

Committee: Licensing Sub Committee
Date: Wednesday 23 January 2019
Time: 10.00 am
Venue Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Colin Clarke **Councillor G A Reynolds**
Councillor Bryn Williams

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 Assistant Director: Law and Governance in advance so that arrangements may be made for an alternate Member to attend.

- 3. Premises Licence Variation Application Hearing (Pages 1 - 52)**

Report of Assistant Director: Regulatory Services and Community Safety

Purpose of report

To consider an application for a Licensing Act 2003 Premises Licence Variation for J.T. Davies, 25 Cornhill, Market Place, Banbury, OX16 5NG

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 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 Aaron Hetherington, Democratic and Elections
aaron.hetherington@cherwellandsouthnorthants.gov.uk, 01295 227956

Yvonne Rees
Chief Executive

Published on Tuesday 15 January 2019

Cherwell District Council

Licensing Sub-Committee

23 January 2019

Premises Licence Variation Application Hearing

Report of Assistant Director: Regulatory Services & Community Safety

This report is public

Purpose of report

To consider an application for a Licensing Act 2003 Premises Licence Variation for J.T. Davies, 25 Cornhill, Market Place, Banbury, OX16 5NG

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 full variation to the premises licence submitted for J.T. Davies, 25 Cornhill, Market Place, Banbury, OX16 5NG.

3.0 Report Details

- 3.1 J.T.Davies is situated at 25 Cornhill, Market Place, Banbury. It is a building on multiple floors. Currently licenced is the ground floor and an outside terrace. The premises has been known by various names in recent years including Castle House.
- 3.2 The current designated premises supervisor is Aidan Conway, he has held this position since April 2018. Since Mr Conway has been in place the council are aware of 4 complaints/issues in relation to the premises;
 - 15 July 2018 – Complaint in relation to excessive noise being emitted from the premises. This was dealt with by way of a warning letter to the premises licence holder
 - 13 November 2018 – complaint in relation to a customer being aggressive towards staff. This complaint is outlined in the representation from Thames Valley Police.
 - 15 November 2018 – complaint received by the council stating that the pub were using an unlicensed area of the premises for licensable activities. This complaint triggered a visit to the premises, advice being given to all parties and the submission of this variation application

- 15 December 2018 – The council received notification from the police that there was a fight in the pub garden, when the police arrived the fight has dispersed

3.3 Appendix 1 shows a copy of the current licence including the current floor plan.

3.4 An application under the Licensing Act 2003 for a full variation to the premises licence for J.T.Davies was submitted to Cherwell District Council by John Beazley on behalf of W. Brakspear and Sons Ltd on 28 November 2018 as can be seen in appendix 2. The application is to include part of the 1st floor of the building and increase the permitted hours for the sale of alcohol for consumption on and off the premises, recorded music, and the opening hours. The hours would then be as follows:

Recorded Music - Monday - Wednesday 08.00-02.00, Thursday - Sunday 08.00-03.00

Sale of Alcohol - Sunday 09.00-02.30, Monday to Wednesday 09.00-01.30, Thursday to Saturday 09.00 - 02.30

Opening Hours - Sunday 08.00-03.00, Monday to Wednesday 08.00-02.00, Thursday to Saturday 08.00-03.00

The committee can make a decision on the upstairs area, the hours for recorded music, the hours for sale of alcohol and the hours for opening.

For clarification purposes appendix 3 contains confirmation of the hours applied for from the applicant. This was communicated with the Responsible Authorities in the consultation email.

3.5 All other matters on the licence are to remain unchanged.

3.6 On 19 December 2018 Neil Whitton from Environmental Protection, Cherwell District Council met with the John Beazley on behalf of W. Brakspear and Sons Ltd, the licence holder and Mr Aidan Conway, the designated premises supervisor, to discuss the application and on 20 December 2018 they agreed to amend the wording of the voluntary conditions attached to the licence, as can be seen in appendix 4. These changes are as follows:

- To amend the noise level on the outside speakers to a maximum of 60dB as opposed to 45dB that is currently stated as this was deemed too low. The location at which this is volume is measured can be seen as the red circle appendix 5.
- To add the following condition – “A noise log shall be kept at the premises which include regular checks of the noise levels of the external speakers level being recorded, a record of any noise complaints received by the premises from neighbours and actions taken as a result of these and any other noise related issues shall be noted. The log shall be kept on the premises and be available to view on request by council or police officers authorised under the relevant legislation.”

3.7 On 26 December 2018 the Licensing department received an objection to the application from Charlotte Norman, Thames Valley Police Licensing Officer. This can be seen in appendix 6.

