

Committee: **Licensing Sub Committee**
Date: **Wednesday 24 March 2010**
Time: **10.00 am**
Venue **Bodicote House, Bodicote, Banbury, OX15 4AA**

Membership

Councillor Fred Blackwell Councillor Eric Heath Councillor Tony Ilott

AGENDA

1. Constitution of the Sub Committee

The Membership of the Sub-Committee for this meeting will be Councillors Blackwell, Heath and Ilott.

Please contact Natasha Clark (01295 221589) to tender apologies.

Note: Declaration of Interests: Any Member with a prejudicial interest will not be able to participate in the hearing, and should therefore notify the Head of Legal and Democratic Services in advance so that arrangements may be made for an alternate Member to attend.

2. Premises Licence Determination Hearing - Dominos Pizza, Buckingham Crescent, Bicester (Pages 1 - 28)

Report of Head of Urban and Rural Services

Summary

To provide an outline of an application to for the grant of a Premises Licence in relation to Domino's Pizza, 132 Buckingham Crescent, Bicester and detail the representations received from Responsible authorities and Interested Parties living in the vicinity of the premises that has resulted in the need for a hearing to determine the application.

Recommendations

There is no recommendation. In considering the representations received and what is appropriate for the promotion of the licensing objectives, the options open to the Sub-Committee are, in broad terms:

- (1) Approve the application for the grant of a premises licence as submitted.
- (2) Reject the application for the grant of premises licence in whole or part.
- (3) Place conditions on the grant of premises licence and/or require changes to the details of the permissions sought.

Information about this Agenda

The agenda, reports and associated documents for the above hearing together with the Licensing Hearing Procedure are available at Bodicote House, Bodicote, Banbury, Oxfordshire OX15 4AA or on the Council's web site www.cherwell-dc.gov.uk;

Members are asked to sign the Attendance Register; and

The Council and its Committees and Sub-Committees are required to consider the implications of the Crime and Disorder Act 1998 and the Human Rights Act 1998 when exercising their functions.)

Queries Regarding this Agenda

Please contact Natasha Clark, Legal and Democratic Services natasha.clark@cherwell-dc.gov.uk (01295) 221589

Mary Harpley
Chief Executive

Published on Tuesday 16 March 2010

Licensing Sub-Committee

Premise Licence Determination Hearing

24 March 2010

Report of Head of Urban & Rural Services

PURPOSE OF REPORT

To provide an outline of an application to for the grant of a Premises Licence in relation to Domino's Pizza, 132 Buckingham Crescent, Bicester and detail the representations received from Responsible authorities and Interested Parties living in the vicinity of the premises that has resulted in the need for a hearing to determine the application.

This report is public

Recommendations

There is no recommendation. In considering the representations received and what is appropriate for the promotion of the licensing objectives, the options open to the Sub-Committee are, in broad terms:

- (1) approve the application for the grant of a premises licence as submitted
- (2) reject the application for the grant of premises licence in whole or part
- (3) place conditions on the grant of premises licence and/or require changes to the details of the permissions sought.

Executive Summary

Introduction

- 1.1 On 26 January 2010 the Licensing Authority received an application for the grant of a premises licence to permit Late Night Refreshment in relation to Dominos Pizza, 132 Buckingham Crescent, Bicester.
- 1.2 During the consultation period the Licensing Authority received letters of representation from a number of Interested Parties living in the vicinity of the premises and from Thames Valley Police and the Anti-social behaviour Unit in their role as responsible Authority.

Proposals

- 1.3 The proposed application is described by the applicant as:

To provide Late Night Refreshment Mondays to Sundays inclusive from 07:00 – 05:00 (morning after). The provision will take place both indoors and outdoors.

- 1.4 The proposed application detailed the hours that the premises are open to the public as:

Mondays to Sundays inclusive from 07:00 – 05:00 (morning after).

Background Information

- 2.1 Late Night Refreshment under the Licensing Act 2003 is the provision, between the hours of 11pm and 5 am, of hot food or hot drink to members of the public on or from any premises whether for consumption on or off the premises.

- 2.2 Dominos Pizza situated at 132 Buckingham Crescent, Bicester currently provide hot food and hot drink outside of hours that require licensing.

- 2.3 The premises is described by the applicant as:

The Premises comprise as a Domino Home Delivery Store. The vast majority of pizza are home delivered. The rest are collected for consumption off the premises. The store is situated on a Shopping Parade. The layout comprises a kitchen, shop counter. Staffroom and small waiting area for pizza collection by public. Please see plan for further details.

A copy of the plan referred to is attached as Appendix 1.

