

## Cherwell District Council

### Licensing Sub Committee

Minutes of a meeting of the Licensing Sub Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 14 December 2010 at 2.00 pm.

#### 7. Constitution of the Sub Committee

The Membership of the Licensing Sub-Committee for this meeting was Councillors Rose Stratford (Chairman), Reynolds and Lawrie Stratford.

#### 8. Premise Licence Determination Hearing

### ***Environment & Community***

**D Ian Davies** BSc (Hons) DMS **Strategic Director Environment & Community**

**Chris Rothwell** BSc (Hons) FInst SRM **Head of Safer Communities, Urban & Rural Services**

The logo for Cherwell District Council, featuring the word "Cherwell" in a stylized, bold, serif font with a decorative swoosh underneath.

**DISTRICT COUNCIL  
NORTH OXFORDSHIRE**

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*Please ask for **Licensing**  
Direct Dial **01295 753744***

*Our ref  
Fax **01295 221878***

*Your ref  
Email **licensing@cherwell-dc.gov.uk***

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16 December 2010

Dear Sir/Madam

#### **Licensing Act 2003 – Grant of Premises Licence Application**

**The Lounge, 60-62 Broad Street, Banbury.**

I refer to the hearing of the Licensing Sub-Committee on 20 August 2010 at which the Sub-Committee considered an application in respect of the above premises for the variation grant of a premises licence under the Licensing Act 2003. The decision contained in this letter is a decision of the Licensing Authority.

After considering all the representations made at the hearing the Sub-Committee decided as follows:

The Sub-Committee considered all the submissions made by all parties. They noted that the Licensing Act 2003 states that all licensing matters must promote the four Licensing Objectives. Representations were received from Thames Valley Police in relation to the promotion of the prevention of crime and disorder objective. Interested Parties attended and raised objections about potential issues should the licence be granted in relation to the prevention of public nuisance objective. His concerns were primarily that the applicant would not be able to control the conduct of their patrons when they leave the premises. The Sub-Committee noted in particular paragraphs 2.38 and 2.39 of the Home Office Amended Guidance Issued Under Section 182 of the Licensing Act 2003, and concluded that any conditions to be imposed on the licence would need to be focused on measures within the direct control of the licence holder or club. They acknowledged that beyond the vicinity of the premises, these are matters for personal responsibility of individuals under the law. The Committee therefore resolved to approve the application with the following amendments and the inclusion of the following conditions:

- Application amended to the provision of regulated entertainment, the supply of alcohol and Late Night Refreshment from Monday to Sunday from 11:00am to 2:30am the following morning.
- Application amended to reflect that no additional hour will be granted to take account of British Summer Time.
- Application amended to 'consumption on the premises' NOT consumption both on and off the premises.
- All conditions submitted by the applicant with the application;
- All conditions agreed between Thames Valley Police and the applicant, namely;

	<b>A Challenge 21 Policy will be in place at the premise at all times. Anyone who looks under the age of 21 will be asked to show photographic ID to prove they are over 18</b>
	<b>The premises shall participate in the local Pubwatch Scheme</b>
<b>CD47</b>	<b>All Door Supervisors working outside the premises or whilst engaged in the dispersal of patrons at the close of business shall wear 'High Visibility Clothing'.</b>
<b>CD49</b>	<b>All Door Supervisors shall enter their full details in the Premises Daily Register at the commencement of work. This shall record their full name, home address and contact telephone number, the Door Supervisors registration number, the time they commenced and concluded working. If the Door Supervisor was supplied by an agency, details of that agency will also be recorded which shall include the name of the agency, the registered business address and a contact telephone number. The Premises Daily Register will record all incidents in relation to the use of any force by staff or Door Supervisors in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed, and the details of all the staff or Door Supervisors involved.</b>
	<b>If there is to be a substantial increase in the size of the dance floor, works will not commence with prior consultation with Thames Valley Police</b>

	<b>The premise will ensure any doorstaff on duty are signed into the register on each day of duty. The register will be available for inspection by the authorities at any time the premise are trading</b>
	<b>An incident book will be kept at the premise and all incidents at the premise will be recorded. The register will be available for inspection by the authorities at any time the premise are trading</b>
	<b>A drugs policy will be produced and adhered to at all times</b>

- **And, the following additional conditions:**

<b>PN16</b>	<b>Prominent, clear notices shall be displayed at [all exits / in the beer garden] requesting customers to respect the needs of local residents and leave the premises and the area quietly.</b>
<b>PN29</b>	<b>The premises shall have a written dispersal procedure designed to make the maximum contribution immediately before premises close, and directly thereafter, by exercising pro-active measures, to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours, both residential and business, and to make the minimum impact upon the neighbourhood in relation to potential nuisance, antisocial behaviour, crime and disorder.</b>
	<b>The applicant to make available a personal mobile number and email address for residents to use should they need to notify the applicant of any complaints and/or issues arising.</b>
	<b>All furniture on the patio area (as detailed on the premises plan) to be removed by 11:00pm each night.</b>
	<b>The premises shall have a written door-staff policy to include conditions CD46, CD47, CD48 and CD49</b>
<b>CD46</b>	<b>There shall be an agreed ratio of Door Supervisors to number of persons present. Premises which have a policy that includes the searching of persons shall have at all times Door Supervisors of both sexes on duty.</b>
<b>CD48</b>	<b>All Door Supervisors shall have clear instruction and understanding of their responsibilities.</b>

You have a right of appeal against this decision to the Magistrates' Court within 21 days of the date of this letter. The relevant Magistrates Court for the area is;

Northern Oxfordshire Magistrates Court  
 The Courthouse  
 Warwick Road  
 Banbury  
 Oxon  
 OX16 2AW

Tel: 01295 452000  
 Fax: 01295 452050

Finally, if you have any queries regarding this notice, please contact a member of the Licensing Team on 01295 753744.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Claire Bold', written in a cursive style.

Claire Bold  
Licensing Team Leader

The meeting ended at 3.15 pm