

Public Document Pack



Committee: **Licensing Sub Committee**

Date: **Tuesday 9 May 2017**

Time: **10.00 am**

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

Membership

Councillor Hannah Banfield
Councillor Douglas Webb

Councillor G A Reynolds

AGENDA

- 1. Appointment of Chairman of the Sub-Committee**
- 2. Declarations of Interest**

Members are asked to declare any interest and the nature of that interest that they may have in any of the items under consideration at this meeting.

Note: Any Member with a disclosable pecuniary interest will not be able to participate in the hearing, and should therefore notify the Head of Law and Governance in advance so that arrangements may be made for an alternate Member to attend.

3. Premises Licence Application Hearing (Pages 1 - 48)

Report of Public Protection Manager

Purpose of report

To consider an application for a Licensing Act 2003 Premises Licence for Tropic Bar, Pioneer Square, Bicester.

Recommendations

- 1.1 There is no recommendation, but in considering the representations received and what is appropriate for the promotion of the licensing objectives, the steps the Sub-Committee can take are outlined in paragraph 6.2.

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwellandsouthnorthants.gov.uk or 01295 221601 / 01295 227956 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Louise Aston / Aaron Hetherington, Democratic and Elections
louise.aston@cherwellandsouthnorthants.gov.uk, 01295 221601 /
aaron.hetherington@cherwellandsouthnorthants.gov.uk, 01295 227956

Ian Davies
Interim Head of Paid Service

Published on Friday 28 April 2017

This page is intentionally left blank

Cherwell District Council

Licensing Sub-Committee

9 May 2017

Premises Licence Application Hearing

Report of Public Protection Manager

This report is public

Purpose of report

To consider an application for a Licensing Act 2003 Premises Licence for Tropic Bar, Pioneer Square, Bicester.

1.0 Recommendations

- 1.1 There is no recommendation, but in considering the representations received and what is appropriate for the promotion of the licensing objectives, the steps the Sub-Committee can take are outlined in paragraph 6.2.

2.0 Introduction

- 2.1 To consider an application for a new premises licence submitted for Tropic Bar, Pioneer Square, Bicester submitted by Tropic Bar Ltd.

3.0 Report Details

- 3.1 Tropic Bar will be situated in Unit A/8 in Pioneer Square, Bicester. It is situated on the roadside and is approximately 872 square feet. It is a building on one floor and the applicants intend to use it primarily as a tapas bar. It benefits from the correct planning use class, A3.
- 3.2 An application for a Licensing Act 2003 premises licence was submitted to Cherwell District Council on 17 March 2017. The original application was for sale of alcohol for consumption on the premises, live music, recorded music and late night refreshment seven days a week between 7am and 1.30am with a closing time of 2am. The application with volunteered conditions and plan is attached as Appendix 1. Sarah Silva, co-director of Tropic Bar Ltd has since had a Personal Licence granted by Cherwell District Council and will be the Designated Premises Supervisor.

- 3.3 On the 23 March 2017 Laura Warner from Thames Valley Police and Neil Whitton from Environmental Protection, Cherwell District Council met with the business owners, Dario Abreau and Sarah Florr, to discuss the application. This resulted in a number of changes being agreed. Live Music was removed from the application and the hours authorising the sale of alcohol, recorded music and late night refreshment were amended as follows; sale of alcohol – Sunday-Thursday 7am to 11pm, Friday and Saturday 7am to 11.30pm, recorded music – Sunday to Thursday 7am to 11pm, Friday and Saturday 7am to 11.45pm, late night refreshment – Friday and Saturday 11pm to Midnight. Agreement attached at Appendix 2.

4.0 Conclusion and Reasons for Recommendations

- 4.1 There is no recommendation.

5.0 Consultation

- 5.1 When an application for a premises licence is submitted the applicant must display a blue notice at or near the relevant premises and advertise the application in a local publication no later than 10 days after submitting the application. The consultation period runs for 28 days from the day after the application is received. This gives interested parties and responsible authorities the opportunity to make representations in relation to the application.

- 5.2 The responses from responsible authorities were as follows:

- Police – liaised directly with the applicant
- Fire Service – No response
- Child Protection – No response
- Trading Standards – No objection
- Health & Safety Executive – No response
- Environmental Protection – liaised directly with the applicant
- Health Protection – No response
- Planning – No response
- Parish Council – Representation received (Councillor Mould)

- 5.3 There have also been twelve representations received from local residents all objecting to the application, these include a petition signed by 41 residents of Hanover Gardens

- 5.4 The applicant and all interested parties submitting representations have been invited to attend this hearing.

