

Committee: **Licensing Sub Committee**

Date: **Tuesday 21 August 2012**

Time: **10.00 am**

Venue **Bodicote House, Bodicote, Banbury, OX15 4AA**

Membership

Councillor Fred Blackwell
Councillor Tony Ilott

Councillor G A Reynolds

AGENDA

1. Constitution of the Sub Committee

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

Please contact Louise Aston (01295 221601) to tender apologies.

2. Declarations of Interest

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

3. Premise Licence Determination Hearing (Pages 1 - 58)

Report of Head of Public Protection and Development Management.

Summary

To provide an outline of an application for the variation of a Premises Licence in relation to Weston Manor Hotel, Weston on the Green, Bicester and detail the representations received from Responsible Authorities and Interested Parties 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 variation of a premises licence as submitted
- (2) reject the application for the variation of premises licence in whole or part
- (3) place conditions on the variation of premises licence and/or require changes to the details of the permissions sought.

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to

democracy@cherwellandsouthnorthants.gov.uk or 01295 221601 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Louise Aston, Democratic and Elections
louise.aston@cherwellandsouthnorthants.gov.uk, 01295 221601

Sue Smith
Chief Executive

Published on Monday 13 August 2012

This page is intentionally left blank

Licensing Sub-Committee

Premise Licence Determination Hearing

21 August 2012

Report of Head of Public Protection and Development Management

PURPOSE OF REPORT

To provide an outline of an application to for the variation of a Premises Licence in relation to Weston Manor Hotel, Weston on the Green, Bicester and detail the representations received from Responsible Authorities and Interested Parties 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 variation of a premises licence as submitted
- (2) reject the application for the variation of premises licence in whole or part
- (3) place conditions on the variation of premises licence and/or require changes to the details of the permissions sought.

Executive Summary

Introduction

- 1.1 On 30 May 2012, the Licensing Authority received an application for the variation of a premises licence to permit and amend provisions for regulated entertainment, provision of entertainment facilities, provision of late night refreshment and sale by retail of alcohol at the Weston Manor Hotel, Weston on the Green, Bicester.

- 1.2 On 28 June 2012, an amended variation application was submitted to the Licensing Authority amending the applicant's requests and extending the consultation period for a further 28 days. It is this application that the Licensing Sub-Committee is asked to determine at this hearing.
- 1.3 The Licensing Act 2003 provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.
- 1.4 The licensing objectives are:
- The prevention of crime and disorder.
 - Public safety.
 - The prevention of public nuisance.
 - The protection of children from harm.

The Guidance issued under Section 182 of the Licensing Act 2003 states:

Each objective is of equal importance. It is important to note that there are no other licensing objectives, so that these four objectives are paramount considerations at all times. But the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- *the necessary protection of local residents, whose lives can be blighted by disturbance and anti-social behaviour associated with the behaviour of some people visiting licensed premises of entertainment;*
 - *the introduction of better and more proportionate regulation to give business greater freedom and flexibility to meet customers' expectations;*
 - *greater choice for consumers, including tourists, about where, when and how they spend their leisure time;*
 - *the encouragement of more family friendly premises where younger children can be free to go with the family;*
 - *the further development within communities of our rich culture of live music, dancing and theatre, both in rural areas and in our towns and cities.*
- 1.5 For the Licensing Authority to accept a representation as relevant, it must firstly address one or all of the four licensing objectives and the likely effect of the grant of the premises licence upon the promotion of those objectives. The licensing authority must then determine whether or not the representation may be deemed frivolous, vexatious or repetitious and that they have been received within the relevant timescales. The licensing authority can take whole or part of a representation and deem it as relevant, therefore excluding the irrelevant part from the proceedings.

- 1.6 During the consultation period the Licensing Authority received representations from a number of Responsible Authorities and Interested Parties in the vicinity of the premises. Full details of all relevant representations received are included at paragraph 2 of this report.

Proposals

- 1.7 The applicant has proposed to provide the following regulated activities for the days and times specified:

Plays;

Monday to Saturday inclusive from 11:00 to 23:00 hours and Sunday midday to 21:00 hours, both indoors and outdoors

Live Music / Recorded Music; Performance of Dance; Anything of a similar description to Live or Recorded Music or Performance of Dance; Provision of facilities for Making Music; Provision of facilities for Dancing; Provision of facilities for anything of a similar description to Making Music or Dancing

INDOORS:

Monday to Wednesday inclusive from 11:00 to 23:00 hours, Thursday to Saturday inclusive 11:00 to 01:00 hours the following morning and Sunday midday to 01:00 hours the following morning,

OUTDOORS:

Monday to Thursday inclusive from 11:00 to 23:00 hours, Friday to Saturday inclusive 11:00 to 23:59 hours and Sunday midday to 21:00 hours

Late Night Refreshment;

INDOORS:

Thursday to Sunday inclusive from 23:00 to 01:00 hours the following morning

OUTDOORS:

Fridays and Saturdays from 23:00 to 00:59 hours

Late night refreshment will be available for hotel residents 23:00 to 05:00 irrespective of the day of the week

Sale(by retail) of Alcohol;

ON SALES:

Monday to Sunday inclusive from 11:00 to 01:00 hours the following morning

OFF SALES:

Monday to Thursday inclusive from 11:00 to 23:00 hours, Friday and Saturday 11:00 to 23:59 hours and Sunday midday to 21:00 hours

Alcohol will be supplied to residents, indoors only, for a 24 hour period irrespective of the day of the week. All off sales of alcohol will be restricted in line with the application.

Background Information

- 2.1 On 24 November 2005, the Weston Manor Hotel was issued with a premises licence permitting the retail sale of alcohol for on and off sales and the provision of recorded music for background use only, by virtue of a converted Justices On Licence due to the implementation of the Licensing Act 2003.
- 2.2 On 30 May 2012 an application to vary the premises licence in respect of the Weston Manor Hotel was first received by the Licensing Authority. Concerns raised by Interested Parties regarding the application resulted in the applicant revising the application and resubmitting it to the Licensing Authority and extending the consultation period upon the application for a further 28 day period, until 28 July 2012. As a result, all representations received from the date of the receipt of the original application until the end of consultation on the revised application have been taken into account.
- 2.3 A full copy of the application, including plans of the location to be licensed submitted by the applicant is attached at Appendix 1.
- 2.4 During the consultation period, a total of 9 representations were received in respect of this application and have all been deemed relevant.
- 2.5 On 31 May 2012, the Licensing Authority received a response to the application from Oxfordshire Fire & Rescue Service advising they had no objections to the application. A copy of the correspondence is attached at Appendix 2.
- 2.6 On 31 May 2012, the Licensing Authority received a response to the application from Thames Valley Police advising they had no objections to the application. A copy of the correspondence is attached at Appendix 3.
- 2.7 On 27 July 2012, the Licensing Authority received a response to the application from Rob Lowther, Anti Social Behaviour Manager, Cherwell District Council. The response stated that the Anti Social Behaviour Unit did not object to the variation of the premises licence to allow a range of regulated entertainments within the permanent structure of the hotel subject to a condition or conditions requiring the installation and calibration of sound limiting device(s) and for the doors and windows of the part of the premises being used for such activity to remain closed during such activities except for essential access and egress.
- 2.8 However, Mr Lowther has stated that he would object to the grant of a premises license that permitted the provision of regulated entertainment involving the use of amplified sound outside the permanent structure of the hotel. The objection would include activities taking place within marquees or other temporary structures that offer negligible levels of sound attenuation. A copy of the full correspondence is attached at Appendix 4.
- 2.9 Between 13 June 2012 and 26 July 2012 the Licensing Authority received 8 relevant representations from Interested Parties. A copy of their correspondence is attached at Appendix 5.