- 2.4 To assist a plan showing the premises in relation to Buckingham Crescent is also provided as Appendix 2.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 The Licensing Act 2003 states that all licensing matters must promote the four Licensing Objectives, they are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm

- 3.2 Representations received have stated concerns in relation to potential issues in respect of the prevention of public nuisance and prevention of crime and disorder. Paragraph 3.3 details how the applicant intends to promote the four licensing objectives in general. Paragraph 3.4 details how the applicant intends to promote the prevention of crime and disorder objective and

paragraph 3.5 details how the applicant intends to promote the prevention of public nuisance objective.

- 3.3** *The store is a franchise of the worldwide Domino's home delivery pizza chain. Domino's has been in business for more than 40 years and during that time, has developed a system of business which primarily involves a home delivery services. Whilst it is possible to collect our products from the store, the vast majority of our business is delivering pizzas and other products we sell, to people's homes. We are governed by rigorous standards set out in the Domino's franchise agreement and these relate to all aspects of operating the business, from the preparation of ingredients right through to the manner in which the product is delivered to our customers. We are mindful of our obligations to our staff, our customers, and others (e.g local residents) who may be affected by the operation of our business. Our store is adequately staffed so as to allow the proper management of the premises and supervision of those who visit them. The Dominos system does not allow the sale of alcohol. Where customers visit the store, our pizzas are supplied to them in closed cardboard boxes and the nature and size of the product is conducive to being taken home for consumption, rather than being eaten whilst walking along.*
- 3.4** *We will actively cooperate with the local Police to ensure that we are made aware of particular problems that affect the area which may potentially affect our store.
We will not countenance the use or supply of illegal drugs and our staff will inform the Police immediately of any such suspected activity on or in the vicinity of the store.
Our employment policies are designed to ensure we recruit professional and reputable staff.
We do not use or supply glassware.*
- 3.5** *Our doors and windows will be kept closed at night to prevent transmission of noise.
Our stores have very few customers who visit to buy our product to take away, but those who do visit will be asked to leave the premises quietly and with due consideration for our neighbours.
Music will not be played in the premises.
Our delivery drivers are instructed to enter and leave their vehicles quietly and considerately, not to leave engines running, to park considerately and at all times to have in mind our neighbours (particularly residential occupiers).
We would have no hesitation in banning people who visit the store and regularly leave the premises in a noisy fashion.
Our equipment is properly sound insulated and operated strictly in accordance with manufacturer's requirements, guidelines and tolerances.
All our air extraction system complies with Building Regulations requirements and is designed to ensure that there is no escape of cooking smells to neighbouring premises.
We neither use nor supply glassware.*
- 3.6** Thames Valley Police do not object to the grant of a premises licence providing conditions are attached to the licence and the period of licensable

activity is reduced. The response from Thames Valley Police is attached as Appendix 3.

- 3.7 The Anti-social Behaviour Unit object to the grant of a premises licence. The response from Anti-social behaviour is attached as Appendix 4.
- 3.8 An objection was received from Mr & Mrs I Cartwright of 218 Buckingham Crescent, Bicester. A copy of this objection is attached as Appendix 5.
- 3.9 An objection was received from Diana Edwards of 130 Buckingham Crescent, Bicester. A copy of this objection is attached as Appendix 6.
- 3.10 An objection was received from Mr K R Skinner of 220 Buckingham Crescent, Bicester. A copy of this objection is attached as Appendix 7.
- 3.11 An objection was received from Mr A Steele & of 218 Buckingham Crescent, Bicester. A copy of this objection is attached as Appendix 8.
- 3.12 An objection was received from Cynthia and Peter Reynolds of 138 Buckingham Crescent, Bicester. . A copy of this objection is attached as Appendix 9.
- 3.13 An objection was received from Councillor Lawrie Stratford of Bicester East Ward on behalf of local residents that he represents. A copy of this objection is attached as Appendix 10.
- 3.14 The relevant sections of the Guidance and Licensing Authority Policy issued under the Licensing Act 2003, which are applicable to the representations for this case are as follows:

Guidance:

Pages 82 – 83	Sections 10.11 – 10.18	Imposed Conditions, Proportionality, Duplication with other statutory provisions
Page 83	Sections 10.19 – 10.21	Hours of Trading
Pages 16 – 19	Sections 2.1 – 2.18	Crime and Disorder
Pages 21 – 23	Sections 2.32 – 2.40	Public Nuisance
Pages 127 – 131	Annex D	Part 1. Conditions relating to the prevention of crime and disorder
Pages 138 – 139	Annex D	Part 4. Conditions relating to the prevention of public nuisance

Cherwell District Council Statement of Licensing Policy:

Pages 15 – 17	Policies LH1 – LH7	Sections 5.1 – 5.6	Licensing Hours
Pages 21 - 22	Policy LA4	Sections 7.3.1 – 7.3.4 & 7.3.6	General Prevention of Public Nuisance
Page 23	Policy LA5	Section 7.3.9	Addressing Local Concerns
Page 23	Policy LA6	Section 7.3.10	Management and Control
Page 28	Policy PP10	Sections 7.5.18 – 7.5.19	Late Night Refreshment

Members have been issued with copies of the Guidance, the Statement of Licensing Policy and the Council's pool of conditions and are asked to bring them with them to the meeting.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

- Option One** Approve the application for the grant of a premises licence as submitted
- Option Two** Reject the application for the grant of premises licence in whole or part
- Option Three** Place conditions on the grant of premises licence and/or require changes to the details of the permissions sought.

