called barstaff to confirm this. She also stated that they try to prevent people from taking glasses out of the building but this is obviously not the case.

25/12/08 00.28

Member of public called in.

Males pushing and shoving getting a bit rowdy. No trace outside premises and premises is just closing.

16/01/09 09.33

Intel suggests that female may be supplying cocaine through the premises. She is friends with landlords daughter.

Drugs results

Although the premises has slightly reduced its readings it is still of concern as it has still got high readings of Class A drugs and the premises does not seem to be doing any active drugs prevention as suggested by licensing officers and police.

Swabs were taken on the following dates 16/02/08, 22/09/08 and 24/11/08

Full details of this can be supplied at the hearing.

Many recurring issues seem to be being raised as part of our licensing checks. These include breaches of conditions for example displaying of their licence, CCTV and external lighting. Please see letters 09/04/08, 08/11/08 and 06/02/09 that were sent to the licensee. That can be supplied at hearing.

To address these issues Thames Valley Police feel that the removal of the current DPS is essential for the premises to run within the guidelines of the Licensing Act 2003. We feel that a more proactive DPS will help to reduce the crime and disorder in this premises by working with the police and by adhering to the conditions already stated on the licence.



**Please tick yes**

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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**If you have made representations before relating to this premises please state what they were and when you made them**

*(This area is currently blank, containing only faint, illegible markings.)*

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

23/02/09

Capacity

Licensing officer Thames Valley Police

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 5)

**Post town**

**Post Code**

**Telephone number (if any)**

**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)**

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.