

**Cherwell District Council**  
**Licensing Sub-Committee**

**9 May 2017**

<b>Premises Licence Application Hearing</b>
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**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](mailto: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](mailto: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	
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