- 2.10 A Map showing the location of the premises in relation to the location of the Interested Party properties is attached at Appendix 6.

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.
- 3.3 Details of how the applicant intends to promote the four licensing objectives in general in addition to specifically related to promotion of the promotion of the prevention of public nuisance objective is given below:

Objective	Applicants response
General	Premises are always manned by a senior manager, ensuring all licensing objectives are monitored, auctioned, recorded and proactively adjusted.
Prevention of public nuisance	By limiting the db allowed outdoors. Offer taxi service for non residents. Speakers must be placed a minimum of 100 meters and facing away from closest residential dwelling. The level of noise must not exceed 95db for a period longer than 2 minutes. Noise level will be controlled by db limiters and connected through the power supply system. If noise level exceeds agreed level, power will be cut. Should this happen three times during one event, we will stop the noise In case of an open-air performance, this will be limited to 80db Weston Manor accepts that the Parish Council wishes to appoint an individual to monitor the level of noise at their own expense. We do request that this person has previous experience in this field Weston Manor accepts that the Parish Council wishes to appoint an individual to monitor the level of noise at their own expense. We do request that this person has previous experience in this field Weston Manor will adapt 24-hour Duty Management system as part of its ongoing transition to a luxury hotel with specific focus on security Furthermore, we envisage hosting 18 events outdoors during this calendar year. This will include potential open-air theatre, country fairs, farmers markets and private events with regulated entertainment.

- 3.4 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 ISSUED UNDER SECTION 182 OF THE LICENSING ACT 2003, APRIL 2012:

Pages 77 – 78	Sections 10.12 – 10.19	Imposed Conditions, Proportionality, Duplication with other statutory provisions
Page 78	Sections 10.20 – 10.22	Hours of Trading
Pages 15 – 16	Sections 2.33 – 2.40	Public Nuisance

CHERWELL DISTRICT COUNCIL STATEMENT OF LICENSING POLICY, JANUARY 2010:

Page 1	Policy GN1	Sections 1.1.1 – 1.1.2	Objectives
Pages 3 - 4	N/A	Sections 2.5.1 – 2.5.13	Fundamental Principles
Pages 5 - 6	Policy GN8	Sections 2.10.1 – 2.10.2	Planning & Building Control
Page 8	N/A	Sections 2.10.1 – 2.10.2	Non-Licensing Issues
Pages 12-14	Policies LH1 – LH8	Sections 5.1 – 5.7	Licensing Hours
Pages 19-21	Policies LA4 – LA6	Sections 7.3.1 – 7.3.13	General Prevention Of Public Nuisance including Addressing Local Concerns and Management and Control

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

Consultations

The applicant carried out a full consultation in accordance with the requirements of the Licensing Act 2003 for a period of 28 days ending at midnight on 28 July 2012.

Implications

Financial:	There are no financial implications of this report Comments checked by Leanne Lock, Trainee Accountant, 01295 227098
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 Paul Manning, Solicitor, 01295 221691
Risk Management:	There is a risk that if policy and legislation has not been correctly followed, any resulting appeal could be successful. Comments checked by Gavin Halligan-Davis, Community & Corporate Planning Manager, 01295 221563

Wards Affected

Bicester

Document Information

Appendix No	Title
1	Application for a premises licence to be granted under the Licensing Act 2003 in respect of the Weston Manor Hotel, Weston on the Green, Bicester
2	Representation from Nick Bateman of Oxfordshire Fire and Rescue Service
3	Representation from the Licensing Team at Thames Valley Police
4	Representation from Rob Lowther of the Anti-Social Behaviour Team at Cherwell District Council
5	Representations from 8 Interested Party
6	Map showing the location of the Interested Party properties in relation to the premises.
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 to the meeting.	
Report Author	Claire Bold, Licensing Team Leader
Contact Information	01295 753741 claire.bold@cherwell-dc.gov.uk

This page is intentionally left blank

Rec.
28/06/12
by email
by CB.



DISTRICT COUNCIL
NORTH OXFORDSHIRE

Bodicote House • Bodicote • Banbury • Oxfordshire • OX15 4AA
Telephone **01295 252535**
Textphone **01295 221572**
DX 24224 (Banbury)
<http://www.cherwell.gov.uk>

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We **C Kaberg of Oxon Investments Ltd** being the premises licence holder, apply to
(Insert name(s) of applicant)
vary a premises licence under section 34 of the Licensing Act 2003 for the
premises described in Part 1 below

Premises licence number

PRM 0027

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description

Weston Manor Hotel
Northampton Road
Weston-on-the-Green

Post town **Bicester, Oxon**

Post code **OX25 3QL**

Telephone number at premises (if any)

01869 350 621

Non-domestic rateable value of premises

£1000000

Part 2 - Applicant details

Daytime contact telephone number
(if any)

E-mail address (optional)

Current postal
address if
different from
premises
address

Post Town

Postcode

Part 3 – Variation

Please tick ✓ yes

Do you want the proposed variation to have effect as soon as possible?

☐

If not, do you want the variation to take effect from:

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Please describe briefly the nature of the proposed variation (please see guidance note 1)

Add plays, live music, recorded music, performance of dance and anything of a similar description.

Add facilities for making music, dancing and anything of a similar description

Add Late Night refreshment

Extend alcohol for residents and non residents

Part 4 – Operating schedule

Please complete those parts of the operating schedule below which would be subject to change if this application to vary is successful.

Please tick ✓ yes

Provision of regulated entertainment:

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of entertainment facilities for:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

☒

Sale by retail of alcohol (if ticking yes, fill in box M)

☒

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	23:00	Please give further details here (please read guidance note 3). [REDACTED]	Both	<input type="checkbox"/>
Tue	11:00	23:00			
Wed	11:00	23:00	State any seasonal variations for performing plays (please read guidance note 4) [REDACTED]		
Thur	11:00	23:00			
Fri	11:00	23:00	Non standard timings. Where you intend to use the premises for the performance of a play at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat	11:00	23:00	Outdoors Monday - Sat 11:00 - 23:00 Outdoors on a Sunday 12:00 - 21:00		
Sun	12:00	21:00			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>				
Day	Start	Finish		Outdoors	<input type="checkbox"/>				
				Both	<input type="checkbox"/>				
Mon	<input type="checkbox"/>	<input type="checkbox"/>	Please give further details here (please read guidance note 3). [REDACTED]						
	<input type="checkbox"/>	<input type="checkbox"/>							
Tue	<input type="checkbox"/>	<input type="checkbox"/>							
	<input type="checkbox"/>	<input type="checkbox"/>							
Wed	<input type="checkbox"/>	<input type="checkbox"/>	State any seasonal variations for the exhibition of films (please read guidance note 4) [REDACTED]						
	<input type="checkbox"/>	<input type="checkbox"/>							
Thur	<input type="checkbox"/>	<input type="checkbox"/>							
	<input type="checkbox"/>	<input type="checkbox"/>							
Fri	<input type="checkbox"/>	<input type="checkbox"/>	Non standard timings. Where you intend to use the premises for the exhibition of film at different times from those listed in the column on the left, please list (please read guidance note 5) [REDACTED]						
	<input type="checkbox"/>	<input type="checkbox"/>							
Sat	<input type="checkbox"/>	<input type="checkbox"/>							
	<input type="checkbox"/>	<input type="checkbox"/>							
Sun	<input type="checkbox"/>	<input type="checkbox"/>							
	<input type="checkbox"/>	<input type="checkbox"/>							