Consultations

Full consultation in accordance with the requirements of the Licensing Act 2003 was carried out for a period of 28 days ending at midnight on 24 February 2010

Implications

- Financial:** There are no financial implications of this report
Comments checked by Denise Westlake, CSR Service Accountant, 01295 221982
- Legal:** The decision must comply with relevant legislation and Council Policy.
All parties have a right of Appeal to the Magistrates Court against the decision.

Comments checked by Pam Wilkinson, Principal Solicitor,
01295 221688

Risk Management:

There is a risk that if policy and legislation has not been correctly followed, any resulting appeal could be successful.

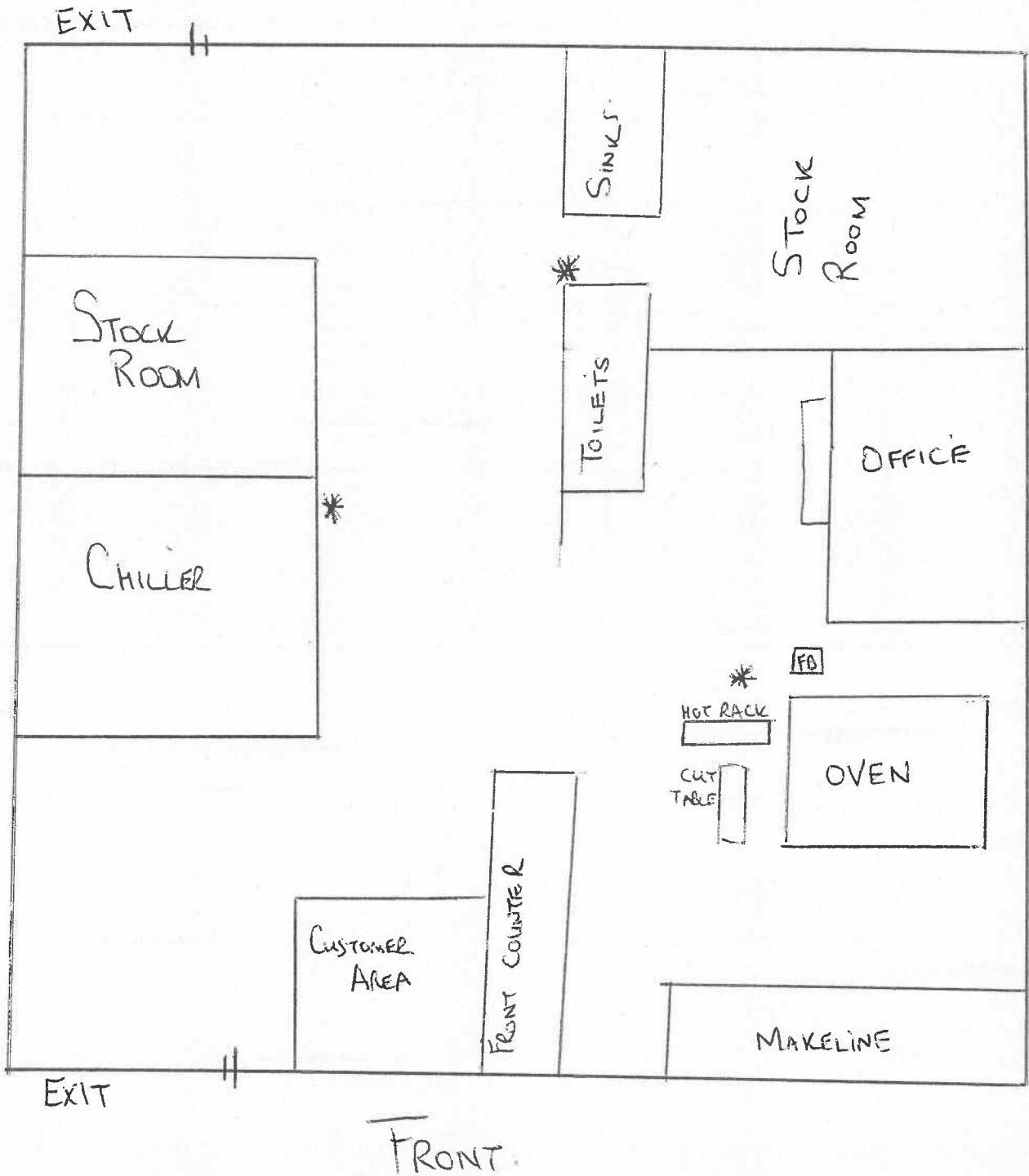
Wards Affected

Bicester East Ward

Document Information

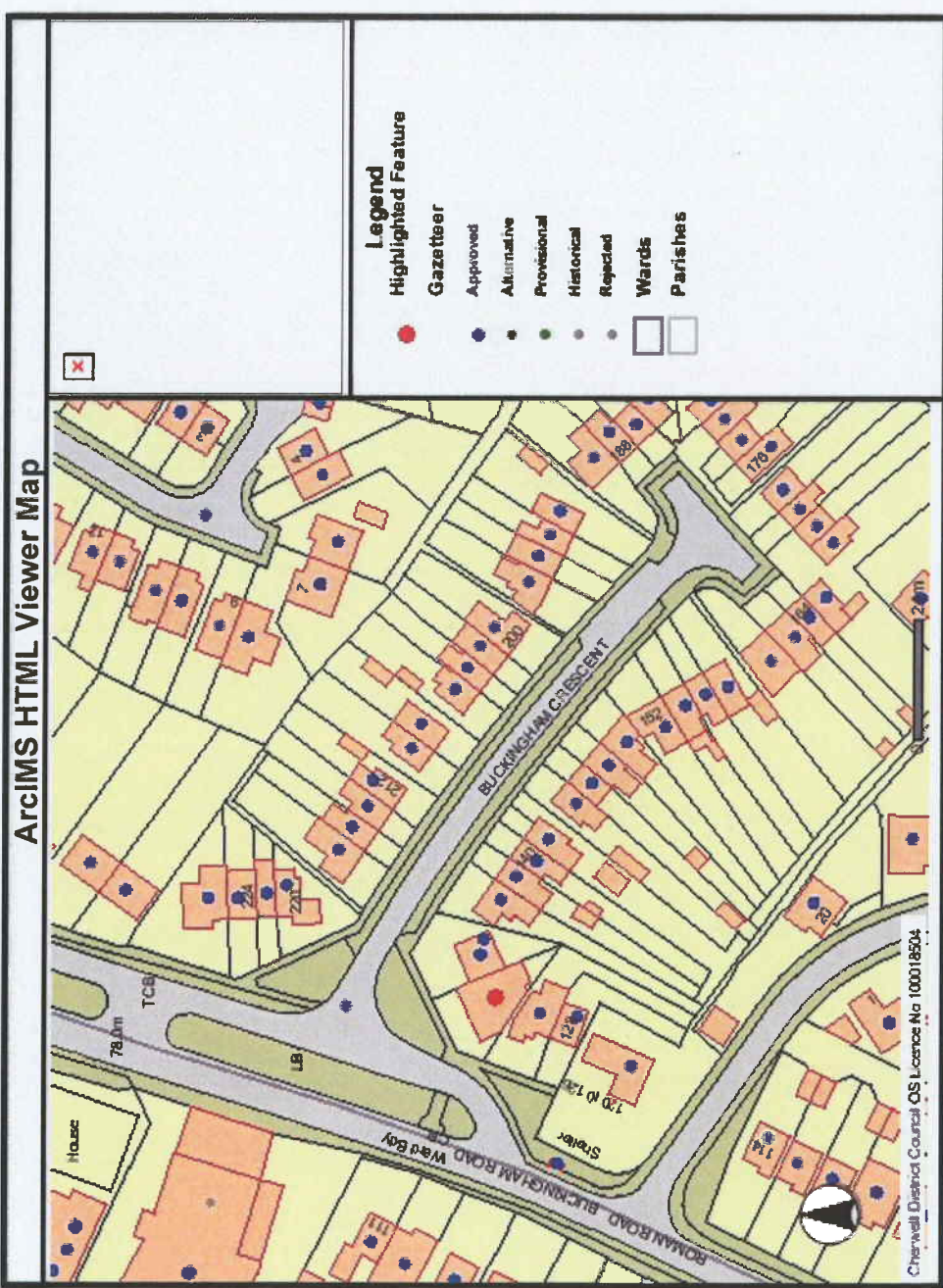
Appendix No	Title
Appendix 1	Plan of applicant premises
Appendix 2	Location Plan
Appendix 3	The response from Thames Valley Police.
Appendix 4	The response from Anti-social behaviour.
Appendix 5	The response from Mr & Mrs I Cartwright of 218 Buckingham Crescent, Bicester.
Appendix 6	The response from Diana Edwards of 130 Buckingham Crescent, Bicester.
Appendix 7	The response from Mr K R Skinner of 220 Buckingham Crescent, Bicester.
Appendix 8	The response from Mr A Steele & of 218 Buckingham Crescent, Bicester.
Appendix 9	The response from Cynthia and Peter Reynolds of 138 Buckingham Crescent, Bicester.
Appendix 10	The response from Councillor Lawrie Stratford of Bicester East Ward on behalf of local residents that he represents
Background Papers	
Members have been issued with copies of the Guidance, the Statement of Licensing Policy and the Council's pool of conditions and are asked to bring them with them to the meeting.	
Report Author	Natasha Barnes, Licensing & Vehicle Parks Manager
Contact Information	01295 753738 natasha.barnes@Cherwell-dc.gov.uk

