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Cherwell District Council

General Licensing Acts Sub Committee

Minutes of a meeting of the General Licensing Acts Sub Committee held at 39 Castle Quay, Banbury, OX16 5FD, on 23 September 2025 at 10.30 am

Present:

Councillor Rebecca Biegel
Councillor Ian Middleton
Councillor Barry Wood

Officers:

Denzil Turbervill, Head of Legal Services
Jan Southgate, Health Protection, Compliance & Licensing Manager
Sian Parsons, Licensing Technical Officer
Aaron Hetherington, Principal Officer - Electoral Services Lead
Patrick Davis, Democratic and Elections Officer

1 Appointment of Chair of the Sub-Committee

The Membership of the Licensing Sub-Committee for this meeting was Councillors Rebecca Biegel, Ian Middleton and Barry Wood.

Resolved

(1) That Councillor Rebecca Biegel be appointed Chairman of the General Licensing Sub-Committee.

2 Declarations of Interest

There were no declarations of interest.

3 Application to Grant a New Street Trading Consent

The Health Protection, Compliance and Licensing Manager submitted a report to determine a request for a new Street Trading Consent application for the location Shakespeare Drive, Bicester, Oxfordshire as applied for under the Local Government (Miscellaneous Provisions) Act 1982.

Resolved

(1) As set out in the attached determination letter.

The meeting ended at 2.05 pm

Chair:

Date:



Mr Ramazan Buyuktas

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Banbury
Oxfordshire
OX16 5FD

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23 September 2025

New Street Trading Consent application for the location at Shakespeare Drive Bicester, Oxfordshire (22910 ST0113)

Licensing Sub Committee hearing dated: 23 September 2025

I write to confirm the outcome of the above hearing.

The Licensing Panel has taken into account Cherwell District Council's Street Trading Policy and the written and oral representations made alongside the officer's report. The sub-committee has considered the powers granted to it by the Local Government (Miscellaneous Provisions) Act 1982 in relation to street trading consents and acted in accordance with these powers.

In reaching their decision the sub-committee has given consideration to the proposed location of the food van in the layby and the highways safety concerns raised by the objector and local ward member. The sub-committee was minded to agree that this is an inappropriate location and raises public safety concerns.

The sub-committee also considered the objections raised in relation to the opening hours and residential nature of the area. The sub-committee was persuaded that the area was primarily residential in character. The sub-committee was also persuaded that the area lacked similar operations at the proposed operating times which this license was applied for. The sub-committee was therefore minded to agree that the proposed license was out of character with the location, and that the proposed hours of operation were similarly out of character and of concern to the sub-committee.

The sub-committee considered there were valid concerns around the lack of a fixed location, given that the layby was open to all members of the public and may not always be available at the proposed operational hours. It was considered that it is not common to find a food van in a residential area such as this and this therefore caused concerns around the appearance of the van in this area and the ability of the van to operate effectively in the location.

While noting that there is an existing problem with nuisance in the area, it was considered that the location of a food van in this particular site, being adjacent to a pub in a primarily residential area,

would likely exacerbate and extend this existing problem.

The sub-committee was minded to consider that some of these concerns could have been addressed by the addition of conditions or restriction of operating times. However after deliberation, the sub-committee was of the view that in order to adequately address these concerns, the restrictions on opening hours and conditions around the operation would likely be so restrictive as to make the operation of the business unsustainable. The sub-committee also felt that there would be issues in enforcing such conditions. As such the committee was minded not to consider that the imposition of conditions or more limited operating hours was not an effective option.

The committee noted that this application may have been appropriate in a different location within the area. However this was not the application before them at present and so this was not an option available for consideration.

For the reasons noted above the Committee has considered the following grounds for its decision:

1. Public Safety
2. Public Nuisance
3. Appearance

Background

The relevant background to the review is detailed in the Licensing Officer's report which is published on the Council's website.

The Hearing

This decision letter is appended to full minutes of the meeting which set out the nature of the considerations which took place.

The objector was not able to attend in person and provided a written statement which was read out by the Head of Legal services at the appropriate time of the meeting.

The Decision

The sub-committee has taken note of all the written representations made in respect of this application to review the premises license for the premises and has listened carefully to all those who spoke at the hearing.

The sub-committee considered that there were significant and legitimate concerns raised in relation to public safety, public nuisance and appearance. The sub-committee considers that refusal of the licence is appropriate and proportionate.

A copy of this record of decision will be served on all relevant parties.

In accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982 there is no right of appeal against this decision.

Yours sincerely,

Jan Southgate Health Protection, Compliance and Licensing Manager