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3) [REDACTED]	
Day	Start	Finish		
Mon	[REDACTED]	[REDACTED]	State any seasonal variations for indoor sporting events (please read guidance note 4) [REDACTED]	
	[REDACTED]	[REDACTED]		
Tue	[REDACTED]	[REDACTED]		
	[REDACTED]	[REDACTED]		
Wed	[REDACTED]	[REDACTED]		
	[REDACTED]	[REDACTED]		
Thur	[REDACTED]	[REDACTED]		Non standard timings. Where you intend to use the premises for indoor sporting events at different times from those listed in the column on the left, please list (please read guidance note 5) [REDACTED]
	[REDACTED]	[REDACTED]		
Fri	[REDACTED]	[REDACTED]		
	[REDACTED]	[REDACTED]		
Sat	[REDACTED]	[REDACTED]		
	[REDACTED]	[REDACTED]		
Sun	[REDACTED]	[REDACTED]		
	[REDACTED]	[REDACTED]		

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3). [REDACTED]					
Mon	[REDACTED]	[REDACTED]						
	[REDACTED]	[REDACTED]						
Tue	[REDACTED]	[REDACTED]						
	[REDACTED]	[REDACTED]						
Wed	[REDACTED]	[REDACTED]				State any seasonal variations for boxing and wrestling entertainment (please read guidance note 4) [REDACTED]		
	[REDACTED]	[REDACTED]						
Thur	[REDACTED]	[REDACTED]						
	[REDACTED]	[REDACTED]						
Fri	[REDACTED]	[REDACTED]						
	[REDACTED]	[REDACTED]						
Sat	[REDACTED]	[REDACTED]						
	[REDACTED]	[REDACTED]						
Sun	[REDACTED]	[REDACTED]						
	[REDACTED]	[REDACTED]						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon	11:00	23:00	Please give further details here (please read guidance note 3). [REDACTED]	Both	<input type="checkbox"/>	
Tue	11:00	23:00				
Wed	11:00	23:00		State any seasonal variations for the performance of live music (please read guidance note 4) [REDACTED]		
Thur	11:00	01:00				
Fri	11:00	01:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)			
Sat	11:00	23:59				
Sun	12:00	21:00				

Outdoors from Monday – Thursday 11:00 – 23:00
Outdoors from Friday – Saturday 11:00 – 23:59
Outdoors on Sundays – 12:00 – 21:00

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3). [REDACTED]		
Mon	11.00	23.00			
Tue	11.00	23.00			
			State any seasonal variations for playing recorded music (please read guidance note 4) [REDACTED]		
Wed	11.00	23.00			
Thur	11.00	01.00			
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list (please read guidance note 5)		
Fri	11.00	01.00			
Sat	11.00	01.00			
			As stated in E		
Sun	11.00	01.00			

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3). [REDACTED]		
Mon	[REDACTED]	[REDACTED]			
	[REDACTED]	[REDACTED]			
Tue	[REDACTED]	23.00			
	[REDACTED]	[REDACTED]			
Wed	11.00	[REDACTED]			
	[REDACTED]	[REDACTED]	State any seasonal variations for the performance of dance (please read guidance note 4) [REDACTED]		
Thur	[REDACTED]	01.00			
	[REDACTED]	[REDACTED]			
Fri	[REDACTED]	[REDACTED]			
	[REDACTED]	[REDACTED]	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times from those listed in the column on the left, please list (please read guidance note 5) [REDACTED] As stated in E and F		
Sat	[REDACTED]	01.00			
	[REDACTED]	[REDACTED]			
Sun	[REDACTED]	[REDACTED]			
	[REDACTED]	[REDACTED]			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Mon	11.00	23.00	Please give further details here (please read guidance note 3). [REDACTED]		
Tue	11.00	23.00			
Wed	11.00	23.00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) [REDACTED]		
Thur	11.00	01.00			
Fri	11.00	01.00	Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times from those listed in the column on the left, please list (please read guidance note 5) As stated in E, F and G		
Sat	11.00	01.00			
Sun	11.00	01.00			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the type of facilities for making music you will be providing		
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	10.00	12.00	Please give further details here (please read guidance note 3). [REDACTED]		
Tue	11.00	12.00			
Wed	10.00	12.00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4) [REDACTED]		
Thur	10.00	12.00			
Fri	10.00	12.00	Non standard timings. Where you intend to use the premises for the provision of facilities for making music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5) As stated in E,F,G & H		
Sat	10.00	12.00			
Sun	10.00	12.00			

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Please give a description of the type of facilities for dancing that you will be providing		
Day	Start	Finish	Will the facilities for dancing be indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	17.00	23.00	Please give further details here (please read guidance note 3). [REDACTED]		
Tue	11.00	22.00			
Wed	18.00	23.00	State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Thur	18.00	01.00			
Fri	18.00	01.00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times from those listed in the column on the left, please list (please read guidance note 5) As in E,F,G, H & I		
Sat	18.00	01.00			
Sun	18.00	01.00			

K

Provision of facilities for entertainment of a similar description to that falling within (i) or (j) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	11.00	12.00	Please give further details here (please read guidance note 3). [REDACTED]		
Tue	11.00	12.00			
Wed	11.00	12.00	State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling with (i) or (j) (please read guidance note 4)		
Thur	11.00	12.00			
Fri	11.00	12.00	Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within (i) or (j) at different times to those listed in the column on the left, please list (please read guidance note 5) As stated in E,F,G,H, I and J		
Sat	11.00	12.00			
Sun	12.00	12.00			

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3). [REDACTED]		
Mon	N/A	N/A			
Tue	N/A	N/A	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) [REDACTED]		
Wed	N/A	N/A	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5) Outdoors Fridays & Saturdays 23:00 – 23:59 Late night refreshment will be available for residents 23:00 – 05:00 irrespective of the day of the week.		
Thur	23:00	01:00			
Fri	23:00	01:00			
Sat	23:00	01:00			
Sun	23:00	01:00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption - please tick ✓ (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both		
Mon	11:00	23:00	State and seasonal variations for the supply of alcohol (please read guidance note 4). [REDACTED]		
Tue	11:00	01:00			
Wed	11:00	23:00			
Thur	11:00	23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)		
Fri	11:00	23:00	Off sales Monday – Thursday 11:00 – 23:00		
			Off sales Friday – Saturday 11:00 – 23:59		
Sat	11:00	01:00	Off sales Sundays 12:00 – 21:00		
Sun	11:00	23:00	Alcohol will be supplied to residents indoors 24 hours irrespective of the day of the week. Off sales alcohol will be restricted in line with the application.		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

Adult entertainment is not permitted at the premises.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) [REDACTED]
Day	Start	Finish	
Mon	[REDACTED]	[REDACTED]	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) No change to opening hours
	[REDACTED]	[REDACTED]	
Tue	[REDACTED]	[REDACTED]	
	[REDACTED]	[REDACTED]	
Wed	[REDACTED]	[REDACTED]	
	[REDACTED]	[REDACTED]	
Thur	[REDACTED]	[REDACTED]	
	[REDACTED]	[REDACTED]	
Fri	[REDACTED]	[REDACTED]	
	[REDACTED]	[REDACTED]	
Sat	[REDACTED]	[REDACTED]	
	[REDACTED]	[REDACTED]	
Sun	[REDACTED]	[REDACTED]	
	[REDACTED]	[REDACTED]	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

[REDACTED]

Please tick ✓ yes

I have enclosed the premises licence

☒

I have enclosed the relevant part of the premises licence

☐

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

██████

P

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9)

Premises are always manned by a senior manager, ensuring all licensing objectives are monitored, auctioned, recorded and proactively adjusted.

b) The prevention of crime and disorder

Always have a senior manager on duty.
Not permitting binge drinking.

c) Public safety

First Aid trained staff always on together with fire marshal trained staff.
Premises are fully compliant to B5 fire standard L2

d) The prevention of public nuisance

By limiting the db allowed outdoors.