6.0 Alternative Options and Reasons for Rejection

6.1 At the end of the consultation period the licensing authority must hold a hearing if relevant representations are received. It must take such steps as it considers appropriate for the promotion of the licensing objectives, which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

6.2 The steps the Sub-Committee can take are to:

- issue the licence as applied for;
- issue the licence with amended hours or licensable activities
- reject the application if it is considered necessary in order to promote the licensing objectives

7.0 Implications

Financial and Resource Implications

7.1 There are no financial implications arising directly from this report.

Comments checked by Kelly Wheeler, Principal Accountant for Operations and Delivery, 01327 322230, kelly.wheeler@cherwellandsouthnorthants.gov.uk

7.2 Legal Implications

The decision must comply with the Licensing Act 2003, the statutory guidance issued pursuant to section 182 of the Licensing Act and the council's Statement of Licensing Policy.

The applicant or 'other persons' who have submitted 'relevant representations' may appeal to the magistrates' court a decision of the Sub-Committee.

Comments checked by Matt Marsh, Solicitor, 01295 221691, matt.marsh@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

Bicester East

Links to Corporate Plan and Policy Framework

Not applicable

Lead Councillor

Councillor Tony Illot

Document Information

Appendix No	Title
Appendix 1	Full Application
Appendix 2	Copy of agreement between applicant, TVP and Environmental Protection
Appendix 3	Redacted representations
Background Papers	
None	
Report Author	Nicholas Sutcliffe, Licensing Manager
Contact Information	01327 322278 licensing@cherwell-dc.gov.uk



DISTRICT COUNCIL
NORTH OXFORDSHIRE

Bodicote House • Bodicote • Banbury • Oxfordshire • OX15 4AA
Telephone 01295 252535
Textphone 01295 221570
DX 24224 (Banbury)
<http://www.cherwell.gov.uk>

**Application for a premises licence to be granted
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.

~~We~~TROPIC...BAR...LTD..... apply for a premises licence under section 17 of
(Insert name(s) of applicant)
the Licensing Act 2003 for the premises described in Part 1 below (the premises) and ~~we~~ are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description UNIT A18 PIONEER SQUARE OXFORDSHIRE	
Post town BICESTER	Post code OX26 6EX

Telephone number at premises (if any)

--

Non-domestic rateable value of premises

£ 180

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

- | | Please tick <input type="checkbox"/> yes | |
|--|--|-----------------------------|
| a) an individual or individuals* | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual* | | |
| i. as a limited company | <input type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> | please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning that part) in an independent hospital in England | <input type="checkbox"/> | |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

*If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a

statutory function

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

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

--

Postcode

--

Daytime contact telephone number

--

E-mail address (optional)

--

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

Name TROPIC BAR LTD
Address UNIT A/8 PIONEER SQUARE OXFORDSHIRE
Registered number (where applicable) 10438053

Description of applicant (for example partnership, company, unincorporated association etc) LIMITED COMPANY
Telephone number (if any)
E-mail address (optional) TROPICBARLTD@EMAIL.COM

Part 3 – Operating Schedule

When do you want the premises licence to start?

Day	Month	Year

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

--

Please give a general description of the premises (please read guidance note 1)

872 SW. FOOT PROMINENT ROADSIDE PROPERTY ADJOINING POP-UP STORE AND SHOP MOBILITY LOCATED ON A BUS STOP ROAD. ONE FLOOR BUILDING USED PRIMARILY AS A TAPAS BAR. PREMISES INCLUDE THREE ROOMS - KITCHEN, SERVING AREA WITH BAR AND TOILET. KITCHEN AND SERVING AREA WITH BAR WILL BE USED FOR THE FOLLOWING LICENSABLE ACTIVITIES: SALE OF ALCOHOL, LATE NIGHT REFRESHMENT AND REGULATED ENTERTAINMENT.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓ yes

Provision of regulated entertainment:

a) plays (if ticking yes, fill in box A)

b) films (if ticking yes, fill in box B)