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 variation 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 working 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 – Objection
- Fire Service – No Objection
- Child Protection – No response
- Trading Standards – No Objection
- Public Health Board – No response
- Environmental Protection – liaised directly with the applicant and agreed conditions
- Health Protection – No Objection
- Planning – No Objection
- Secretary of State – No response

5.3 No other valid representations were received.

5.4 The applicant and all relevant 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 variation to the licence as applied for;
- issue the variation to the licence with amended hours or licensable activities;
- issue the variation to the licence with additional or amended conditions;
- reject the variation 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, 01327 32230,
kelly.wheeler@cherwellandsouthnorthants.gov.uk

7.2 Legal Implications

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

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

Comments checked by: Sophie Phillips, Solicitor, 01295 753701,
Sophie.phillips@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Wards Affected

Banbury Cross and Neithrop

Links to Corporate Plan and Policy Framework

Not applicable

Lead Councillor

Councillor Andrew McHugh, Lead Member for Health and Wellbeing

Document Information

Appendix No	Title
Appendix 1	Current Premises Licence
Appendix 2	Application for Full Variation
Appendix 3	Confirmation of hours applied for
Appendix 4	Copy of agreement of conditions between applicant and Environmental Protection
Appendix 5	Additional site plan for external speakers
Appendix 6	Thames Valley Police Objection
Report Author	Charlotte Lindop, Licensing Enforcement Officer
Contact Information	01295 753744, licensing@cherwell-dc.gov.uk

**LICENSING ACT 2003
PREMISES LICENCE**

PART A – Part 1

J.T's 25 Cornhill Market Place Banbury OX16 5NG	Licence Ref:	PRM0072
	Date Granted:	18.04.2017
	Valid from: Valid to:	Not Time Limited
	Issue date:	18.04.2017
	Tel No.:	01295 258447

Premises Licence Holder	W. Brakspear And Sons LTD The Bull Courtyard Bell Street Henley N Thames Oxfordshire RG9 2BA
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**PART A - Part 2
Licensable Activities - Alcohol Sales**

Activity	Days of Week	Open	Close
Sale of Alcohol Alcohol is supplied for consumption both on and off the Premises	Monday	09:00	00:30
	Tuesday to Friday	09:00	01:30
	Saturday and Sunday	09:00	02:00

Licensable Activities - Other

Activity	Days of Week	Open	Close
Exhibition of Film, Indoor Sporting Event (Indoors)	Sunday	11:00	00:30
	Friday and Saturday	10:00	02:00
	Monday to Thursday	10:00	01:00
Live Music Indoors (Indoors) All performances to cease at least an hour before closing time On a maximum of 4 times per week every Friday and Saturday occasional Thursdays and Sundays	Sunday	11:00	00:00
	Friday and Saturday	10:00	01:00
	Monday to Thursday	10:00	00:00
Late Night Refreshment (Indoors and Outdoors)	Sunday	23:00	01:00
	Friday and Saturday	23:00	02:30
	Monday to Thursday	23:00	01:30

Performances of Dance (Indoors)	Monday	18:00	00:30
	Tuesday to Friday	18:00	01:30
	Saturday and Sunday	18:00	02:00
Playing of Recorded Music (Indoors and Outdoors) Exterior Music on low volume to cease on all days at 00:00 Amplified Music and voices emitted from the external speakers shall not exceed 45DBA when measured at a point marked red on the attached plan	Monday	08:00	01:00
	Tuesday to Friday	10:00	01:00
	Saturday and Sunday	08:00	02:30

Non Standard Times

All Licensable Activities and Opening Hours Christmas Day 12:00 to 18:00

New Year's Eve inclusive hours of 09:00 New Year's Eve to Closing Hours the New Year's Day

An additional Hour for Bank Holidays when they fall on a Monday

Opening Hours

Days of Week	Open	Close
Monday	08:00	01:00
Tuesday to Friday	08:00	02:00
Saturday and Sunday	08:00	02:30

Registered number of holder, for example company number, charity number

Registered Company Number 46656

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

Mr Aidan Patrick Conway

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 Number:
Licensing Authority:



Nicholas Sutcliffe
Licensing Manager
18 April 2017

Annex 1 – Mandatory

All Premises Licence authorising supply of alcohol

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No Supply of alcohol may be made under the Premises Licence -
 - a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - b) At a time when then the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended

2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence

- 3.1 The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
- 3.2 In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available

- 5.1 The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

- 5.3 The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - a. a holographic mark or
 - b. an ultraviolet feature

6. The responsible person must ensure that -
 - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:-
 - i. beer or cider: ½ pint;
 - ii. gin, rum, vodka or whiskey: 25ml or 35ml; and
 - iii. still wine in a glass: 125ml; and
 - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price
2. For the purposes of the condition set out in paragraph 1 -
 - a. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - b. "permitted price" is the price found by applying the formula -

$$P=D+(D \times V)$$

Where: -

- i. P is the permitted price
- ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of alcohol, and
- iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of alcohol;

c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- i. The holder of the premises licence
- ii. The designated premises supervisor (if any) in respect of such a licence, or
- iii. The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

e. "value added tax" means value added tax charged in accordance with Value Added Tax Act 1994

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.1 Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax

4.2 The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section "children" means any person aged under 18; and

"film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

If the Premises Licence has conditions in respect of Door Supervision except theatres, cinemas, bingo halls and casinos

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films) ; or

(b) in respect of premises in relation to:

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 – Conditions consistent with the operating schedule

General - all four licensing objectives

The type of regulated entertainment provided reinstate the normal pub entertainments that were previously unregulated.