Offer taxi service for non residents.

Speakers must be placed a minimum of 100 meters and facing away from closest residential dwelling.

The level of noise must not exceed 95db for a period longer than 2 minutes. Noise level will be controlled by db limiters and connected through the power supply system. If noise level exceeds agreed level, power will be cut. Should this happen three times during one event, we will stop the noise

In case of an open-air performance, this will be limited to 80db

Weston Manor accepts that the Parish Council wishes to appoint a individual to monitor the level of noise at their own expense. We do request that this person has previous experience in this field

Weston Manor accepts that the Parish Council wishes to appoint an individual to monitor the level of noise at their own expense. We do request that this person has previous experience in this field

Weston Manor will adapt 24-hour Duty Management system as part of its ongoing transition to a luxury hotel with specific focus on security

Furthermore, we envisage hosting 18 events outdoors during this calendar year. This will include potential open-air theatre, country fairs, farmers markets and private events with regulated entertainment.

e) **The protection of children from harm**

No adult themed events or entertainment will be permitted on premises.

Senior Management will always be on duty.

Premises operate an ID 21 system.

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to the responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity**

Signature electronically signed.....

Date 28 June 2012.....

Capacity General Manager.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)
Christian Kaberg, of Weston Manor Hotel, Northampton Road

Post town Weston-on-the-Green

Post code OX25 3QL

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address

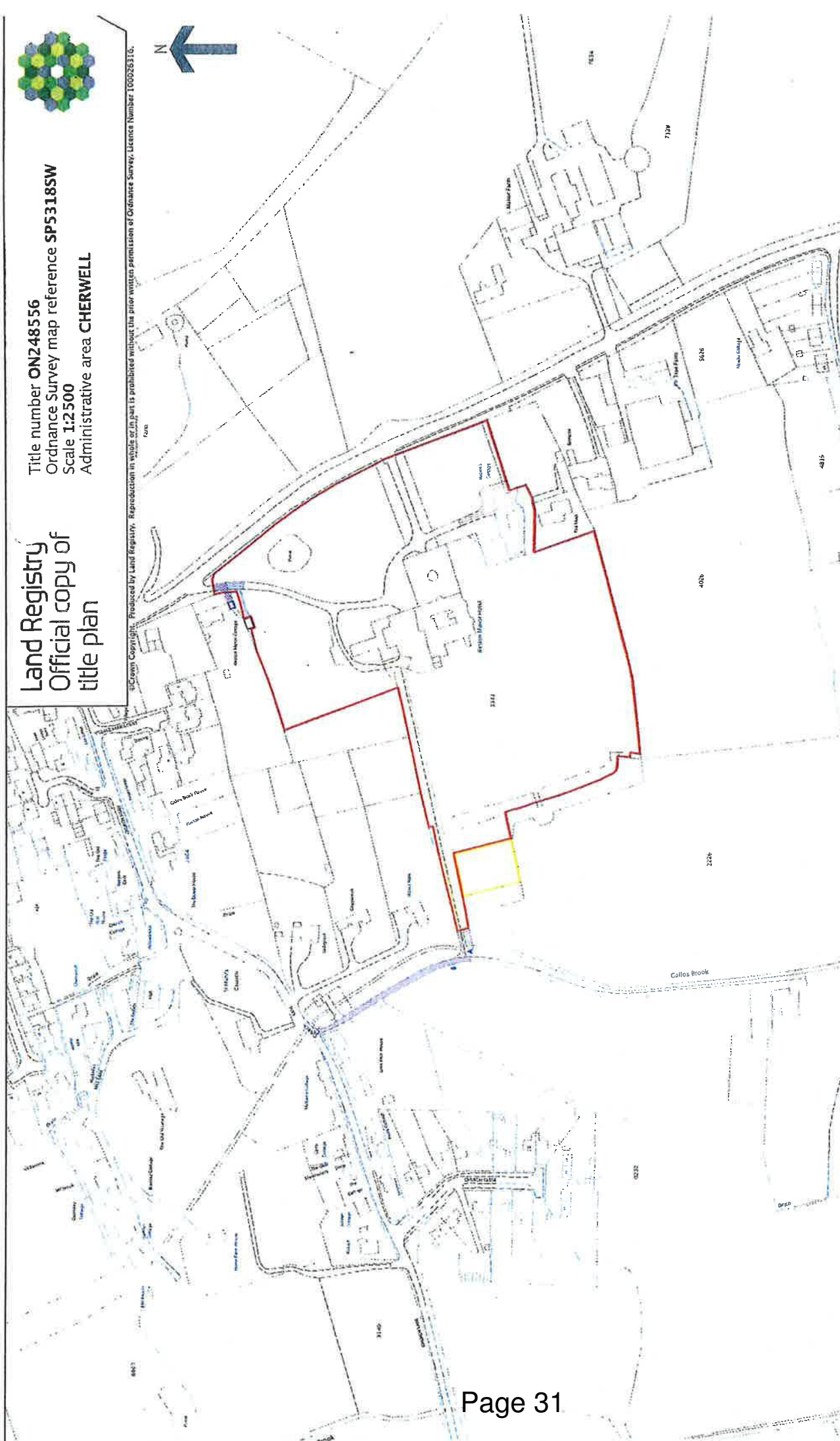
(optional)



Title number **ON248556**
Ordnance Survey map reference **SP5318SW**
Scale **1:2500**
Administrative area **CHERWELL**

Land Registry
Official copy of
title plan

© Crown Copyright. Produced by Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 100028316.





Oxfordshire Fire & Rescue Service
Kidlington Fire Station
Sterling Road
Kidlington
OX5 2DU

Mr C Kaberg
Weston Manor Hotel
Northampton Road
Weston on the Green
OX25 3QL

Telephone (01885 855261)

www.oxfordshire.gov.uk

GM Peter Graham
Fire risk manager for West/Cherwell
Area

My Reference
678/000/007

Your Reference

Date
31/05/2012

This matter is being dealt with by Nick Bateman

Direct Line 07775 827267

Email: nick.bateman@oxfordshire.gov.uk

Cc Cherwell District Council
Licensing Committee.

