

Community & Environment

Ian Davies – Director of Operational Delivery

Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

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Please ask for: **Licensing**

Direct Dial: **01295 753744**

Email: **licensing@cherwell-dc.gov.uk**

Our Ref: **PRM0661_Review_2016**

Dear Sir,

Premises Licence Review Application: G's, Deans Court, Bicester - 2 June 2016

I refer to the hearing of the Licensing Sub-Committee on Thursday 2 June 2016 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 the evidence contained in the Licensing Manager's report and having had regard to the submissions from all parties to this hearing the Sub-Committee arrived at the following decision;

This review was convened at the request of Thames Valley Police. The basis for the review is the failure by the licensee and designated premises supervisor (George Smith) to observe the licence conditions relating to the last entry time and door staff responsibilities. Specifically the Sub-Committee heard evidence of incidents on 18 January 2015, 14 February 2015 and 22 February 2015. We note that George Smith was prosecuted and convicted on 29 June 2015 for carrying on licensable activities on/from the premises other than in accordance with an authorisation.

In addition and the second arm of the Thames Valley Police case was the breach of conditions relating to CCTV footage arising out of incidents on 17 October 2015 and 30 January 2016. The Sub-Committee found George Smith's explanation for his breaching the conditions to be credible whilst noting the frustration felt by Thames Valley Police in not being able to pursue their investigations.

Based on the information contained in the report and the verbal submissions made on behalf of Thames Valley Police and Mr George Smith the Sub-Committee gave serious consideration to revoking or suspending the premises licence but on balance decided that it was neither necessary nor proportionate to do so.

Turning to the licence conditions the Sub-Committee was not minded to alter the existing conditions relating to door supervisors but it was minded to impose the following further conditions:

- A log book shall be maintained that shall record weekly checks that are carried out to achieve compliance with conditions on the premises licence such checks shall include the CCTV systems, the radio link equipment and the use of the door supervisors log book. The log book shall also be signed by the licence holder or the designated premises supervisor.
- Upon receiving a request from Thames Valley Police or the Licensing Authority for recorded CCTV footage, the licence holder or responsible person shall, within 48 hours of the request, download and secure the recording for the time period requested and shall store this recording in a safe location for a period of two calendar months or until collected by the requesting authority, whichever is earlier.
- The licence holder shall provide and maintain 4 memory sticks or equivalent for the purpose of transferring the recordings to the requesting authority.

The above 2 conditions (relating to the retention of CCTV footage) replace the CCTV retention condition on page 6 of the current licence.

Either party has the right to appeal this decision by giving notice to the magistrates' court within a period of 21 days beginning with the day upon which notification of the determination was given.

Any appeal should be made to Banbury Magistrates Court, The Court House, Warwick Road, Banbury, Oxfordshire OX16 2AW.



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Public Protection Manager

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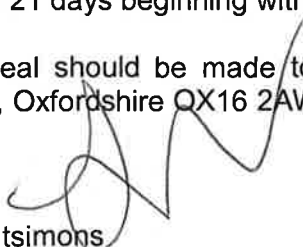
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Laura Morris
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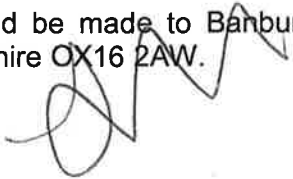
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