No new steps have been identified by risk assessment in relation to the four licensing objectives except as below.

I have considered the terms of your local licensing policy in preparing this application.

Regular staff meetings (one hour) with training including health and safety, fire procedures, under age, drugs etc.

Also please attach music licence 275 conditions to be adopted.

(1) Admittance to the Premises

No person shall be admitted or readmitted to the premises after midnight on a Friday and Saturday.

(2) Maximum Numbers of Persons Present

The maximum number of persons present on the premises at any one occasion shall be limited to 110.

(3) Number of Door staff Required

A minimum of one male and one female registered door supervisor/attendants shall be present during each public entertainment event. Door staff shall be employed to supervise the premises until 30 minutes after the premises have closed or until they have been completely vacated by all patrons.

(4) CCTV Monitoring

The premises when in use shall be monitored by a CCTV system. The images shall be recorded onto tapes, which shall be kept for one month from their recording date. One camera shall be so positioned to record details of all persons admitted to the premises. The Licensee shall, on demand, where required to do so by the Licensing Authority, give up such recorded tapes to the Licensing Authority which shall be able to retain the tapes until such time as it no longer requires them.

(5) Nuisance

(a) The Licensee shall ensure that all persons resorting to the licensed premises for the first time are provided with a written code of the behaviour, which is expected of persons using the premises. Such written information will include reference to the likelihood of persons being banned from the licensed premises if they do not conduct themselves in an appropriate manner and of the fact that any ban will be vigorously enforced by the staff controlling admission to the premises.

(b) The Licensee shall ensure that reasonable action is taken to identify persons who cause disturbance within the premises, or those who may cause a nuisance or annoyance to residents or passers-by upon arriving at or leaving the premises. Such persons must be formally warned about their conduct and advised in writing if and when they are banned temporarily, or permanently, from attending the licensed premises and are asked not to do so. The staff who supervise the admission to the premises shall be kept advised by management of the identities of persons whose access is temporarily or permanently restricted in order that such staff may exercise the controls referred to in condition 2.1.

(c) Noise from amplified music, or voices, shall not be such as to cause a nuisance to occupants within residential properties (with the windows open in the normal manner for ventilation) within the vicinity of the licensed premises.

(d) The Licensing Authority may stipulate that live or recorded music be played at levels which it has previously notified to the Licensee either for one particular occasion or a series of occasions.

(e) All doors and windows to be kept closed during entertainment events.

(6) Management Policy and Protocols

(a) Queue Management

(i) The Licensee shall operate a queue management policy which is acceptable to the Licensing Authority. The Licensing Authority may require, subject to the views of the Police and/or Highway Authority, barriers to be provided as part of any queue management policy, or any other devices which may facilitate the necessary controls agreed with the Licensing Authority.

(ii) Without prejudice to any other matters referred to in the policy, there should be provision for the identification of potential under-age persons by the production of suitably reliable forms of identification.

(iii) The policy shall be produced for approval to the Licensing Authority.

(b) Participation in Pubwatch

(i) The licensee, or a person employed in a management capacity at the premises shall attend the local meetings of "Pubwatch" on each occasion they are convened in order to participate in the arrangements which are decided in relation to persons who shall not be allowed into premises with on-licences. The decisions relating to those who are banned from entering premises under the Pubwatch arrangements shall be vigorously enforced by the licensee.

(ii) In the event the Licensee is unable to participate in any meeting of Pubwatch a management level deputy shall attend in their stead.

(iii) The participation in the Pubwatch scheme shall require the provision by the licensee of a radio or radios to be used at the premises in connection with the passage of information to similar establishments in

connection with the exchange of information under the Pubwatch scheme. The availability of, and operational capability to use the radios, shall be demonstrated to the Licensing Authority.

(c) Protocol for Intervention Management

The Licensing Authority shall be provided with a written protocol by the Licensee which sets out how the venue will be suitably controlled so as to ensure that all appropriate staff are aware of the need to prevent the excessive consumption of alcohol, and that a system is in place which can provide for the Police to be called to intervene if necessary in any developing problems within the premises, which are likely to have effect on public order.

(7) No bottles or glasses containing alcohol are to be taken from the premises.

(8) No Drinks Promotions without Approval

(i) No promotions involving alcoholic drinks being sold at lower prices than the Licensee would normally charge shall take place in connection with any public entertainment event held on any day without the prior agreement of the Licensing Authority who shall first consult the Police. Any application for an event involving such a drinks promotion shall be made at least 14 days prior to the event.