RECEIVED
30-05-12

Dear Sir,

Licensing Act 2003
No adverse comments from Fire Authority

Name of Applicant	C Kaberg
Premises / Location	Weston Manor Hotel
Type of Licence	Premises Licence - Variation

Based upon the information you have provided in connection with your application for a premises licence variation for the above named premises, and on the understanding that a full risk assessment (see paragraph below) will be /has been undertaken and any necessary actions carried out to resolve any identified shortcomings, it is confirmed that the

Oxfordshire Fire and Rescue Service have no adverse comments to make.

In the meantime you are reminded that it is your responsibility to ensure an adequate degree of fire safety in your premises to ensure appropriate and reasonable levels of public safety.

Your attention is drawn to the legal requirement contained in the Regulatory Reform (Fire Safety) Order 2005 (see note overleaf) for the responsible person to make a suitable and sufficient assessment of the risks to which relevant persons are exposed.

Should you wish to discuss this matter, please do not hesitate to contact the Officer indicated.

Yours faithfully

For the Fire Risk Manager

The Regulatory Reform (Fire Safety) Order 2005 (FSO)

The FSO places the responsibility for ensuring the safety of people using the premises firmly upon the employer or the person having control of the premises; the "responsible person". The main duty of the "Responsible Person" is to carry out a risk assessment, and to assist them a series of guides have been produced. These give detailed information on risk assessments and other issues and can be down loaded free of charge via www.businesslink.gov.uk

You are most strongly advised to obtain the guide for your particular type of premises and to use its guidance to complete your risk assessment.

An overview of the changes that have been brought about by the introduction of the FSO

The Regulatory Reform (Fire Safety) Order 2005 (FSO) became law on 1 October 2006. The main effect of the changes is a move towards greater emphasis on fire prevention in all non-domestic premises, including the voluntary sector and self-employed people with premises separate from their homes.

Fire certificates were abolished and no longer have legal status.

The FSO applies in England and Wales. It covers 'general fire precautions' and other fire safety duties which are needed to protect 'relevant persons' in case of fire in and around most 'premises'. The FSO requires fire precautions to be put in place "where necessary" and to the extent that it is reasonable and practicable in the circumstances of the case.

Responsibility for complying with the FSO rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner. In all other premises, the person or people in control of the premises will be responsible. If there is more than one responsible person in any type of premises all must take every reasonable step to work with each other.

If you are the responsible person you have to carry out a fire risk assessment which must focus on the safety in case of fire of all 'relevant persons'. It should pay particular attention to those at special risk, such as the disabled and those with special needs, and must include consideration of any dangerous substance likely to be on the premises.

Your fire risk assessment will help you to identify risks that can be removed or reduced and to decide the nature and extent of the general fire precautions that you need to take to protect people against the fire risks that remain.

Further guidance concerning licensed premises may be found in the "Guidance issued under section 182 of the Licensing Act 2003" issued by the Department for Culture, Media and Sport.

Shaded sections, where possible, to be completed **BEFORE** being allocated to the individual undertaking the assessment. The rest to be completed by the officer undertaking the assessment. Attach AL 3 to the application form.



THAMES VALLEY POLICE

Premise Licence Application, Police Response

To be completed **BEFORE** :

Triage Categorisation
A/B/C

Name of premises		Address And phone number(s)	Name of applicant (individual or company)	Company name if different to applicant
Weston Manor Hotel		Northampton rd Weston on the green		
Date application received & allocated to officer		TVP licensing officer dealing with application	Licensing Authority dealing with application	Type of Application
Received	30/5/12	LM	CDC	Variation* *delete as appropriate
Allocated	30/5/12			

Applicants correspondence address if different to premises	Date assessment process began	Date(s) contact made between licensing and applicant or other:		Other person acting on behalf of applicant
		Date	Persons	
	Date Responded		Email nev clayton	
	31/5/12			

**Thames Valley Police are satisfied with this
application and do not wish to make a
representation**

This page is intentionally left blank

**Cherwell District Council
Public Protection and Development Management
Anti-Social Behaviour Units Licensing Consultation Response.**

**Licensing Act 2003: Application to vary a premises license
Applicant(s): C.Kaberg on behalf of Oxon Investments Ltd**

Premises:

**Weston Manor Hotel Northampton Road Weston on the Green Bicester Oxon
OX25 3QL**

Details of the application:

An application to vary Premises License **CHERWELL PRM 0027** in the following manner:

- To add the provision of regulated entertainment in the form of live music both indoors and outdoors between the hours of 11:00 and 23:00 hrs Mon – Wed and 11:00 and 01:00 hrs Thurs – Sat and 12:00 and 01:00 hrs Suns, **Indoors** and between 11:00 and 23:00 hrs Mon- Wed and 11:00 and 23:59 hrs Thurs –Sat and 12:00 and 21:00 hrs on Sundays, **Outdoors**
- To add the provision of regulated entertainment in the form of recorded music both indoors and outdoors at the same times as listed above.
- To add the provision of regulated entertainment in the form of the performance of dance and anything of a similar description both indoors and outdoors at the same timings as listed above.
- To add facilities for making music dancing and anything of a similar description both indoors and outdoors at the same timings as listed above.
- To add the provision of late night refreshment between 23:00 and 01:00 hrs Thus – Sun both indoors and outdoors.
- To extend the period of time when the supply of alcohol can be made to residents and non residents until 01:00 hrs on any day.

History

There is no relevant history relating to public nuisance associated with these premises.

Observations.

The element of this application which is a cause for concern is the provision of regulated entertainment outdoors and in particular the provision of regulated entertainment that would use amplified sound.

In the applicants statement at Part P of the application he indicates that speakers will be placed at a minimum distance of 100 metres from the closest dwelling to the site and orientated so they point away from this location.

As the exact location where the entertainment will be taking place is not defined in the plan accompanying the application but rather a red line of the site has been submitted this location could be one of a number of properties depending on where the

entertainment was being provided. Equally when speakers are pointed away from one dwelling they are likely to be pointing in the direct of another dwelling albeit at a greater distance. It is not clear on what basis the 100 metre separation has been derived.

The statement goes on to say that sound levels will be controlled with electronic sound limiting devices set to isolate the power from sound amplification equipment should the music noise level exceed 95 dB for a period of time in excess of 2 minutes. Again it is not clear how this level has been derived as in my experience most bands and disco acts operate at level that exceeds 95 dB.

The same paragraph goes on to say that where this threshold is exceeded on more than three occasions during a performance then the music will be switched off. Whilst I accept this proposal has been made in good faith in practice it is very difficult to enforce a sanction of this type as the operator of the site would no doubt come under severe pressure for their customers and the performers to reinstate the entertainment. In some circumstances an attempt to enforce such a sanction could have public order implications.

Mention is made of a lower noise threshold of 80 dB for 'open air' performances. It is not clear as to the exact nature of these performances but this lower level is likely to be impractical for the reasons indicated above.

A figure of 18 outdoor events per year is quoted as the applicants' aspiration. A range of activities are described including open air theatre, farmers markets and private events involving regulated entertainment. Some of these activities are capable of taking place with no detriment to the occupants of nearby dwellings but those events involving the production of music and voices using sound amplification equipment remain a concern.

