

Cherwell District Council
Licensing Sub-Committee

1 December 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 Frequently Asked Questions, 38 Market Square, Bicester, OX26 6AL.

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 Frequently Asked Questions, 38 Market Square, Bicester, OX26 6AL.

3.0 Report Details

- 3.1 Frequently Asked Questions will be situated at 38 Market Square, Bicester. It is situated on the roadside. It is a building on one floor and the applicants intend to use the premises as a cocktail bar and craft beer house, specialising in high end products and service. It benefits from the correct planning use class, A3. Appendix 1 shows the geographical location of the premises.
- 3.2 An application for a Licensing Act 2003 premises licence was submitted to Cherwell District Council on 13 October 2017. The original application was for sale of alcohol for consumption on the premises, recorded music, indoors and outdoors and late night refreshment on a Sunday to Tuesday 11am until 1am, Wednesday and Thursday 11am until 2am and Friday and Saturday from 11am until 3am. with a seasonal variation until 3am on Sundays preceding Bank Holiday Mondays, Christmas Eve, Boxing Day and New Year's Eve. They have also requested live music, indoors only on a Wednesday – Sunday from 11am until midnight.

- 3.3 The application with volunteered conditions and plan is attached as appendix 2. Marc Sylvester has a Personal Licence granted by Cherwell District Council and will be the Designated Premises Supervisor.
- 3.4 On 31 October 2017 Alex Bloomfield from Thames Valley Police and Neil Whitton from Environmental Protection, Cherwell District Council met with the business owner and applicant, Mr Marc Sylvester to discuss the application. This resulted in a number of conditions being added to the licence. The outlined conditions can be found in Appendix 3

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 Objection
 - Child Protection – No response
 - Trading Standards – No Objection
 - Public Health Board – No response
 - Environmental Protection – liaised directly with the applicant
 - Health Protection – No Objection
 - Planning – No response
- 5.3 There have also been six representations received from local residents all objecting to the application; this includes a petition signed by 40 residents of Saxon Court. These can be found in appendix 4
- 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,
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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 a decision of the 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

Bicester East

Links to Corporate Plan and Policy Framework

Not applicable

Lead Councillor

Councillor Kieron Mallon

Document Information

Appendix No	Title
Appendix 1	Location Plan
Appendix 2	Full Application
Appendix 3	Copy of agreement of conditions between applicant, TVP and Environmental Protection
Appendix 4	Redacted Objections
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