REAR



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* = FIRE EXTINGUISHER

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THAMES VALLEY POLICE

APPENDIX 3

Division/Station : St Aldates

From : Laura Morris
Licensing Officer

To: Licensing dept
Cherwell District Council

Ref: Dominos Pizza Bicester

Date: 12 February 2010

Tel.No. 01865 266109

Subject :

Agreed conditions for Premise Licence Application

Conditions to be attached in agreement with Thames Valley Police.

Late night refreshment hours to be reduced to
Monday – Sunday 07.00 – 03.00

Between the hours of 23.59 – 03.00 late night refreshment to be for delivery service only.

Thames Valley Police have agreed this due to concerns over crime and disorder from the town centre transferring to this premise or the route to this premise (which is residential) after the late night drinking venues have closed.

I have read and accept the above conditions as part of my licence.

Signed: Laura Morris

Date: 12th February 2010

Signed:

Date:

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Environmental Services

**Cherwell District Council
Safer Communities and Community Development
Anti-social Behaviour Units Licensing Consultation Response.**

Licensing Act 2003: Application for a premises license.

Premises: Maricksons T/A Dominos Pizza 132 Buckingham Road Bicester Oxon

History:

Planning consent was granted for the change of use of a supermarket with ancillary hot food to premises selling solely hot food by virtue of planning permission 02/00154/F issued on 15 March 2002.

Whilst it is not material to the consideration of this application it is worth noting that this planning permission was granted subject to conditions. Of particular interest is condition 4 of that permission:

The operational use of the premises shall be restricted to no opening or dispatch of telephone orders later than 11:00 pm

Reason – In order to maintain the character of the area and safeguard the amenities of the occupants of the adjoining premises.

Within these conditions the business has operated as Dominos Pizza without coming to the direct attention of the Councils' Anti Social Behaviour Team. Local residents however have reported that from time to time the location is a focal point for young people to gather either as pedestrian groups or in groups in motor vehicles. The presence of such groups has resulted in noise from both human voices and vehicles.

It is worth considering the immediate surroundings of the premises. The application premises is the right hand part of a building which was formally a pair of dwellings. The left hand portion being the premises of the J K Liquor Store, a local off license. Access to the premises is via a service road off Buckingham Road and the two commercial units have residential properties to the North East, East and South West. To the west is Buckingham Road and beyond further dwellings and a petrol filling station. I would characterise as sub urban with the noise climate being dominated with road traffic noise during the day. Towards evening and into the night the road traffic noise drops of dramatically and the dominant noise source through the night time period is that of rail traffic. This apart it would be reasonable to describe the location as relatively quiet after 23:00 hrs.

The application as submitted seeks a premises license which would permit the opening of the premises for the delivery and retail sale of hot food until 05:00 hrs seven days per week.

Recommendation:

Based on my assessment of the immediate surroundings of these premises and my professional judgement as to the likely impact of this proposal on the amenity of the occupants of nearby dwellings I would object to the granting of this application.

My concerns are that there would be loss of amenity amounting to public nuisance arising from customers resorting on foot to the premises and remaining in the area to consume food they have purchased; from customers visiting the premises in their own private vehicles to purchase food from customers arriving at the premises by Taxi on the way home from an evening out and from the activities of delivery drivers/going to and from the premise.

Rob Lowther
Anti-Social Behaviour Manager
10 February 2010

A copy of this report is sent to the applicant(s) or their agents and to the Licensing Authority for the Cherwell District Council Area. Should you wish to discuss the contents of this report and its recommendations please contact Rob Lowther on 01295 221623 or rob.lowther@cherwell-dc.gov.uk.

PLEASE CONFIRM IN WRITING THAT YOU HAVE RECEIVED THIS DOCUMENT, THAT YOU AGREE THE RECOMMENDED CONDITIONS OR THAT YOU INTEND TO CHALLENGE THE HEAD OF SAFER COMMUNITIES AND COMMUNITY DEVELOPMENT'S RECOMMENDATION.