It is suggested that the use of sound limiting devices could be used to restrict music noise levels from outdoor entertainment to below 95 dB or even possibly 80 dB. Sound limiting devices usually operate by measuring the music noise level on an A weighted scale. The A weighted scale is designed to far as it is possible to replicate the performance of the human ear in terms of its response across the range of audible frequencies. It has been found however that at the lower or bass end of the frequency range its performance leaves something to be desired. This can result in an acceptable sound pressure level being measured by the equipment but disturbance from bass frequencies arising. Sophisticated frequency specific sound limiting equipment is available but this type of equipment is only generally found at fixed venues and requires careful calibration in order to be effective.

In addition to the difficulty in controlling bass noise at source it is also able to propagate over considerable distances without significant attenuation.

Looking at the proximity of the nearest dwellings Monks Walk and The Moat appear to be the closest being approximately 140 m from the centre of the lawn to the rear of the hotel. Applying the inverse square law that allow the calculation of the attenuation (reduction) in sound level with distance 95 dB at the hotel would produce a music noise level in the region of 52 dB at these dwellings. Assuming a warm evening with the occupants trying to sleep with a window open, and, allowing 10 dB attenuation for the window itself, the internal music noise level could be in the region of 42 dB.

In its document Guidelines for Community Noise (1995) the World Health Organisation suggests an internal noise level of 30 dB LAeq as being suitable for sleeping rooms. Whilst I accept the LAeq is a time weighted average unit the simple calculation above indicates this proposal has the potential to cause public nuisance by way of noise from amplified sound produced outdoors.

Recommendation.

I would not object to the variation of this premises license to allow a range of regulated entertainments within permanent structure of the hotel subject to a condition or conditions requiring the installation and calibration of sound limiting device(s) and for the doors and windows of the part of the premises being used for such activity to remain closed during such activities except for essential access and egress.

I would however object to the grant of a premises license that permitted the provision of regulated entertainment involving the use of amplified sound outside the permanent structure of the hotel. This prohibition would include activities taking place within marquees or other temporary structures that offer negligible levels of sound attenuation. My grounds for seeking this prohibition are a well founded concern that public nuisance from noise will arise if the activities were to be permitted.

Rob Lowther
Anti Social Behaviour Manager
27/07/12

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 RESPONSIBLE AUTHORITIES RECOMMENDATION
Correspondence must be addressed to Safer Communities, Urban & Rural, The Licensing Authority, Cherwell District Council, Bodicote House, Bodicote Banbury OX15 4AA

**Village Farm
Church Road
Weston on the Green
OX25 3QP
01869 351541**

RECEIVED

13 JUN 2012

12th June 2012

**Head of Urban and Rural
The Licensing Authority
Cherwell District Council
Bodicote House
Bodicote
Banbury
OX15 4AA**

Dear Sirs,

**Application under Licensing Act 2003 to vary Licence No. 0027
By Mr Christian Kaber, Oxon Investments Ltd, Weston Manor Hotel**

I wish to object strongly to this application to extend the provisions of the existing licence in respect of the hours and the type of operations that are foreign to this typically North Oxfordshire village which benefits from the CDC Conservation Area Policy.

I attach with this letter a copy of Mr Brian Wilson's letter to you objecting to this recent application regarding licence number 0027. The following is an extract:

"The previous owner of the hotel ran a profitable and popular business in the village for three decades and sold to retire after a successful career in the demanding hotel trade. As an immediate neighbour to the hotel since 1992 I have been a supporter of its activities including an application for permission to hold civil wedding ceremonies."

I also attach a letter which I have written to the village apologising because of my poor health that I cannot take more action against it. I have some experience as a licensee of these type of applications and also some several years as Chairman of the Parish Council here in Weston. Mr Wilson has written a far better letter than I can so all I am going to do is endorse his letter. This is my opinion and the opinion I think of a number of other people who I hope you will hear from in due course.

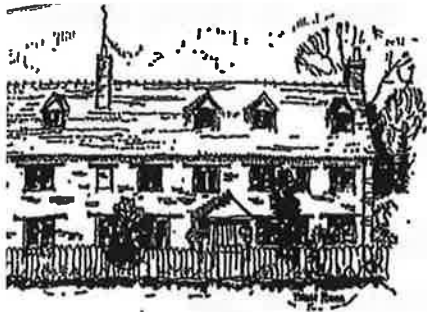
I am concerned at the short notice we have which is, I know, standard practice. This is an exceptional case and I wish you to apply for an extension of the time so that we can study the application in detail and also because we are only allowed to see the application apparently by appointment with the applicant.

I trust that this is sufficient for your immediate needs and I would be grateful if we could be given an extension to look further into this matter.

Yours sincerely,

A handwritten signature in cursive script that reads "Peter Hicks". The signature is written in dark ink and has a long, sweeping underline that extends to the right.

Peter Hicks



VILLAGE PARK CHURCH ROAD
WESTON-ON-THE-GREEN OX25 3QP
Telephone 01869 351541

4 June 2012

To All Weston Villagers

I would like to draw your attention as a fellow villager to a Notice for Variation of License for Weston Manor Hotel. I regret that I am not fit enough to actively pursue this myself as I would like to but I do have relevant experience of having to obtain licenses from the time when I also was a licensee and also objecting to a similar variation attempted by Syon Park in the little community in which I lived a few years ago.

The Weston Manor Hotel application is very carefully worded and from the way it has been written there is no limitation on the frequency or details or type of music that is allowed. For example, a rock concert is 'music' just as a piano recital is 'music'; also the times, dates and frequency has been very carefully regulated.

It is my opinion that we should not allow this application to go ahead, I am sure it is contrary to the wishes of our village. I do hope you can take action against this and, as I say, I am sorry I cannot do this myself owing to my ill health but I do trust you will take action urgently. The date available for objecting is very short and the licence application is very carefully worded to ensure that it could be interpreted in many ways. I do hope you can see your way to act on this.

Yours Truly,

Peter Hicks

Copy: Weston Parish Councillors
Bicester Advertiser

Pety

I sent you this as an attachment
But if you have problems - forward

Head of Urban and Rural, The Licensing Authority, CDC
Bodicote House, Bodicote, Banbury, Oxon. OX15 4AA

12th June, 2012

Dear Sir or Madam,

Application under the Licensing Act 2003 to vary Licence No..0027.

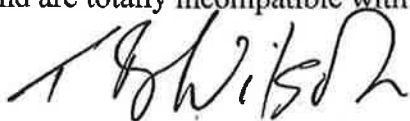
(by Mr. Christian Kaberg, Oxon.Investments Ltd., Weston Manor Hotel.).