(ii) Where drinks promotions have been agreed under (i) they shall not be varied without prior reference to the Licensing Authority.

(9) The Licensing Authority may specify any further conditions which are not otherwise specified herein, and which are deemed necessary to facilitate the control and functioning of the premises.

The prevention of crime and disorder

Providing a 30 minute of opening hours after the end of the sale of alcohol will promote this objective as the last drink will be consumed less quickly with access to the pubs toilet facilities.

Not less than 10 days' notice will be provided to the Police when any event days are planned.

Active member of Pub Watch Scheme.

No entry or re-entry after 00:00 hours.

No discounted drink promotions are operated.

Challenge 25 policy to be adopted

Public Safety

My risk assessment has not identified any risks.

Door security is provided on Fridays and Saturdays and when entertainment is used and are qualified to SIA standards (both male and female).

Toughened glass is use.

Exterior lighting provided.

CCTV cameras are in use both inside and outside the premises.

Capacity limit when entertainment used is 110 people.

The prevention of public nuisance

Live entertainment will cease at least one hour before closing time.

I will monitor noise levels to ensure no noise nuisance to neighbours.

The patio area will be evacuated by 00:00 hours.

No outside speakers in use after 00:00 hours.

There is a zero tolerance to drugs and staff have been trained accordingly.

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.

All external doors / windows must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place.

Entertainment is to be held internally only.

Amplified music and voices omitted from the external speakers shall not exceed 45dBA when measured at the point marked red on the attached plan.

The protection of children from harm

The restrictions sets out in the Licensing Act 2003 will apply.

No unusual risks of harm have been identified.

No unaccompanied children will be allowed.

No children under the age of 16 will be allowed after 21:30.

Photographic proof of age is required by staff all of whom have been trained.

The patio will be evacuated by 00:00 hours - Except for the use of smokers in smoking area.

The security team at weekends will control the entrance of customers from the patio entrance.

At the end of the trade on Friday and Saturday the Patio area will be monitored by security team to ensure that customers disperse in an orderly manner.

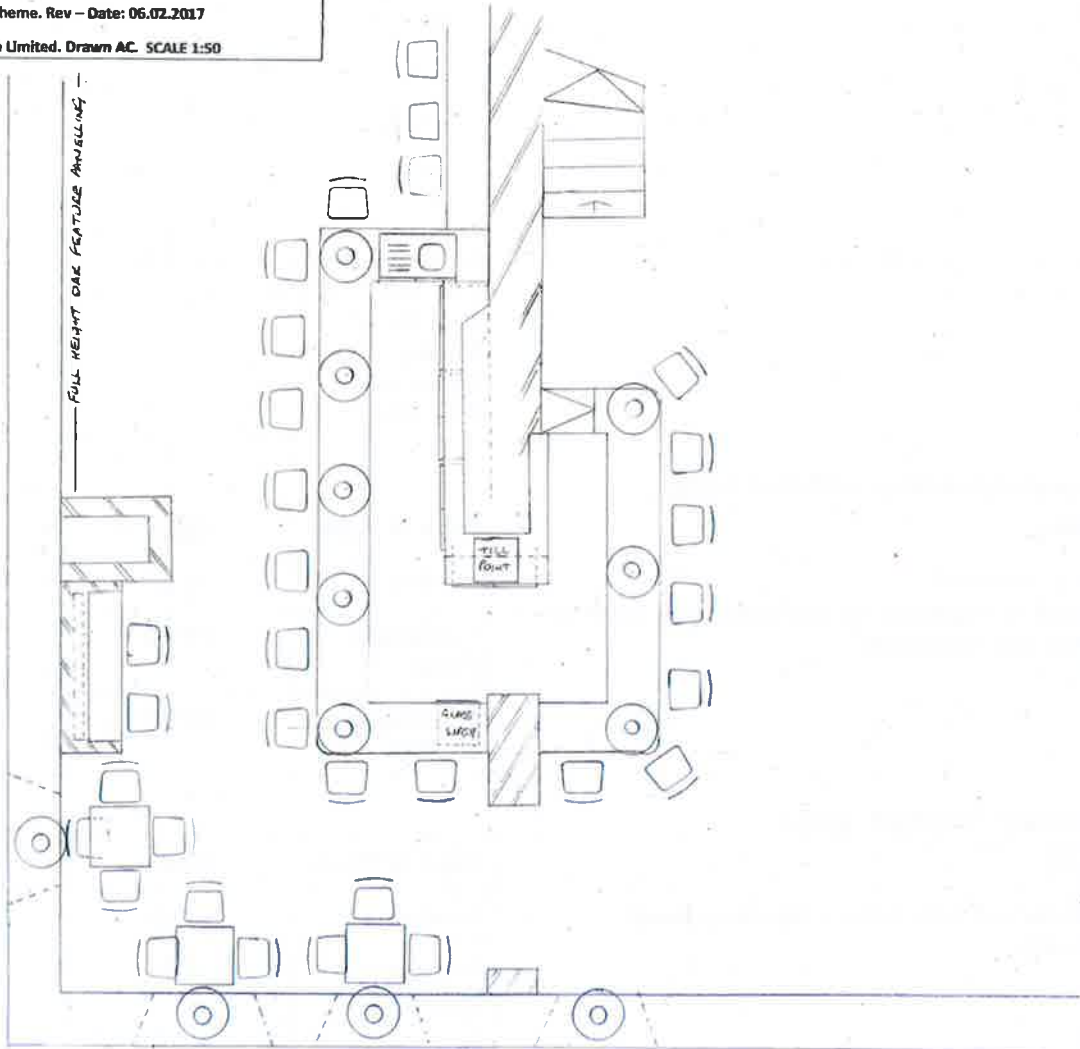
No entertainment of an adult nature.

