

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

**20 November 2017**

<b>Premises Licence Review Hearing</b>
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**Report of Shared Public Protection Manager**

This report is public

**Purpose of report**

To consider a request from Oxfordshire Trading Standards for a review of the premises licence relating to:  
Wisla Supermarket, 12 The Parade, Kidlington, Oxfordshire, OX5 1EE.

**1.0 Recommendations**

- 1.1 There are no recommendations, 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 to review a premises licence submitted by Oxfordshire Trading Standards.

**3.0 Report Details**

- 3.1 The supermarket at 12 The Parade, Kidlington is a small convenience store, in a residential area, on the outskirts of the village centre. The store currently benefits from a premises licence issued in accordance with the Licensing Act 2003, covering the off sale of alcohol by retail.

- 3.2 A premises licence is granted once the applicant has satisfied the licensing Authority that their proposed business will meet all of the licensing Objectives, as prescribed in the Licensing Act 2003.

The objectives include mandatory conditions on a premises licence, and premises may also add conditions to their licence which demonstrate their ability for their business to meet the requirements under the Licensing Act.

A copy of the Premises licence for Wisla Supermarket, listing the licensing conditions, are attached to this report as appendix 1

- 3.3 Any sale of alcohol such as this must be authorised by a person who holds a personal licence issued under the Licensing Act, and every premises selling in these circumstances must have a designated premises supervisor (DPS) in place. This is a person holding a personal licence who is ultimately responsible for all alcohol sales
- 3.4 On the 9<sup>th</sup> October 2017 Cherwell District Council Licensing Department received an application from Oxfordshire Trading Standards requesting a review of this premises licence.  
A copy of licence review application is attached to this report as appendix 2, the details of which will be presented to the committee by the review applicants.

## **4.0 Consultation**

- 4.1 When an application to review a premises licence is received the licensing authority must display a notice at or near the relevant premises, at the council offices and on the council's website. 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.
- 4.2 Representations have been received from Thames Valley Police, details of which are attached to this report as appendix 3.
- 4.3 One representation has been received from Mr Richard Samuelson, member of public, in support of the premises being allowed to sell alcohol. These can be found as appendix 4
- 4.4 All information and evidence from the License holder, interested parties, and responsible Authorities will be presented to the committee by the respective representative present.
- 4.5 Propose conditions were sent to Trading Standards by the Licence holder's representatives. Cherwell District Council received these proposed conditions on the 7<sup>th</sup> November. The proposed conditions can be found in appendix 9

## **5.0 Conclusion and Reasons for Recommendations**

- 5.1 There is no recommendation

## **6.0 Alternative Options and Reasons for Rejection**

- 6.1 At the end of the consultation period the licensing authority must hold a hearing. 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:

- to modify the conditions of the licence;
- to exclude a licensable activity from the licence
- to suspend the licence for a period not exceeding 3 months;
- to revoke the licence.

## **7.0 Implications**

### **Financial and Resource Implications**

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

Comments to be checked by Kelly Wheeler Principal Accountant, 01327 332230,  
[kelly.wheeler@cherwellandsouthnorthants.gov.uk](mailto:kelly.wheeler@cherwellandsouthnorthants.gov.uk)

### **7.2 Legal Implications**

The decision must comply with relevant legislation and Council Policy.  
All parties have a right of appeal to the Magistrates Court against any decision made by 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

Kidlington East

### Links to Corporate Plan and Policy Framework

Not applicable

### Lead Councillor

Not applicable

### Document Information

Appendix No	Title
1	Wisla Supermarket premise licence PRM0595
2	Copy of application to review a premises licence issued by Oxfordshire Trading Standards, dated 09/10/2017
3	Copy of representations from Thames Valley Police.
4	Copy of representation from Mr Richard Samuelson
5	Copy of application to vary premises licence to the current premise licence holders dated 20/02/2017, & 13/01/2016.
6	Copy of Licence premises plans, and maps displaying the vicinity of the licensed premises.
7	Copy Notice of Hearing.
8	Copy of Cherwell District Council Statement of Licensing Policy
9	Proposed Conditions
<b>Report Author</b>	Chris Pegler, Lead Licensing Enforcement Officer
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