hard copy

Denis
12/06

1. I wish to object strongly to this application to extend the provisions of the existing licence in respect of the hours and the type of operations that are foreign to this typically North Oxfordshire village which benefits from the CDC Conservation Area Policy.
2. The previous owner of the hotel ran a profitable and a popular business in the village for three decades and sold to retire after a successful career in the demanding hotel trade. As immediate neighbour to the hotel since 1992 I have been a supporter of its activities, including an application for permission to hold civil wedding ceremonies.
3. This application to extend the hours and to play live and recorded music outdoors from 11.00 pm. until 1.00 in the morning is totally contrary to peaceful life in a rural Oxfordshire village. Villagers have chosen to live here, despite the considerable time and growing expense of going elsewhere to work, to schools, hospitals, shops, cinemas, theatres etc. because of the compensating benefits in the calm and quiet of the village especially in the hours of relaxation. All villagers normally rise early and are early to bed in this quiet village. Disturb that quiet and the benefit of village life is destroyed.
4. The licence application would permit amplified live and recorded music with associated rock bands including rave plays and parties to be held in the grounds. This would be totally foreign to this village.
5. Weston on the Green, like other Cherwell villages, is very accessible, via the M40, to people in London and Birmingham. May I suggest that the Council consider establishing principles to guide future licence applicants, similar to those of the West Oxfordshire District Council (Section 4, Statement of policy, Licensing Act, 2003, *Pool of Conditions, Conditions Relating to the Prevention of Public Nuisance*). Those Conditions include maximum decibel levels, noise limiting devices for amplified music, specially glazed doors and windows to improve sound attenuation, no music or speakers in external areas, etc..
6. The Hotel took two pages in the local *Village News June-July 2012* in order to "tell... our plans for the hotel itself" but made no mention of this Licensing application to extend their hours and activities. I have no doubt that Mr Kaberg, the manager from Sweden and Mr Oberschneider, from Estonia ("the North American Paul Oberschneider" mentioned in *The Argentina Independent*), who introduced themselves, mean well but their Licensing proposals are at odds with their stated "vision fora Hotel, warm, ... comfortable - a true English country house" and are totally incompatible with rural life in a small Oxfordshire village.

Yours sincerely,



Brian Wilson,

The Moat, Northampton Road, Weston on the Green, OX25 3QL, Tel.01869 350527

e-mail: tbjbwilson@aol.com

(Letter copied to:- parishclekwotg@f2s.com)

Copies: CDC. CEO. Sue Smith, WotG PC.Chairman Graham Barnett, CDC Councillor Simon Holland, OCC Councillor Tim Hallchurch MBE, Dr John Howell,OBE, MP.

The Moat, Northampton Road,
Weston on the Green, Oxon OX25 3QL
20 July, 2012

Ms Alexandria Gilbert, Senior Licensing Officer,
Cherwell District Council, Bodicote, Banbury Oxon. OX15 4AA.

Application to vary Weston Manor Hotel Licence PRM 0027

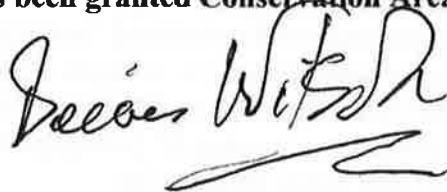
Dear Ms Gilbert,

1. I refer to the Application dated 28 June 2012, signed by Christian Kaberg, General Manager, to vary PRM 0027 and to the letter of the same date from Ms. Natasha Barnes, Licensing and Vehicle Parks Manager.
 2. I hereby CONFIRM the objection sent in my letter dated 12 June 2012 which referred to the earlier Application dated 20 May by Mr Kaberg.
 3. I now wish to make additional representations based upon the amended Variation Application (dated 28 June) and upon additional information contained in letters from the Hotel, or provided by it at a Hotel village Forum on 21 June.
 4. The existing Licence, granted by CR Baynes, Head of Corporate Services, on 24 November 2005 when the 2003 Act came into force allowed
 - (a) the sale of alcohol from 10:00 to 23:00 on Monday to Saturday and from 12:00 to 22:30 on Sunday and
 - (b) the provision of, and permission for, "*music and singing but only by the reproduction of recorded sound*" in both Part A, page 1 and Part B page 1 of the Licence.
 5. The Variation applies for the following additional types of event:
 - (i) "*plays, live music, performance of dance and anything...similar*" (pages 2 & 3)
 - (ii) both "*indoors*" and "*outdoors*"; to note "*indoors may include a tent*". (CDC Guidance Note 2, page). Therefore a "marquee" would be considered "*indoors*" with a higher noise level permitted up to 95 decibels (see below).
 - (iii) "*open-air theatre, country fairs, farmer's markets and private events*" (page 20)
 - (iv) "*antique fairs, or similar serving food and beverage on ticket sales*" (Hotel email dated 19 June to Mr Rob Lowther)
 - (v) "*corporate or private events.... in marquees...Christmas parties/weddings, birthdays etc.*" (Hotel email dated 19 June).
 6. The Variation applies for more numerous out-door events, viz.:
 - "*We envisage hosting 18 events outdoors during this calendar year*" (page 20, dated 28 June, w.e.f. 28 July). Because only 5 months remain in 2012, this is equivalent to some 36 to 40 events for a whole calendar year. In practice, because of the British winter weather, there would be at least 36 outdoor events during at most nine months, i.e. four events per month. There would be no summer weekend when one would be able to enjoy one's garden without noise from the Hotel.
 - This statement on 28 June is at variance with a declared "*intention to have fewer and smaller weddings*" (Mr Kaberg's announcement to villagers at the Hotel's Forum on 21 June, para.4). The Hotel's wider publicity refers to "*Marquees in the grounds for up to 350 guests*" and holding "*weddings most weekends*" (webpage July 2012).
 7. The Variation applies for noise level limits that may be:
 - (i) up to 95 db for up to 2 minutes on two occasions (*indoors*), and
 - (ii) for up to 80 db for "*open-air performances*" (Section P, d, page 20)
- However,
- Under the logarithmic decibel scale, 95db is much higher, four times higher, than 80db.
8. The Hotel does not state on the Application whether the Live/Recorded/Dance music is "amplified or unamplified", although this is required by the CDC Guidance Note 3..

However the Hotel advertises that "*we can provide audio equipment to amplify*" at weddings etc. (Hotel website, July 2012).

9. The Hotel's requirement that "*Speakers must be... .. facing away from the closest residential dwelling*" (page 20) is an inadequate safeguard, because Sound is completely different from Light and does not travel in straight lines. Amplified sound may well be audible, and even create ground vibrations, in all directions.
10. The Variation applies for an extension to the hours for all types of events (Sections E, through to K inclusive) that, in combination with extra events and the noise levels applied for, will have very serious effects upon my quality of life.
At present, all events cease at 23:00 (Monday to Saturday) and at 22:30 (on Sunday).
By Variation, indoor events, including those in marquees, **would be extended by 2 hours on three days (Thu-Sat) and by 2 and a half hours on a fourth day (Sunday) to 01:00 the next day**, whilst outdoor events would be **extended by 1 hour on two days (Friday and Saturday)**.
11. The site of indoor events involving music, dancing etc, is the Hotel Conference room on the ground floor, the Georgian room that faces south towards my bungalow and has a large bay window. That bay window should be glazed with sound attenuation glass and should not be opened during those events, if I am not to be directly affected by the high levels of *indoor* noise proposed.
12. The Environmental Health Officer has been asked to examine and advise on the proposals in the Variation and in the various letters and emails sent by the Hotel to the CDC Licensing Department (my emails to the Customer Services Dept dated 4th. and 6th. July). I would be grateful if I might study the reply from the E.H. Officer (whom I informed of the closing date for comment) before I finalise my comments.
13. A noise impact assessment is required by an independent professional body to record the existing background noise for my bungalow at the relevant finishing hours, viz. the current 23:00 and the later hours requested in the Variation. ("*Noise & Vibration*" Conditions relating to the Prevention of Public Nuisance, CDC Pool of Conditions, Licensing Act 2003).
14. Oxon Investments, it is readily acknowledged, is currently undertaking an extensive programme to modernise and refurbish the public and private rooms, the patio areas and the gardens, having been able to acquire the Hotel "*at a very good price*" as Mr Kaberg explained at the Forum on 21 June.
15. **I wish the Hotel every success with its new activities but I would respectfully urge the Licensing Authority not to grant this Application in its present form. I most earnestly request the Licensing Authority not to permit excessive noise levels nor allow an extension to the existing finishing times. Such developments would create a major public nuisance in Weston on the Green, that, like other small, quiet villages in rural Cherwell, has been granted Conservation Area status by the District Council.**

Yours sincerely
Brian Wilson



Copies:

CDC Councillor Simon Holland, OCC Councillor Tim Hallchurch MBE, PC.Chairman
Graham Barnett,

Head of Urban and Rural, The Licensing Authority, CDC
Bodicote House, Bodicote, Banbury, Oxon. OX15 4AA
Dear Sir or Madam,

12th June, 2012

Application under the Licensing Act 2003 to vary Licence No..0027.