Annex 3 – Conditions attached after a hearing by the licensing authority

Conditions Required by Committee

Annex 4 – Plans

J.T. Davies Public Bar. Brakspear.
BAR PLAN.
Proposed Scheme. Rev – Date: 06.02.2017
CLAC Leisure Limited. Drawn AC. SCALE 1:50



BAR PLAN PROPOSED 1:50

NOTES:

**LICENSING ACT 2003
PREMISES LICENCE**

PART B

J.T's 25 Cornhill Market Place Banbury OX16 5NG	Licence Ref:	PRM0072
	Date Granted:	18.04.2017
	Valid to:	Not Time Limited
	Issue date:	18.04.2017
	Tel No.:	01295 258447

Premises Licence Holder	W. Brakspear And Sons LTD The Bull Courtyard Bell Street Henley N Thames Oxfordshire RG9 2BA
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Licensable Activities - Alcohol Sales

Activity	Days of Week	Open	Close
Sale of Alcohol Alcohol is supplied for consumption both on and off the Premises	Monday	09:00	00:30
	Tuesday to Friday	09:00	01:30
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Licensable Activities - Other

Activity	Days of Week	Open	Close
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Performances of Dance (Indoors)	Monday	18:00	00:30
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Non Standard Times

All Licensable Activities and Opening Hours - Christmas Day 12:00 to 18:00

New Year's Eve inclusive hours of 09:00 New Year's Eve to Closing Hours the New Year's Day

An additional Hour for Bank Holidays when they fall on a Monday

Opening Hours

Days of Week	Open	Close
Monday	08:00	01:00
Tuesday to Friday	08:00	02:00
Saturday and Sunday	08:00	02:30

Registered number of holder, for example company number, charity number

Registered Company Number 46656

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

Mr Aidan Patrick Conway

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

Restricted



Nicholas Sutcliffe
Licensing Manager
18 April 2017



Brakspear

Miss Charlotte Lindrop
Licensing Enforcement Officer
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

Re: Major Variation J T Davies 25 Cornhill Market OX16 5NG

Dear Charlotte

Further to our recent conversations, please find attached the Major Variation Application for JT's as discussed.

Having submitted the application my email, I will make contact today to pay the required fee by credit card over the phone.

If I can be of any further assistance please feel free to make contact.

Kind Regards

John Beazley
Business Development Manager



Application to vary a premises licence 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/We **W H Brakspear and Sons Ltd**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	PRM0072
--------------------------------	---------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
JT's 25 Cornhill Market Place			
Post town	Banbury	Postcode	OX16 5NG

Telephone number at premises (if any)	01295-521534
Non-domestic rateable value of premises	£13588

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	W H Brakspear and Sons Ltd The Bull Courtyard Bell Street Henley on Thames Oxfordshire		
Post town	Henley on Thames	Postcode	RG9 2BA

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? **Yes**

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) **No**

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

To extend the Licensed Area to include the upstairs function room and landing area and include all current licensable activity (See Attached Plan)

Additional trading Hours for Monday -Thursday – Friday – Saturday

No Changes to Times of Regulated Entertainment except Playing of recorded music in-line with additional opening hours,

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) **Please tick all that apply**

- 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 8)			Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for the performance of live music (please read guidance note 6)		
Tue					
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon		03::00			
	08:00		Additional Hour on Mondays, Thursday, Friday, and additional half hour on Saturday & Sunday		
Tue		02:00			
	08:00		Subject to current conditions		
Wed		02:00			
	08:00		State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur		02:00			
	08:00		Non standard timings. Where you intend to use the premises for the <u>playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri		03:00			
	08:00				
Sat		03:00			
	08:00				
Sun		03:00			
	08:00				

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
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 8)			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 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 5)	
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon		02:00	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
	09:00				
Tue		01:30			
	09:00				
Wed		01:30			
	09:00				
Thur		01:30	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
	09:00				
Fri		02:30			
	09:00				
Sat		02:30			
	09:00				
Sun		02:30			
	09:00				