- c) indoor sporting events (if ticking yes, fill in box C)
 - d) boxing or wrestling entertainment (if ticking yes, fill in box D)
 - e) live music (if ticking yes, fill in box E)
 - f) recorded music (if ticking yes, fill in box F)
 - g) performances of dance (if ticking yes, fill in box G)
 - h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)
- Provision of late night refreshment** (if ticking yes, fill in box I)
- Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3).	Both		
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4)		
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of a play at different times from those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3).		
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the exhibition of film at different times from those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)	
Day	Start	Finish		
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)	
Tue				
Wed				
Thur				Non standard timings. Where you intend to use the premises for indoor sporting events at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3).	Both	
Tue			State any seasonal variations for boxing and wrestling entertainment (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the boxing or wrestling entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	7:00	1:30	Please give further details here (please read guidance note 3). WEEKDAYS AND WEEKENDS WITH UNAMPLIFIED AND AMPLIFIED MUSIC DEPENDING ON THE OCCASION. WEEKENDS WITH OCCASIONAL DJ/SINGER OR BANDS.		
Tue	7:00	1:30			
Wed	7:00	1:30	State any seasonal variations for the performance of live music (please read guidance note 4) NOT APPLICABLE		
Thur	7:00	1:30			
Fri	7:00	1:30	Non standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat	7:00	1:30			
Sun	7:00	1:30			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	7:00	1:30	Please give further details here (please read guidance note 3). COMMERCIAL MUSIC FROM SOUND SYSTEM AND OCCASIONALLY (MOSTLY WEEKENDS) A DJ OR BAND. State any seasonal variations for playing recorded music (please read guidance note 4) NOT APPLICABLE Non standard timings. Where you intend to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list (please read guidance note 5) NOT APPLICABLE	Both	
Tue	7:00	1:30			
Wed	7:00	1:30			
Thur	7:00	1:30			
Fri	7:00	1:30			
Sat	7:00	1:30			
Sun	7:00	1:30			

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3).		
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3).		
Tue			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick✓ (please read guidance note 2)	Indoors	✓	
				Outdoors		
Day	Start	Finish		Both		
Mon	7:00	1:30	Please give further details here (please read guidance note 3). SELLING FOOD FOR CONSUMPTION ON THE PREMISES AND TAKEAWAY COFFEE. THE TYPE OF FOOD IS TAPAS SNACKS AND SIDES.			
Tue	7:00	1:30				
Wed	7:00	1:30		State any seasonal variations for the provision of late night refreshment (please read guidance note 4) N/A		
Thur	7:00	1:30				
Fri	7:00	1:30		Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5) N/A		
Sat	7:00	1:30				
Sun	7:00	1:30				

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption - please tick ✓ (please read guidance note 7)	On the premises	✓	
Day	Start	Finish		Off the premises		
Mon	7:00	1:30	State and seasonal variations for the supply of alcohol (please read guidance note 4). NOT APPLICABLE	Both		
Tue	7:00	1:30				
Wed	7:00	1:30				
Thur	7:00	1:30		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)		
Fri	7:00	1:30				
Sat	7:00	1:30				
Sun	7:00	1:30				

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name SARAH ALEXANDRA GONCALVES SILVA

Address [REDACTED]

Postcode [REDACTED]

Personal Licence Number (if known)

Issuing Licensing Authority (if known) BIIAB

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	7:00	2:00	N/A
Tue	7:00	2:00	
Wed	7:00	2:00	
Thur	7:00	2:00	
Fri	7:00	2:00	
Sat	7:00	2:00	
Sun	7:00	2:00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) **General – all four licensing objectives (b, c, d, e) (please read guidance note 9)**

M1, M2, M4

b) **The prevention of crime and disorder**

CD1, CD2, CD5, CD9, CD11, CD18, CD28,
CD29, CD31, CD48

c) **Public safety**

PS2, PS3, PS13, PS17, PS19, PS22,
PS23

d) **The prevention of public nuisance**

PN1, PN2, PN9, PN18, PN28, PN31,
PN32, PN34

e) The protection of children from harm

CP17
• A limit on the hours during which children can be present on the premises

CHECKLIST:

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to the responsible authorities and other where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11). **If signing on behalf of the applicant please state in what capacity**

Signature .. 

Date 13 March 2017

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

[REDACTED]

Post town [REDACTED]

Post code [REDACTED]

Telephone number (if any) [REDACTED]

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

[REDACTED]

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

General

As per mandatory conditions

The Prevention of Crime and Disorder

CD1. All staff shall be suitably trained for their job function in the operating standards for the premise. The training shall be ongoing and under constant review.

CD2. All Personal Licence Holders supervising the sale of alcohol shall hold a nationally recognised licensing qualification.

CD5. No persons under 18 shall be admitted to, or allowed to remain on the premises between 21:00hrs and 06:00hrs.

CD9. No persons under 18 shall be admitted to, or allowed to remain on the premises between 21:00hrs and 06:00hrs.

CD11. All staff shall be suitably trained in the operating procedures for refusing service to any person who is drunk or is under age or appears to be under age.

CD18. All licensable activities shall stop at the terminal hour and the premises shall be cleared of customers and closed 30 minutes after the conclusion of the last licensable activity.

CD18. No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.

CD28. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 18 years and who is seeking access to the premises or is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.

CD29. Prominent clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale, advising customers that they may be asked to produce evidence of their age.

CD31. Prominent, clear notices shall be displayed outside every public entrance stating the actual operating hours of the premises.

CD48. All Door Supervisors shall have clear instruction and understanding of their responsibilities.

Public Safety

PS2. All escape routes and exits including external exits shall be maintained unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified in accordance with the approved arrangements.