Correspondence must be addressed to Urban & Rural Services, The Licensing Authority, Cherwell District Council, Bodicote House, Bodicote Banbury OX15 4AA"

Received 8/2/10 Obj (1)
copied to
Robb
& Planning

Mr & Mrs I Cartwright
218 Buckingham Crescent
Bicester
Oxon
OX26 4HD

APPENDIX S

Tele: 01869 600523
07966 309493

6TH February 2010

Head of Corporate Services
The Licensing Authority
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxon
OX15 4AA

Dear Sirs

**Notice of Application under Section 17 of the Licensing Act 2003 – Maricksons Ltd
T/A Dominos Pizza 132 Buckingham Crescent Bicester Oxon OX26 4HB**

Having read the proposed application for the additional opening hours under the Public Notice in this weeks Bicester Advertiser, we are quite frankly outraged at yet again having to write to oppose changes to this Business (our most recent objection being the additional hours applied for and now granted to J K Liquor Store) that already has an enormous impact on our daily lives and the conditions to which we are subjected to live in, and deal with, on a daily basis following the introduction over the past few years right opposite our house.

We originally objected to Domino Pizza opening because of the genuine concerns we felt about the impact it would have on the Crescent, we felt at the time we would better served by the premises remaining as a local corner shop. We were advised by Cherwell that a shop was not a necessity as there was already the garage on Buckingham Road and a local Spa in Bassatt Avenue, we have since seen a large Co-Op on Buckingham Road emerge and the premises known as J K Liquor Store, now in Buckingham Crescent, also serves as a general store stocking a wide variety of household products. In addition there are now many Tesco Express's emerging offering the same service and produce all around the area. Our point for raising this issue is the contradiction originally surrounding the permission given to Domino Pizza as opposed to remaining a shop, a planning issue maybe be but never the less background that we feel relevant.

Buckingham Crescent is used as a car park early in the morning for people not willing to pay the charges for the facilities at Bicester North Station. It is used as a 'car lot' for selling cars, these vehicles are on regular display on the strip of road in the Crescent by

the post box and are often vehicles being managed by employees of Domino Pizza. This coupled with excessive additional vehicles of both delivery drivers and customers often makes it difficult to get into the Crescent and on more occasions than not even difficult to park outside our own house. Buckingham Crescent has most recently been used as a gathering point for groups of youngsters in cars congregating and meeting up outside Domino Pizza, no doubt as a result of being moved on from other areas in the town. We have been subjected to loud music, shouting & screaming, engines revving and general antisocial behaviour. We have on several occasions complained to the police about vehicles being driven at high speed in and around the Crescent and Buckingham Road and loud screeching of brakes. This stops once Domino Pizza closes at 1100pm.

All the above are issues and concerns in and around the Crescent, the following points directly affect us and are the main reasons for our objection to the changes to opening hours.

Since the alteration to the premises that are now Domino Pizza and J K Liquor, we also have a flat above these. This flat is directly opposite our house and the entrance is almost directly opposite our bedroom as it is served by a staircase. We are now in a habit of not going to bed much before 1100pm (after Domino Pizza closes) and things settle down. The flat or the occupants are now impacting on our sleep pattern as they gather to smoke and socialise on the stairwell, taking loudly into the early hours of the morning. Being on the same level as our bedroom the noise is exaggerated even though we have double glazing. This is usually at the weekends but often in the week too, as we both are up for work at 5.45am the lack of sleep has in impact on our wellbeing. Any additional opening hours for Domino will add to our misery and will add additional stress to conditions that already are unacceptable, litter, noise, the smell of Pizza cooking, additional vehicles, encouragement of people using the facilities following nights out in town congregating outside our house, in addition to the devaluation of our property and the general area.

Although we know you are just the Licensing Authority, we would like to know what our rights are and in addition what the duty of care is to us, if any, as council tax payers. If you could advise us as to who will be acting on our behalf it would be very much appreciated. As previously mentioned we seem to object but our objections go on deaf ears. Is this maybe because it only affects a few people rather than the whole? This is a residential area and maybe the requirements by Maricksons would be better served if the business was located to an industrial area like many of the McDonald premises offering refreshment at antisocial times of the day and night are.

We look forward to hearing from you in response.

Yours faithfully

Mr & Mrs I Cartwright

Wendy Leigh-Davis

obj (2)

From: Natasha Barnes
Sent: 10 February 2010 11:40
To: Wendy Leigh-Davis
Subject: FW: Domino's pizza

APPENDIX 6

Natasha Barnes
Licensing & Vehicle Parks Manager
Environment & Community

Telephone: 01295 753738

Int. ext. 3738

<mailto:natasha.barnes@cherwell-dc.gov.uk>

www.cherwell.gov.uk.

From: Councillor Diana Edwards
Sent: 10 February 2010 11:31
To: Natasha Barnes
Subject: FW: Domino's pizza

From: Councillor Diana Edwards
Sent: 10 February 2010 11:29
To: Claire Bold
Subject: Domino's pizza

I am writing to object to the application for 24hr refreshments at 132 Buckingham Cres. I am not writing as a councillor but as a immediate neighbour.