K

<p>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 10).</p> <p>N/A</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon		03:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)</p>
	08:00		
Tue		02:00	
	08:00		
Wed		02:00	
	08:00		
Thur		02:00	
	08:00		
Fri		03:00	
	08:00		
Sat		03:00	
	08:00		
Sun		03:00	
	08:00		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.
Conditions in Annex 2

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence informed not required.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

No Changes

b) The prevention of crime and disorder

No Changes

c) Public safety

No Changes

d) The prevention of public nuisance

No Changes

e) The protection of children from harm

No Changes

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	For and on Behalf of W H Brakspear and sons Ltd

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

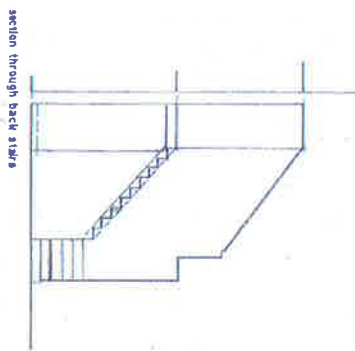
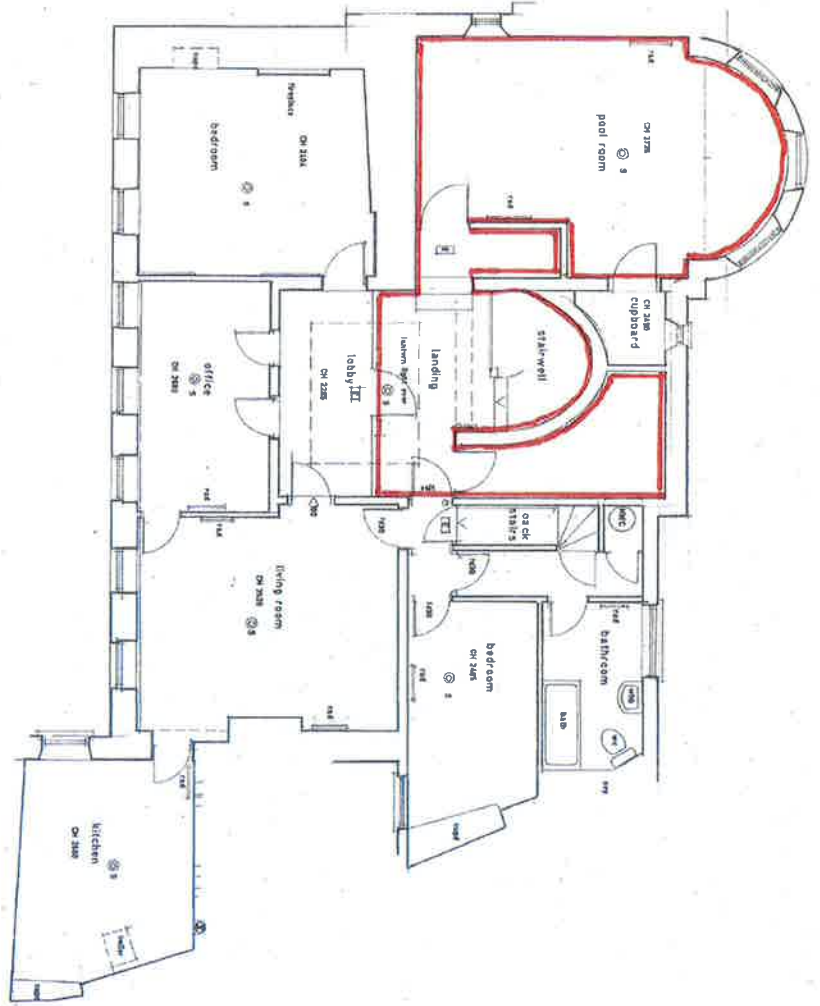
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

W H Brakspear and Sons Ltd
 Bull Courtyard
 Bell Street
 Henley on Thames
 Oxfordshire

Post town	Henley on Thames	Post code	RG9 2BA
Telephone number (if any)			

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



NO.	DATE	REVISION
1		

W. H. Broadbent & Sons, Pt. L. & C.

240 715
 Castle House
 Cornhill
 Banbury OX16 5NG

Drawing Title
 First floor plan
 EXISTING

Scale	1:50
Date	26.09.2011
Drawn by	
Check	
App. No.	ADP 11.43, 2

Charlotte Lindop

From: John Beazley
Sent: 28 November 2018 16:44
To: Charlotte Lindop
Subject: RE: JT's Variation Application
Attachments: CDC Site Notice JTs Banbury_.doc

Charlotte

See attached Notice.

At lease we agree on something.

Regards

JB

From: Charlotte Lindop
Sent: 28 November 2018 16:42
To: John Beazley
Subject: RE: JT's Variation Application

Hi John.

Just to confirm

End of consultation is the 26th December as consultation starts the day after we receive the application - so tomorrow. Please ensure the date in the newspaper is correct and if the date on the site notices is wrong please amend asap.