PS3. All exit doors shall be available and easily openable without the use of a key, card, code or similar means. Only approved fastenings shall be used.

Note: Doors that are not in regular use should be opened in order to ensure they function satisfactorily before the admission of the public.

PS13. Curtains, hangings and temporary decorations shall be arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment.

PS17. The premises shall be provided with adequate facilities to monitor and control the number of people present.

PS19. The fire service shall be called at once to any outbreak or suspected outbreak of fire, however slight, and the details recorded in the Fire log-book.

PS22. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

PS23. At least one suitably trained first-aider shall be on duty when the public are present. If more than one suitably trained first-aider is present, each person's responsibilities shall be clearly identified.

The Prevention of Public Nuisance

PN1. The Designated Premises Supervisor/Duty Manager shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises.

PN2. The premises shall be arranged to minimise the risk of noise nuisance to nearby properties.

PN9. The [*doors / windows*] at [*specify*] shall be fitted with [*double /secondary*] glazing in order to improve the sound attenuation of the premises.

PN18. Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises.

PN28. All queuing outside the premises shall be managed in such a way that prevents noisy or rowdy behaviour and therefore minimises disturbance or nuisance to neighbours.

PN31. The premises shall be effectively ventilated.

PN32. All vents and extraction systems shall be constructed and operated so as to prevent noxious smells from causing a nuisance to nearby properties.

PN34. Any air filters shall be periodically cleaned or replaced so as to maintain a satisfactory air supply.

The Protection of Children from Harm

All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 18 years and who is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.

Children will only be present between 07.00hrs and 21.00hrs

A3

04075 / L-A8-001

FOR INFORMATION

Client: Sainsbury's

This drawing is for information only. It is not to be used for any other purpose, and is not to be relied upon for any legal or other purposes. All dimensions are to be taken from the centre of the wall unless otherwise stated. This drawing is to be used in conjunction with all other relevant information.
All figures are approximate and have been rounded and approved in accordance with the relevant standards. The designer is not responsible for any errors or omissions in this drawing or for any damage or loss of any kind arising from the use of this drawing. The designer is not responsible for any damage or loss of any kind arising from the use of this drawing. The designer is not responsible for any damage or loss of any kind arising from the use of this drawing.

B-B | A8-Lease Section B-B
1:100

BATHROOM

A8-Lease Plan
1:100

A-A | A8-Lease Section A-A
1:100

Index	Revision	Date	By	CHKD
Design & Construction by				
				
Bowmer & Kirkland Bowmer & Kirkland Ltd High Edge Court Hednesham, Derbyshire DE28 2BP Tel: 01773 881511 Fax: 01773 887891 E-Mail:				
B&K Project No: 67102				
Client: Sainsbury's BICESTER TOWN CENTRE EXPANSION				
Designer: LYONS-SLEEMAN-HOARE Architects New Brewery, Church Green, Uxbridge, Wexham, Bucks. RG27 8QA Tel: 01292 844164 Fax: 01292 848800 Web: www.lsh-arch.co.uk				
BLOCK A Drawing: Retail Unit A8 - Lease Drawing - Plan, Section & Elevation				
Scale	1:100	Author	SA	Check
Date	30/05/13	Author	AH	Check
Drawing No.	04075 / L-A8-001	Rev		

© LYONS-SLEEMAN-HOARE LTD

Page 29

THAMES VALLEY POLICE

Division/Station : Licensing Dept HQ South

From : C0900 Laura Warner

To : CDC licensing dept

Ref : Tropic bars, Unit A8 Pioneer Square Date : 23.3.17 Tel.no. 07989497913

Subject :

Conditions to be added and changes to be made to licence application

On the 23rd March 2017 a meeting was held at Bicester police station to discuss the application for a premises licence ,for Unit A8 Pioneer square Bicester.

These are as follows:

- Live music to be removed from application.
- Recorded music hours changed to Sun – Thurs 07.00 – 23.00 Fri – Sat 07.00 – 23.45
- LNR hours to be changed to Sun – Thurs 07.00 – 23.00 Fri – Sat 07.00 – 00.00
- Alcohol hours to be changed to Sun – Thurs 07.00 – 23.00 Fri – Sat 07.00 – 23.30
- Hours open to the public Sun – Thurs 07.00 – 23.00 Fri – Sat 07.00 – 0.00
- Remove CD18 from application
- Remove CD48 from application
- Remove PN9 from application
- Challenge 25 policy to be implemented and adhered to.

