

**Cherwell District Council**

**Licensing Sub Committee**

Minutes of a meeting of the Licensing Sub Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 23 February 2012 at 10.00 am.

**16. Constitution of the Sub Committee**

The Membership of the Licensing Sub-Committee for this meeting was Councillors Gibbard, Hallchurch and Reynolds.

**17. Declarations of Interest**

There were no declarations of interest.

**18. Premise Licence Appeal Hearings – Review of Premises Licence**

**Public Protection & Development  
Management**

Andy Preston – Head of Public Protection & Development Management

**Cherwell**

**DISTRICT COUNCIL  
NORTH OXFORDSHIRE**

*Bodicote House  
Bodicote  
Banbury  
Oxfordshire  
OX15 4AA*

*www.cherwell.gov.uk*

---

Please ask for: Licensing

Direct Dial: 01295 753744

Email: [licensing@cherwell-dc.gov.uk](mailto:licensing@cherwell-dc.gov.uk)

Our Ref: PRM0348

---

24 February 2012

Dear Sir/Madam,

<b>NOTICE OF DETERMINATION – LICENSING ACT 2003</b>	
<b>Review of Premises Licence:</b>	<b>The Chapel, 11 Horsefair, Banbury</b>

I refer to the hearing of the Licensing Sub-Committee yesterday at which the Sub-Committee considered an application in respect of the above named premises for the review of the premises licence under the Licensing Act 2003. The decision contained in this letter is a decision of the Licensing Authority.

After considering all the representations made at the hearing the determination of the Licensing Sub-Committee was as follows;

**The Sub-Committee wished to express their pleasure that the parties had met to discuss the matter before the hearing began. They were pleased to have agreed conditions to consider.**

**Nevertheless they listened to the representations made by the Premises Licence Holder, and noted the comments made by the Licensing Authority and the representative for Thames Valley Police.**

**They noted the areas where there would be some duplication/contradiction should they be minded to accept the proposed conditions and were grateful to the parties for highlighting the conditions that they considered should be removed.**

**After careful consideration the Licensing Sub-Committee accepted the proposed conditions and removed the suggested conditions as well as others considered necessary for removal. For the avoidance of doubt, the following was determined:**

**The following conditions are added to the Premises Licence:**

- 1. At all times that door staff are on duty they will wear either high visibility jackets or other high visibility clothing (for the avoidance of doubt such clothing does not include tabards), to identify them as door supervisors both inside and outside the Premises;**
- 2. The Premises Licence Holder will install CCTV to the reasonable requirements of Thames Valley Police, such system to be improved to include coverage of the dance floor, to the reasonable satisfaction of Thames Valley Police including, as far as possible, a camera to provide facial recognition of persons on the dance floor;**
- 3. When the Premises are open for licensable activities, there will always be on duty a member of staff who is able to download footage from the CCTV system at the Premises;**
- 4. From 23:00 there will be at least one "floor walker" for every 100 people or part thereof on the ground floor (up to a maximum of 3 floor walkers) and one "floor walker" on the first floor when it is open, whose responsibility it will be to make regular checks of the Premises covering all areas at least once every 15 minutes. Such persons will be instructed to collect any bottles as a priority. The floor walkers will be easily identifiable as such, and will also look for any sign of drug use and customers who may be under the influence of either illegal substances or who are intoxicated, and door staff will be made aware of such persons. Records of the checks will be made every hour and the records kept for inspection by the Authorities;**
- 5. Two bottle bins will be provided on the ground floor and one bottle bin on the first floor, which will be locked to ensure that no customers are able to gain access to them;**

**6. The capacity of the Premises will be as follows:**

**When the Premises are trading on the ground floor only:**

- **Ground Floor – 296**

**No more than 60 people of the above capacity will be permitted into the smoking area.**

**When the Premises are trading on the ground floor and first floor:**

- **Ground Floor – 296**
- **First Floor – 91**

**No more than 60 people of the above capacity will be permitted into the smoking area.**

- 7. There will be at least one member of the door staff positioned on the first floor level whilst licensable activities are taking place on the first floor;**
- 8. Music levels will be played at such a level that door staff within the Premises are able to speak to each other effectively on the radio, so that they can be heard by other door supervisors on the radio system;**
- 9. There shall be no new admissions to the Premises after 02:00 when the Premises are trading for licensable activities until 04:00 other than for persons who provide evidence that they work at licensed premises in Banbury;**
- 10. In the event of a fight or assault door staff will, where appropriate, ensure that both parties are asked to leave the Premises separately with a reasonable gap between each party leaving;**
- 11. Other than for a private function, there will be a minimum of 3 door supervisors on duty for the first 200 customers or part thereof, and thereafter an additional 1 door supervisor for every 100 customers or part thereof;**
- 12. There shall be no alcohol supplied to customers in glass bottles other than bottles of champagne or sparkling wine and 5 products notified in writing to TVP and the Licensing authority.**

**The following conditions are removed from the Premises Licence:**

- **Condition 12 of Annex 1 of the licence (shown at page 47 of the hearing report)**
- **Condition 13 of Annex 1 of the licence (shown at page 48 of the hearing report)**
- **Condition 14 of Annex 1 of the licence (shown at page 48 of the hearing report)**
- **Bullet point 6 under “general” heading of Annex 2 of the licence (shown at page 52 of the hearing report) which reads ‘front door staff to wear high visibility attire.’**

- **Bullet point 5 under 'prevention of crime and disorder' heading of annex 2 of the licence (shown at page 52 of the hearing report) which reads 'bottle ban'.**
- **Bullet point 10 under 'prevention of crime and disorder' heading of annex 2 of the licence (shown at page 52 of the hearing report) which reads 'we'll be using two glass collectors on Saturday nights and other nights when we are expecting a higher number of customers.'**
- **Bullet point 11 under 'prevention of crime and disorder' heading of annex 2 of the licence (shown at page 52 of the hearing report) which reads 'we'll add extra bins to our public areas to speed up clearance of bottles.'**
- **Condition CD32 of Annex 2 of the licence (shown at page 52 of the hearing report) is modified to read 'a minimum of three door staff...' rather than 'a minimum of two door staff...'**

You have a right of appeal against this decision to the Magistrates' Court within 21 days of the date of this letter. The relevant Magistrates Court for the area is;

Northern Oxfordshire Magistrates Court  
The Courthouse, Warwick Road  
Banbury, Oxon  
OX16 2AW

Tel: 01295 452000

Fax: 01295 452050

Finally, if you have any queries regarding this notice, please contact a member of the Licensing Team on 01295 753744.

Natasha Barnes  
Licensing & Vehicle Parks Manager

Copies to	Relevant Review Applicant
	Relevant Agent/Solicitor of the Premises Licence Holder (if any)
	Relevant Responsible Authorities (if any)
	Relevant Interested Parties (if any)

The meeting ended at 11.20 am