Regards

Charlotte Lindop

Licensing Enforcement Officer

Cherwell District Council and South Northamptonshire Council

Direct tel: 01295 753744 (Cherwell) or 01327 322278 (South Northamptonshire)

Switchboard: 01295 227001 (Cherwell) or 01327 322322 (South Northamptonshire)

Licensing@cherwell-dc.gov.uk | or Licensing@southnorthants.gov.uk



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From: John Beazley |
Sent: 28 November 2018 15:59
To: Charlotte Lindop
Subject: RE: JT's Variation Application

Charlotte

All opening hours are from 08:00

Closing 3:00 on Sunday - rest Fine

Sale of Alcohol should read 02:30 on Sunday in line with closing and Music my error 😊 rest are correct.

Three notices two to Front one to Rear.

Just Paper to fix.

Kind regards

JB

From: Charlotte Lindop
Sent: 28 November 2018 13:28
To: John Beazley
Subject: Re: JT's Variation Application

Hi John

Just to confirm
The amended hours are as follows:

Recorded Music

Monday - Wednesday 08.00-02.00

Thursday - Sunday 08.00-03.00

Sale of Alcohol

Sunday 09.00-02.00

Monday to Wednesday 09.00-01.30

Thursday to Saturday 09.00 - 02.30

Opening Hours

Sunday 09.00-02.30

Monday to Wednesday 09.00-02.00

Thursday to Saturday 09.00-03.00

Please can you confirm this is correct.

Everything else will remain the same.

Regards

Charlotte Lindop

Licensing Enforcement Officer

Cherwell District Council and South Northamptonshire Council

Direct tel: 01295 753744 (Cherwell) or 01327 322278 (South Northamptonshire)

Switchboard: 01295 227001 (Cherwell) or 01327 322322 (South Northamptonshire)

Licensing@cherwell-dc.gov.uk or Licensing@southnorthants.gov.uk



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From: John Beazley
Sent: 28 November 2018 11:04
To: Charlotte Lindop
Cc:
Subject: JT's Variation Application

Charlotte

Please find attached the application for JT's

It covers:

The inclusion of the Function room in the Licensed Area and all permit ions.

We are taking the opportunity to apply for some additional Hours for Monday, Thursday, Friday & Saturday.

For the Advertising Can I just reproduced the Public notice?

If you are happy with the application give me a call and I can Pay the fee. Also I will go to JTs and put the Blue Notices up today.

Kind Regards

John Beazley

John Beazley

Business Development Manager

T:

**The Bull Courtyard, Bell Street,
Henley on Thames, Oxon RG9 2BA**

www.brakspear.co.uk



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Charlotte Lindop

From:
Sent: 20 December 2018 18:10
To: Neil Whitton; 'John Beazley'
Cc: Licensing (CDC);
Subject: RE: 18/PRM1444/LAPRE2 - Variation to the Premises Licence - J.T. Davies Castle House
25 Cornhill Market Place Banbury OX16 5NG

Hi Neil,

Please accept this email as confirmation that we agree to this condition and it's wording being attached to the intended license.

Thanks for your help and understanding yesterday and have a good Christmas and New Year!

Regards,

Aidan Conway



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From: Neil Whitton
Sent: 20 December 2018 11:43
To: 'John Beazley'
Cc: Licensing (CDC) <Licensing@Cherwell-DC.gov.uk>
Subject: RE: 18/PRM1444/LAPRE2 - Variation to the Premises Licence - J.T. Davies Castle House 25 Cornhill Market Place
Banbury OX16 5NG

Dear John and Aidan,

Many thanks for meeting yesterday, As I said it always easier to gauge things when you are on site. As discussed I agree that the level for the outside speakers is too low at 45dB and will therefore get that changed to 60dB on the licence.

In addition you agree to keep noise log and I would like you to agree to the following condition to be placed on the new licence:

A noise log shall be kept at the premises which includes regular checks of the noise levels of the external speakers level being recorded, a record of any noise complaints received by the premises from neighbours and actions taken as a result of these and any other noise related issues shall be noted. The log shall be kept on the premises and be available to view on request by council or police officers authorised under the relevant legislation.

Please agree this by return of email to all parties.

Kind Regards

Neil Whitton
Environmental Protection Officer
Environmental Health and Licensing
Cherwell District Council and South Northamptonshire Council
Tel - 01295 221623
Email -

<http://www.cherwell.gov.uk/> and www.southnorthants.gov.uk

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01327 322323 or 01295 227990

From: John Beazley [mailto:]
Sent: 18 December 2018 10:32
To: Neil Whitton
Cc:
Subject: RE: 18/PRM1444/LAPRE2 - Variation to the Premises Licence - J.T. Davies Castle House 25 Cornhill Market Place Banbury OX16 5NG

Neil

Can we meet at 2:00pm on 19th at JTs please – we are happy to go through your proposals and see no great issues that we cannot agree on.