Laura Warner
C0900
Licensing Officer

Neil Whitton
Environmental Protection
Cherwell District Council

Applicant : Tropic Bars Ltd
Dario Abreau
Sarah Florr

This page is intentionally left blank

Via email: licensing@cherwell-dc.gov.uk

Date: 22nd March 2017

Ref: Application for a premises licence

We, the residents and friends of Hanover Gardens Retirement Estate would like to formally object to following licence application:

Name of applicant: Tropic Bar Ltd

Address of premises: Unit A/8 Pioneer square, Bicester, OX26 66X

Details of application: Sale of alcohol
Provision of recorded and live music
Late night refreshment

The premises are directly opposite our retirement estate and any evening licence would lead to noise from car engines, car doors, people arriving at and leaving the venue, people using out door smoking areas and the vibration of noise and music from social gatherings. This noise and potential outside gathering of people will be detrimental to our desire to peacefully enjoy our home. We like to go to bed at a reasonable hour, with the expectation that we will not be disturbed by noise from local neighbours. We are already disturbed by anti social behaviour on the car park above the supermarket on Manorsfield road and by delivery vehicles turning into the supermarket during anti social hours.

We hope that you will consider our health and wellbeing when ruling on the above application and that perhaps an alternative empty unit away from a residential area would make a more suitable venue.

Yours Sincerely

Signatures in reference to the letter dated 22nd March 2017 regarding our objection to the premises licence ^{application} by Tropic Bar Ltd, Bicester.

NAME	SIGNATURE
Ann Munday	
MARGARET BLATTINCH	
AUDREY SPELLAR	
Hazel Blake	
June Walker.	
Johanna Whyde	
JOYCE PAYNE	
DOREEN BRITTON	
PETER BRITTON	
SAMSON.	
S Fox	
H.S Robertson	
L SHIRLEY	
R. DANZEY	
A Robertson	

A. FAULKNER

Signatures in reference to the letter dated 22nd March 2017 regarding our objection to the premises licence application by Tropic Bar Ltd, Bicester.

NAME	ADDRESS	SIGNATURE
Angie Wain		
N. Sellar		
A. Hathaway		
D. CASTLE		
B. Gibson		
D. RICKETTS		
A. ROBINSON		
T. WALKER		
P. Townley		
A. DYHSON		
W. WEBB		
M. PARKER		
D. RUDGE		
M. WHITE		
G.A. OGG		

S. LEACH

Signatures in reference to the letter dated 22nd March 2017 regarding our objection to the premises licence application by Tropic Bar Ltd, Bicester.

NAME	ADDRESS	SIGNATURE
SALLY SMART		
Peggy Lewerton		
Ivor Giraud		
GRACE EMERY		
Eric Dyason		
Eric Dyason		
J Jaya		
CHRISSTY BATES		

Signatures in reference to the letter dated 22nd March 2017 regarding our objection to the premises licence application by Tropic Bar Ltd, Bicester.

NAME	ADDRESS	SIGNATURE
IVAN FORT		

5th April 2017

Your reference 17/PRM1056/LAPRE1

Dear Sir

Premises Licence Application - Unit A8, Pioneer Square, Bicester

I have discovered that an application has been made by a company called Tropic Bar for a licence to sell alcohol and to provide recorded/live music and late night refreshments at one of the shop units behind the bus stops in Manorsfield Road. I understand that the company propose to operate until 11 pm on Sunday to Thursday and until midnight on Friday and Saturday.

The site is only about 100 yards from my house, across the Hunt Close green. I am extremely concerned at the prospect of loud music being played every evening, to the detriment of Hunt Close residents' quiet enjoyment of their property. I personally am elderly and not in the best of health, and rely on a full night's sleep, and I therefore view the present proposals with the utmost trepidation.

If the District Council are able to apply restrictions on any licence granted, so as to ensure that sound from the entertainment is contained within the building, I urge them to do so; otherwise I should be grateful if you would take this letter as an objection in principle to the grant of a licence.

Yours faithfully

Licensing Team
Cherwell District Council
Bodicote House
Banbury
OX15 4AA

Ref
Tropu Bar Ltd

Dear Sus,

I would like to object to the application by Tropu Bar Ltd to open a Bar to sell alcohol, to provide recorded and live music and finally late night alcohol up to 2 AM in the morning.

It is in the wrong place for such a premises almost opposite Hammers Gardens retirement home and dead opposite all the residences of Hunt Close.

All the noise, social disruption and illegal parking in Hunt Close cannot be allowed to put a blight on so many peoples lives who already have a virtual bus station to contend with already.

I hope you give this matter a fair consideration,

Yours Faithfully

Charlotte Johnson

From:
Sent: 04 April 2017 21:48
To: GCSX Licensing
Subject: Application 17/Prm1056/Lapre1

Dear Sirs

I write as a resident of Hunt Close Bicester living less than 100 metres from the premises to which the above application applies.

I together with my neighbours are concerned with the following issues in relation to this application.