Domino's run a very efficient operation but the noise from the extractor fan which directly blows on to my property is very pervasive and during their hours of opening means we have to keep our windows closed. If they are permitted all night working it means this extractor will be permanently on and the smell and noise will continue through the night the takeaway service is mostly done by young men who delight in screeching their tyres this will not be tolerable through the night.

so I am worried that it will be a stopping place for the late night revellers as there is a bench outside. This is in the heart of residential houses and I think we should have some respite between 11pm-9am

Would you please keep me informed as to your decision

Diana Edwards

130 BUCKINGHAM CRESCENT
BICESTER
OXON
OX26 4HB

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RECEIVED
17 FEB 2010

MR. K.R. SKINNER.
220 BUCKINGHAM CR
BICESTER
OXON
OX264HD

DEAR SIR/MADAM.

I WOULD LIKE TO OBJECT IN THE STRONGEST POSSIBLE WAY TO THE NOTICE OF APPLICATIONS BY DOMINOS PIZZA OF 132 BUCKINGHAM CRESCENT ON THEIR PROPOSED OPENING HOURS.

WE HAVE ENOUGH PROBLEMS WITH THEM AT THE MOMENT WITH TIRES SCREECHING AFTER 11 O'CLOCK AT NIGHT AS ONE OF THEIR DRIVERS LEAVES WORK AFTER HE'S FINISHED FOR THE DAY. ALSO WE HAVE A LOT OF PROBLEMS WITH THEIR DRIVERS DOUBLE PARKING BECAUSE PEOPLE LEAVE THEIR CARS IN THE LAYBY AND GO OFF TO WORK IN LONDON. I HAVE ALSO HAD THEIR DRIVERS PARKING IN FRONT OF MY DRIVEWAY AND EVEN ON MY DRIVE TO WHICH I HAD TO GO AND SEE THE PERSON IN CHARGE ON MORE THAN ONE OCCASION

Yours Truly

K.R. Skinner

ACK SENT

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RECEIVED
16 FEB 2010

ENVIRONMENT
16 FEB 2010
& COMMUNITY

APPENDIX 8

Mr A Steele
Ms M Jeskowiak
128 Buckingham Crescent
Bicester
OX26 4HB
Tel. 01869 600892

13th February 2010

Head of Corporate Services
The Licensing Authority
Cherwell District Council
Bodicote House
Bodicote
Banbury
OX15 4AA

**Notice of Application under Section 17 of the Licensing Act 2003
Maricksons Ltd t/a Dominos Pizza of 132 Buckingham Crescent, Bicester, OX26 4HB**

Dear Sir/Madam,

We are writing to strongly object to the application for extension of the opening hours of Dominos Pizza's (132 Buckingham Crescent, Bicester) for the following reasons:-

The continuous noise from the extractor fan and the cooking smells are very pervasive – it is a relief when they shut down at 11pm.

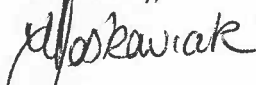
Noise in general - basically from antisocial behaviour which includes slamming of car doors, revving engines and most annoyingly the wheel spinning and screeching of tyres of cars entering and leaving the Crescent (by either customers or delivery drivers), we feel we are unable to say anything for fear of retaliation – they know where we live.

We are also fearful that these extended hours will attract late night revellers after the bars in town are closed – is it really fair to have these people congregating outside residents houses in the early hours when the town centre is shut?

Most of these things are happening now and because of this we do not go to bed much before 11pm – this is a residential area and we believe that we should have some respite after 11pm so that we can have undisturbed sleep at night. Surely this is a basic human right!

When considering this application please ask yourself if you would like your quality of life affected in this way and maybe this point should be put to Maricksons Ltd too, if they need to open all hours maybe they should re-locate into the proposed new town centre development. We were here before Dominos so we beg you, please, please do not pollute our lives further!

Yours faithfully,


A Steele
M Jeskowiak



Natasha Barnes

Subject: FW: Extension of Opening Hours - Dominos Pizza Bicester

Attachments: Dominos - Buckingham Crescent.docx

From: Monica.Jeskowiak@bmwgroup.com [mailto:Monica.Jeskowiak@bmwgroup.com]

Sent: 24 February 2010 08:02

To: Licensing

Cc: alan@oxnet.co.uk

Subject: Extension of Opening Hours - Dominos Pizza Bicester

To Head of Corporate Services, The Licensing Authority.

Dear Sir/Madam,

You should have already received a copy of the attached letter in the post but we wanted to make sure that you have had this as we are very strongly against the proposed extension of opening hours of Dominos Pizza at 132 Buckingham Crescent Bicester.

As stated in the main letter the continuous noise of the extractor fan and the cooking smells continuing through the early hours will be an unbearable nuisance – it is already annoying but to go past 11pm is most unreasonable.

We fear that this will attract the late night revellers, to have them congregating outside our homes after they leave the bars in the town centre will be a public nuisance – they are already rowdy when leaving the town so why transfer the nuisance to a residential area? Also, there are no public toilets in this area and the last thing we need is people urinating behind the hedge in our gardens!