Regards

John Beazley
07970-613710

From: Neil Whitton < >
Sent: 17 December 2018 10:31
To: John Beazley < >
Subject: 18/PRM1444/LAPRE2 - Variation to the Premises Licence - J.T. Davies Castle House 25 Cornhill Market Place Banbury OX16 5NG

Dear Mr Beazley,

I write as a statutory consultee to the above the application with regards to noise and nuisance.

At this time I do have some concerns over the application and the potential for noise nuisance to be caused later into the night based on the some noise complaints (and which I believe that you were written to about the time) that we received this year and that I witnessed on at least one occasion namely:

- The volume of the music on the patio being above the approved level on the licence of 45dB in my opinion.
- The rear door being left open when loud music was being played in the pub by a DJ.
- The patio area being used after 00.00.

In order to allay these fears I would like to see a noise log being kept at the premises which includes regular checks of the noise levels of the external speakers level (weekly would be best) being recorded, a record of any noise complaints received by the premises from neighbours and actions taken as a result of these, a signature that the patio was cleared at midnight except for smokers and the speakers turned off and a record that all windows and doors were shut before events involving amplified music or speech commenced and that they were kept shut.

I would be happy to discuss this further with you and am able to meet up at the pub this week.

Kind Regards

Neil Whitton
Environmental Protection Officer
Environmental Health and Licensing
Cherwell District Council and South Northamptonshire Council
Tel - 01295 221623
Email - _____

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Charlotte Lindop

From: Norman Charlotte
Sent: 26 December 2018 18:34
To: Licensing (CDC)
Subject: TVP Application Response - Full Variation for JT's, Beer Tree Cornhill Market Place, Banbury, OX16 5NG: OBJECTION
Attachments: Full Variation Objection.docx

On 29/11/2018, we received a Full Variation application relating to JT's, Beer Tree Cornhill Market Place, Banbury, OX16 5NG

=====
To extend hours for recorded music and alcohol on Monday, Thursday, Friday and Saturday. Extend licensed area to include the upstairs function room and landing area.
=====

Based on the supplied information, the Thames Valley Police response is: ***** OBJECTION *****

Details of the objection and our rationale is attached.

Thames Valley Police currently use the Microsoft Office 2007 suite of applications. Please be aware of this if you intend to include an attachment with your email. This communication contains information which is confidential and may also be privileged. Any views or opinions expressed are those of the originator and not necessarily those of Thames Valley Police. It is for the exclusive use of the addressee(s). If you are not the intended recipient(s) please note that any form of distribution, copying or use of this communication or the information in it is strictly prohibited and may be unlawful. If you have received this communication in error please forward a copy to: informationsecurity@thamesvalley.pnn.police.uk and to the sender. Please then delete the e-mail and destroy any copies of it. Thank you.

THAMES VALLEY POLICE

Division/Station : Licensing, HQ South

From : Charlotte Norman
Licensing Officer

To : Licensing
Cherwell DC

Ref : JT's

Date : 26 December 2018

Tel.No.

Subject :

JT's Full Vairiation Application Objection

I am objecting, on behalf of Thames Valley Police in my role as Licencing Officer, to the full variation submitted by W H Brakspear and Sons Ltd for the licenced premises JT's. The application to vary the premises licence was to increase their hours of Recorded Music and Sale of Alcohol; and also create an upstairs licensable area.

Since a change in management at the end of October. There have been two occurrence of intoxication that resulted in police officer attendance at the premises. The first one being on the 13th November 2018 at 14:30, a member of staff called police to remove a male that had been allowed 6 shots of the strongest ABV spirit available (75%). The second a female was arrested for being drunk and disorderly on the 17th December 2018 at 12:44. With both situations there appears to be issues with staff training.

Having visited the premises recently, if the licence extended to the area proposed upstairs, I would have serious worries that there would be no means of supervision. As it is my understanding that there is no CCTV upstairs nor if there was, that it would be accessible for it to be monitored by staff.

There have also been conflicting statements made about the function of the upstairs licenced area if it were to be granted. On the Facebook site for the premises, when the upstairs was being used in breach of its licence it was called the 'L8 Night Lounge' and used for DJ nights. Then when speaking with one of the managers, Patrick McGhee, he told me this was not the case and that he had visions of it being turned into an American Diner in the future.

Due to this and the issues around supervision of upstairs, the function of the proposed licensed area would have to be agreed with Thames Valley Police and be included in the licence for there to be no objections in the future.

There would also have to be an improvement in the management of levels of intoxication, this could be shown through refusal logs with times that can be verified by CCTV; and also in improved staff training, the records of which would need to be available for inspection.

Until these improvements are seen I also do not believe that there should be additional hours granted on Monday, Thursday, Friday and Saturday as requested in the application to vary the premises licence; as I believe if customers' intoxication levels are not being properly monitored during the day, they would not be monitored sufficiently in the additional hours.