The application refers to live and recorded music. The premises are relatively small and have a single entry door without a lobby which means that very time the door is opened there is potential for the noise to become a nuisance. I believe that the only way to minimise this is to install noise monitoring equipment that would shut off the music if the agreed decibel level were breached and to look at some form of lobby.

Secondly I am concerned that smokers will congregate around the entrance which is directly behind the bus stop thus persons queuing for the buses will be subject to secondary smoking. Many bus passengers are travelling with young children and should not be subject to this.

Thirdly there needs to be controls in place that make sure no drinks are taken off the premises. If this is not enforced there is potential for significant nuisance through noise to the neighbours.

I believe that the premises will require door staff to enforce any conditions the licensing body may see fit to impose. Should this application go to the licensing committee I would wish to make representation on behalf of the local residents.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

To: licensing@cherwell-dc.gov.uk

Subject: Premises Licence application 17/PRM1056/LAPRE1-Representations

Premises Licence Application 17/PRM1056/LAPRE1

Sale of alcohol, Provision of Recorded & Live Music & Late Night Refreshments
Tropic Bar Ltd, Unit A8, Pioneer Square, Manorsfield Road, Bicester.

We have referred to the details of this application as shown on the District Council Public Access web pages & wish to OBJECT to the proposals on potential public nuisance grounds.

The "Recorded & Live Music" aspect of the Licence causes us concern as during summer, doors would be open with sound escaping. Being as we would like to have our windows open when the temperatures rise, we would find this noise to be a problem.

Our other concern is being disturbed by people leaving the premises late in the evening. The business of the premises does not lend itself to people making their way home in a quiet manner. We have had several incidents of anti-social behaviour.

We feel that granting this licence would be totally inappropriate being as the premises are adjacent to residential areas, in particular Hanover Gardens & Hunt Close.

Yours Sincerely

From:
Sent: 11 April 2017 21:50
To: Licensing (CDC)
Subject: Premises Licence Application 17/PRM1056LAPRE1 - representation

Categories:

RE. Premises Licence Application 17/PRM1056LAPRE1: Tropic Bar Ltd., Unit A8, Pioneer Square, Manorsfield Road, Bicester.

I am opposed to this licence application on the grounds of risk to public safety and public nuisance.

Judging by their own publicity, Tropic Bar is to be a Mediterranean-style bar that sells strong alcoholic cocktails and plays music late into the night: it is to be a drinking establishment, not a restaurant/cafe, requiring Class A4 planning permission as I understand it. Such a venue might be suited to within the town centre, however this bar is to be located amongst the bus stops between the Pop-in Centre and the ShopMobility Centre, and directly opposite a quiet residential area housing many elderly people as well as young families. The location is entirely inappropriate for a bar.

The adjacent residential area is currently shielded from the late-night noise of the town centre by the Sainsbury and cinema buildings, and there is no other bar/pub with frontage onto Manorsfield Road. It would be naive to assume that the venue's doors and windows would always be securely closed to contain the noise within, or that there would be no noise created outside by patrons leaving the premises in numbers at closing time, perhaps using the public spaces opposite the bar as an extension of the premises after hours. Any noise created by music or high-spirited patrons would be immediately noticeable above the low level of background noise in the surrounding area, and the increased noise levels until beyond midnight would cause repeated and unavoidable nuisance to local residents, old and young.

It might also be expected that there will be obstruction and nuisance to pedestrians at the bus stops owing to high-spirited patrons queuing or spilling out onto the footpath, as the premises opens directly onto the footpath also used as the bus station where people young and old queue for buses.

Further, I question whether the police will have sufficient additional resource, either now or in the future, to enforce any licence conditions at this new venue on Manorsfield Road or to guarantee the protection of the public and property outside the venue (including any teenage children queuing at the bus stops after the cinema) from the inevitable occurrence of alcohol-fuelled antisocial behaviour; as far as I can tell, the police are already committed to Sheep Street at nights on weekends, where several pubs are in close proximity.

I am also not convinced by the licence application that the owners have sufficient relevant experience to ensure the safe and considerate operation of this bar, and indeed a lack of consideration for local residents has already been demonstrated while parking illegally on the double yellow lines in the entrance to Hunt Close to unload stock.

Further questions could be raised about the public cost of cleaning up the footpath outside the venue, and whether the design of the premises itself is suitable for use as a bar (it was originally designated as 'Kiosks' in the building's planning application).

