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Cherwell District Council

Licensing Sub Committee

Minutes of a meeting of the Licensing Sub Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 9 May 2017 at 10.00 am

Present:

Councillor Douglas Webb
Councillor Hannah Banfield
Councillor G A Reynolds

Officers: Matt Marsh, Solicitor
Aaron Hetherington, Democratic and Elections Officer

16 **Appointment of Chairman of the Sub-Committee**

Resolved

That Councillor Douglas Webb be appointed Chairman of the Sub-Committee.

17 **Declarations of Interest**

There were no declarations of interest.

18 **Premises Licence Application Hearing**

The Licensing Manager submitted a report which provided an outline of an application for a Licensing Act 2003 Premises Licence for Tropic Bar, Pioneer Square, Bicester.

Resolved

- (1) That the application for a premises licence in relation to Tropic Bar, Pioneer Square, Bicester be granted as detailed in the attached decision letter.

Public Protection

Jackie Fitzsimons – Shared Public Protection Manager

Minute Item 18

Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Tropic Bar Ltd
Tropic Bar
Unit A8
Pioneer Square
Manorsfield Road
Bicester
OX26 6EX

*Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA*

www.cherwell.gov.uk

Please ask for Licensing
Direct Dial 01295 753744

Our ref Hearing
Email licensing@cherwell-dc.gov.uk

1 June 2017

Dear Tropic Bar

Premises Licence Application: Tropic Bar Ltd
Licensing Sub-committee Hearing, Cherwell District Council, 9th May 2017

I write to confirm the outcome of the above hearing.

The licensing sub-committee carefully considered the written application and the written representations opposing the application received during the statutory consultation period.

The licensing sub-committee carefully listened to the representations submitted by the applicant, the Environmental Health Officer, Thames Valley Police and Councillor Mould speaking as Ward Member on behalf of those residents of Hannover Gardens and Hunt Close who opposed the application and as a resident himself of Hunt Close.

The licensing sub-committee noted the revisions to the original application reached by agreement between the applicant, the Environmental Health Officer and Thames Valley Police, notably, the removal of live music from the application and the reduced opening hours. The licensing sub-committee commends those concerned in reaching the agreement.

The licensing sub-committee further noted that the applicant has indicated that it is the intention that an SIA registered door supervisor be employed at the premises and the reiteration that patrons will not be permitted to consume alcohol outside of the premises.

The licensing sub-committee noted that the revised application and the assurances of the applicant given at the hearing have gone some way to allaying the concerns of Councillor Mould. The licensing sub-committee further noted the statutory obligation upon the council to investigate noise complaints and that should problems of noise, nuisance, crime or disorder arise which cannot be resolved by alternative means, a premises licence review may be called.

The licensing sub-committee noted the concerns of those opposing the application on the grounds of potential noise, nuisance and / or anti-social behaviour which engage the licensing objectives as specified in the Licensing Act 2003 and as such are relevant considerations.

As required the licensing sub-committee has determined this application in consideration of the statutory licensing objectives. The licensing sub- committee has determined that the licence be granted on the terms agreed in the revised application, namely:-

The premises licence will not permit live music;
Recorded music between the hours of 0700 - 2300 (Sunday to Thursday) and 0700 - 2345 (Friday and Saturday);
Late night refreshment hours between the hours of 0700 - 2300 (Sunday to Thursday) and 0700 - 0000 (Friday and Saturday);
Retail of alcohol for consumption on the premises between the hours of 0700 - 2300 (Sunday to Thursday) and 2330 (Friday and Saturday);
Opening hours 0700 - 2300 (Sunday to Thursday) and 0700 - 0000 (Friday and Saturday);
Implementation and adherence with the Challenge 25 policy.

The licensing sub-committee further determined that the additional condition, be added, whereby "no person shall be allowed to leave the premises whilst in possession of any drinking vessel or open glass bottle whether empty or containing any alcoholic beverage."

The mandatory conditions as specified in the Licensing Act 2003 and as attached to all premises licences will also be attached to the licence.

The licensing sub-committee is satisfied that the grant of the licence on these terms will promote the licensing objectives and minimise the risk of noise nuisance and reduce the risk of patrons congregating outside the premises whilst smoking.

At this juncture the licensing sub-committee did not consider it necessary for the purpose of promoting the licensing objectives to impose a condition upon the license necessitating the employment of an SIA registered door supervisor, but further notes the applicant's voluntary intention to do so.

At this juncture the licensing sub-committee does not consider it necessary for the purpose of promoting the licensing objective to impose a condition specifying a volume which the recorded music must not exceed.

A copy of this notice has been sent to the relevant parties.

Appeal

The applicant, a responsible party or any other person who submitted relevant objections to the application has the right to appeal this decision by giving notice to the magistrates' court within a period of 21 days beginning with the day upon which notification of the determination was given.

Any appeal should be made to Banbury Magistrates Court, The Court House, Warwick Road, Banbury, Oxfordshire, OX16 2AW.

Yours faithfully/ sincerely



Jackie Fitzsimons
Shared Public Protection Manager