Also, the noise in general we already get – basically from antisocial behaviour, which includes slamming of car doors, revving engines and the wheel spinning and screeching of car tyres when customers/delivery drivers enter and leave the Crescent, again we really do not need this in the early hours too.

All we are asking is to have an undisturbed night (a basic human right) – they are already open till 11pm and our quality of life is already affected, we believe it is extremely unfair to extend this nuisance until 5am the time we have to get up and go to work, one of us has to travel to work and the other is a postman.

Regards,

M Jeskowiak & A Steele

Monica Jeskowiak

Buyer (TO-M-1)

BMW Group - Purchasing (UK)

Oxford OX4 6NL

Phone: +44 (0) 1865 825901

Fax: +44 (0) 1865 826900

mailto: Monica.Jeskowiak@bmwgroup.com

Url: <http://www.bmwgroup.com/>

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Mr A Steele
Ms M Jeskowiak
128 Buckingham Crescent
Bicester
OX26 4HB
Tel. 01869 600892

13th February 2010

Head of Corporate Services
The Licensing Authority
Cherwell District Council
Bodicote House
Bodicote
Banbury
OX15 411

**Notice of Application under Section 17 of the Licensing Act 2003
Maricksons Ltd t/a Dominos Pizza of 132 Buckingham Crescent, Bicester, OX26 4HB**

Dear Sir/Madam,

We are writing to strongly object to the application for extension of the opening hours of Dominos Pizza's (132 Buckingham Crescent, Bicester) for the following reasons:-

The continuous noise from the extractor fan and the cooking smells are very pervasive – it is a relief when they shut down at 11pm.

Noise in general - basically from antisocial behaviour which includes slamming of car doors, revving engines and most annoyingly the wheel spinning and screeching of tyres of cars entering and leaving the Crescent (by either customers or delivery drivers), we feel we are unable to say anything for fear of retaliation – they know where we live.

We are also fearful that these extended hours will attract late night revellers after the bars in town are closed – is it really fair to have these people congregating outside residents houses in the early hours when the town centre is shut?

Most of these things are happening now and because of this we do not go to bed much before 11pm – this is a residential area and we believe that we should have some respite after 11pm so that we can have undisturbed sleep at night. Surely this is a basic human right!

When considering this application please ask yourself if you would like your quality of life affected in this way and maybe this point should be put to Maricksons Ltd too, if they need to open all hours maybe they should re-locate into the proposed new town centre development. We were here before Dominos so we beg you, please, please do not pollute our lives further!

Yours faithfully,

A Steele
M Jeskowiak

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AKY
02/14
Cynthia & Peter Reynard
138 BUCKINGHAM CRES
BICKERS

Dear Sir,
RECEIVED
22 FEB 2010
Dxod
02 16 418.

I AM WRITING TO OBJECT TO
THE LENGTHENING OF THE HOURS FOR DANCING
P. 22'S. DON'T SEE WHY THEY NEED THIS
EXTENSION OF TIME.

THERE IS ENOUGH NOISE BOTH BACK AND
FRONT OF THE PLACE DURING THE HOURS THEY ARE
OPEN WITH OUT ENTENDING IT ALSO THE
CONGESTION FROM THE TRAFFIC THEY CAUSE
IS TO BE SEEN TO BE BELIEVED; SOMETIMES
PARKING 3 AHEAD IN THE ROAD IF THERE
WAS TO BE AN EMERGENCY NOTHING WOULD GO
I H AGAIN

THIS USE TO BE A NICE QUIET RESIDENTIAL AREA
BUT NOT ANYMORE !! PEOPLE BLOCK YOUR DRIVE
WAY WHILST GOING FOR A PIZZA AS THOUGH
IT IS THERE RIGHT.

SO YES WE DO OBJECT TO THE ETCIA

HOURS THEY ARE ASKING FOR.

Yours sincerely
Cynthia Reynard
0203 53 1010
Reynard 101

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Natasha Barnes

From: Councillor Lawrie Stratford
Sent: 23 February 2010 09:45
To: Natasha Barnes
Subject: Bicester: Dominos application

Dominos Pizza, 132 Buckingham Crescent, Bicester

I wish to lodge an objection to the application to extend the opening hours which means that the premises will operate throughout the night seven days a week.

I do this on behalf of local residents who have major concerns across a range of issues, although I recognise some of these reasons may not be "licensing reasons".

If permission is granted local residents will face substantial increased "Public Nuisance" through additional noise of delivery drivers coming and going throughout the night. I suspect many of these "drivers" may well be on motor-cycles which are invariably noisier than cars.

Buckingham Crescent is a residential area and I do not believe that residents should not have to put up with the resultant inconvenience.

I also suspect that this application would be fiercely objected to if it were for premises in the very centre of the Town.

Cllr Lawrie Stratford
Bicester East Ward.

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