Charlotte Johnson

From:
Sent: 04 April 2017 15:55
To: Licensing (CDC)
Subject: Re: Premises Licence Application 17/PRM1056/LAPRE1 - Representations

Categories:

Apologies - postcode mis-stated - it should read

From:
To: "licensing@cherwell-dc.gov.uk" <licensing@cherwell-dc.gov.uk>
Sent: Tuesday, 4 April 2017, 15:50
Subject: Premises Licence Application 17/PRM1056/LAPRE1 - Representations

Premises Licence Application 17/PRM1056/LAPRE1
Sale of Alcohol, Provision of Recorded & Live Music and Late Night Refreshments
Tropic Bar Ltd, Unit A8, Pioneer Square, Manorsfield Road, Bicester

Having examined the details of this application as shown on the District Council's Public Access web pages, we wish to make representations in respect of the application on potential public nuisance grounds.

Our property is about 50 metres from the application premises, immediately opposite across Manorsfield Road. We consider it likely that the operations for which the licence application is made will result in disturbance to us, in terms of both noise and movement and behaviour of patrons.

Our first concern is about the potential volume of the "Recorded & Live Music", which we believe is unlikely to be containable within the premises. Unit A8 is small, and there seems little scope for installing a double door system to prevent sound escaping as patrons enter and leave. Moreover, during warm weather there will inevitably be a temptation to prop the doors open to aid ventilation, leaving no obstruction to the escape of sound.

We see that the proposed licence conditions shown on the Public Access web pages in relation to this application include general requirements to minimise the risk of noise nuisance to nearby properties (conditions PN1 and PN2). We consider these to be wholly inadequate. If a licence were to be granted, more specific and enforceable restrictions should be imposed, including conditions such as those numbered PN3 to PN8 in the Council's Pool of Conditions, incorporating measurable limits to ensure that noise is effectively not discernible from our and other nearby properties; and those numbered PN13 and PN14, in order to ensure that sound does not escape when doors are opened.

The second concern relates to the movement of patrons to and from the premises. Because of its location immediately adjacent to the main town bus stops with limited pavement space, there is a clear risk of conflict with people waiting for, boarding and alighting from buses, particularly in the event of queuing for admission. We note that proposed licence condition PN28 requires queuing outside the premises to be managed so as to prevent noisy or rowdy behaviour. This does not address problems that might be caused by sheer numbers, and because of limitations of space the scope for queue management in practice seems very limited.

Thirdly we are concerned that patrons moving away from the premises when they close will result in disturbance to local residents - in Hunt Close and Hanover Gardens in particular. There are likely to be concentrations of such movements in the half-hour after midnight on Fridays and Saturdays, and the half-hour after 11 pm on other nights. The proposed licence conditions shown on the Public Access web pages do not address this issue, and the standard conditions in the Council's Pool of Conditions which attempt to do so (PN16 and PN29) are unlikely to be effective, bearing in mind the doubtless buoyant state of patrons after "a good night out".

The Licensing Authority
Cherwell District Council
Bodicote House
Bodice
Banbury
Oxfordshire
OX15 4AA

Dear Sir or Madam

Tropic Bar Ltd Unit A18 Pioneer Square Bicester.
Application for Premises Licence.

As original residents of Hunt Close we have constantly seen the demise of what was a peaceful residential area by the unrestricted development of Bicester town centre and would wish to request the application for alcohol and live or recorded music plus late night refreshment be refused for the following reasons:-

1. The location next to a bus stop is totally inappropriate when alcohol is not accepted on public transport vehicles for obvious reasons.
2. The venue is opposite domestic dwellings for which due consideration is required to ensure noise levels are not causing a nuisance to occupiers at any time of day or night.
3. Currently domestic dwellings are affected by drunken revellers returning from Oxford at 3.0am in the morning a situation which is currently unacceptable.
4. Late at night we currently have arguments and even fights between unruly late night drinkers.
5. A bar such as this should be located in the centre of Bicester alongside other similar properties or where they have less impact on domestic dwellings and their occupants.
6. This location would also attract more traffic dropping off such as taxis which are not permitted in the bus depot in at the end of Hunt Close which will have double yellow lines.
7. There is the potential for drinkers to spill out onto the bus depot area which can on occasions be difficult to traverse by pedestrians.
8. Existing provision of toilet facilities within the unit is inadequate at present. If adequate facilities are not provided then drinkers will use public spaces as currently occurs late at night.
9. Delivery vehicles will obstruct the bus lanes.
10. The impact on Hanover Gardens with live music and late nights would be morally wrong.
11. Can some consideration be given towards those people who live in the shadow of Sainsburys and its array of daily problems it brings to local residents and this will be yet another one that is totally unacceptable.
12. Many people who live opposite this application premises are elderly and would appreciate some consideration a matter Cherwell District Council fail to provide, these local people pay exorbitant Council Tax to a Council who fails to look after their interests and wellbeing.
13. This type of application can ultimately lead to anti social behaviour and increased noise for those living in close proximity. Our interests need to be addressed.

30 March 2017

Charlotte Johnson

Subject: FW: Objection to the proposed Tropic Bar at Unit A8 Pioneer Square Bicester

From:

Sent: 05 April 2017 22:07

To: Licensing (CDC)

Cc:

Subject: Objection to the proposed Tropic bar at Unit A8 Pioneer Square Bicester

Dear Sir/Madam,

I would like to register my objection (before 12th April 2017) against the proposed granting of a liquor/live music and late night refreshment licence at Unit A8 Pioneer Square.

This is a wholly inappropriate use of that unit. The unit faces out on to Manorsfield Road, which is a largely residential street with residences overlooking the street in particular in Hunt Close and Hanover Gardens. Any noise created by this premises would pass over the street and affect nearby neighbours. I live in Hunt Close and have been adversely affected by parking and anti-social problems as a result of the development of Pioneer Square over the last couple of years.

I regard the granting of this proposed licence as contributing to further alcohol related issues for our family and my neighbours in the vicinity. We live in some of the closest properties to Unit A8 and are concerned at experiencing increased parking problems in Hunt Close (which the Local Authority have recognised and are trying to address through strengthening parking restrictions by implementing double yellow lines).

To grant this proposed license would exacerbate current issues being experienced by local residents of noisy 'night time economy users' walking back to the estates through the busy walkway through Hunt Close into Queens Avenue. This would detrimentally affect the quality of life of nearby residents - compounded by the fact that a majority of whom are elderly and/or families who particularly value their peace and quiet especially at night. If you factor in that police patrols are increasingly rare, after facing budgetary constraints, this will only pose further problems - when alcohol related incidents arise, that will not be properly policed.

It must also be recognised that the town river runs opposite and Manorsfield Road is already busy, with buses and coaches passing close by, which all pose hazards to potentially drunk customers vacating the premises late at night.

Should you be unsure as to the disproportionate impact that this proposal may have on local residents, I would welcome any decision makers to experience a Friday/Saturday night in Hunt Close, when the other existing licensed premises in Bicester town centre close their doors to their patrons.

I trust this is the information you require to make a balanced and rational decision on this proposal.

Kind regards,

Charlotte Johnson

From:
Sent: 04 April 2017 12:36
To: Licensing (CDC)
Subject: Tropic Bar Bicester

Folks, please see my comments on this application.

The proposed building is not suited to broadcast recorded or live music. This unit has no special soundproofing and could interfere with the operation of the cinema.

The front door opens directly onto a bus stop, when the door is open for incoming or exiting clients there would be no noise control at all. This would require a soundproof lobby entrance to be constructed.

From:
Sent: 09 April 2017 12:02
To: Licensing (CDC)
Subject: Application for licence for 'Tropic Bar Ltd', Bicester

Application for licence for 'Tropic Bar Ltd', Bicester

To Whom it May Concern

I would formally like to tender my objection to the Notice of Application for a Premises Licence under Section 17 of the Licencing Act 2003 for the above Bar (Tropic Bar Ltd, Unit A18 Pioneer Square, OX26 6EX). In particular the provision of recorded and live music late at night.

My reasoning for this objection is the close proximity to residential accommodation, including elderly residential homes (Bicester House and Hanover Gardens).

I feel that Bicester Town Centre already has sufficient 'late night' opening venues. I am already adversely affected by late night weekend customers of 'The Saxon' and 'G's Wine Bar' who are often noisy when leaving those premises at closing time (approximately 3am) by drunken shouting and singing. Having an additional bar within close to so many residential properties, many of them more vulnerable members of the community will only worsen the situation to a much greater degree. The bar would be within 60m of my bedroom window and during summer when it may be open during the night, I really fear that my sleep would be directly and negatively impacted.

Yours sincerely,

Charlotte Johnson

From:

Sent: 05 April 2017 18:15

To: Licensing (CDC)

Subject: Premises Licence application 17/PRM1056/LAPRE1 - Representations

4th April 2017

Premises Licence Application 17/PRM1056/LAPRE1

Sale of alcohol, Provision of Recorded & Live Music and Late Night Refreshments

Tropic Bar Ltd, Unit A8, Pioneer Square, Manorsfield Road, Bicester.

We have referred to the details of this application as shown on the District Council's Public Access web pages and wish to OBJECT to the proposals on potential public nuisance grounds.

The 'Recorded & Live Music' aspect of the Licence causes us concern as during warmer weather doors would likely be wedged open with sound escaping. Being as we also would like to have our windows open when the temperatures permit, we would find this noise to be extremely intrusive.

Our further concern relates to being disturbed by people leaving the premises late in the evening. The business of the premises does not lend itself to people making their way home in a quiet, sedate manner.

We feel that granting the licence would be totally inappropriate being as the premises are adjacent to residential areas, in particular Hanover Gardens Sheltered Housing and Hunt Close.