(by Mr. Christian Kaberg, Oxon. Investments Ltd., Weston Manor Hotel.).

1. I wish to object strongly to this application to extend the provisions of the existing licence in respect of the hours and the type of operations that are foreign to this typically North Oxfordshire village which benefits from the CDC Conservation Area Policy.
 2. The previous owner of the hotel ran a profitable and a popular business in the village for three decades and sold to retire after a successful career in the demanding hotel trade. As immediate neighbour to the hotel since 1992 I have been a supporter of its activities, including an application for permission to hold civil wedding ceremonies.
 3. This application to extend the hours and to play live and recorded music outdoors from 11.00 pm. until 1.00 in the morning is totally contrary to peaceful life in a rural Oxfordshire village. Villagers have chosen to live here, despite the considerable time and growing expense of going elsewhere to work, to schools, hospitals, shops, cinemas, theatres etc. because of the compensating benefits in the calm and quiet of the village especially in the hours of relaxation. All villagers normally rise early and are early to bed in this quiet village. Disturb that quiet and the benefit of village life is destroyed.
 4. The licence application would permit amplified live and recorded music with associated rock bands including rave plays and parties to be held in the grounds. This would be totally foreign to this village.
 5. Weston on the Green, like other Cherwell villages, is very accessible, via the M40, to people in London and Birmingham. May I suggest that the Council consider establishing principles to guide future licence applicants, similar to those of the West Oxfordshire District Council (Section 4, Statement of policy, Licensing Act, 2003, *Pool of Conditions, Conditions Relating to the Prevention of Public Nuisance*). Those Conditions include maximum decibel levels, noise limiting devices for amplified music, specially glazed doors and windows to improve sound attenuation, no music or speakers in external areas, etc..
 6. The Hotel took two pages in the local *Village News June-July 2012* in order to "tell... our plans for the hotel itself" but made no mention of this Licensing application to extend their hours and activities. I have no doubt that Mr Kaberg, the manager from Sweden and Mr Oberschneider, from Estonia ("*the North American Paul Oberschneider*" mentioned in *The Argentina Independent*), who introduced themselves, mean well but their Licensing proposals are at odds with their stated "*vision fora Hotel, warm, ... comfortable – a true English country house*" and are totally incompatible with rural life in a small Oxfordshire village.
- Yours sincerely,

Brian Wilson,

The Moat, Northampton Road, Weston on the Green, OX25 3QL, Tel. 01869 350527

e-mail: tbjwilson@aol.com

(Letter copied to:- parishclekwotg@f2s.com)

Copies: CDC. CEO. Sue Smith, WotG PC. Chairman Graham Barnett, CDC Councillor Simon Holland, OCC Councillor Tim Hallchurch MBE, Dr John Howell, OBE, MP.

1. The first part of the report is a general introduction to the subject of the study. It discusses the importance of the study and the objectives of the research. It also provides a brief overview of the methodology used in the study.

2. The second part of the report is a detailed description of the study area. It includes information about the location of the study area, the population of the study area, and the characteristics of the study area. It also discusses the data sources used in the study.

3. The third part of the report is a detailed description of the study results. It includes information about the findings of the study, the conclusions drawn from the findings, and the implications of the findings. It also discusses the limitations of the study and the need for further research.

4. The fourth part of the report is a conclusion and recommendations section. It summarizes the main findings of the study and provides recommendations for future research and policy. It also discusses the overall impact of the study and the need for further research.

Head of Urban and Rural, The Licensing Authority,
Cherwell District Council,
Bodicote House
Bodicote
Banbury
Oxon. OX15 4AA

RECEIVED

25 JUL 2012

5 Blacksmiths Close
Weston on the Green
Bicester
Oxon. OX25 3FL

Tel: 01869 351897

23 July 2012

Dear Madam, re: Application by Weston Manor Hotel to change Licence

I have studied the detailed information which you have provided and am grateful to you for the care you have taken to investigate the matter. The proposal to play music out of doors up to 1 a.m quite contravenes the calm and dignified character of this village. I am sure the proposed activities would have very little appeal to the residents and would simply impair the environment they currently enjoy.

I therefore wish to record my objection to the proposal.

Yours faithfully



L D Randall

Head of Urban and Rural, The Licensing Authority,
Cherwell District Council,
Bodicote House
Bodicote
Banbury
Oxon. OX15 4AA

RECEIVED

5 Blacksmiths Close
Weston on the Green
Bicester
Oxon. OX25 3FL

Tel: 01869 351897

13 June 2012

13 JUN 2012

Dear Sir or Madam, re: Application by Weston Manor Hotel to change Licence

I write to register my strong objection to allowing the proposed change in Licence
for the external playing of music until late hours.

The essential characteristic of village life is that it provides a quiet and calm environment
in exchange for the the convenience of living in a town or suburb Over a period that lack of
convemience involves travel for shopping, schools, entertainment etc, all of which inevitably
demands substantial time and cost. The sole compensation for those substantial sacrifices is the
calm and quiet of village life. The proposal will destroy the peace of our environment at most
undesirable times and it should not be permitted..

Yours faithfully



L D Randall

Alexandria Gilbert

From: Jane Henman [jane@janehenman.co.uk]
Sent: 24 July 2012 21:35
To: Alexandria Gilbert
Cc: rdaldred@tiscali.co.uk; pwils@btinternet.com; Weston-on-the-Green PC; Paula; peterhicks@gmail.com; elmachin@btinternet.com; Lois Norman Machin; annamcdonagh@homecall.co.uk; d1jem@hotmail.com; Ruthpangu@aol.com; dennisrandall@tiscali.co.uk; rosspottiswoode@hotmail.com; kspottiswoode@hotmail.com; mjttootell@aol.com; Michael & Tunbridge; lindawatson321@btinternet.com; jdmhomefarm@yahoo.co.uk; john@matriciel.co.uk; j.g.williams@btinternet.com; Tbjbwilson@aol.com; Robert & Ali Aldred; GBLMB@BTinternet.com; colmlc@aol.com; pennytony@daviddoyle.freemove.co.uk; william.dyer975@btinternet.com; iro_tytt@talk21.com; Margfiss63@hotmail.com; Hen

Subject: Weston Manor Hotel licence

Dear Ms Gilbert,

Ref PRM0027

Please note that my wife and I support, endorse and agree with all the written representations made by Brian Wilson and others.

Brian Wilson, Roderick Cantelli and ourselves are probably the nearest neighbour next to Weston Manor (WM). All our respective properties adjoin WM. Our garden and home adjoin WM on two sides and our nearest boundary is about 75 meters from WM building and closer still when a marquee is erected. We cannot ascertain from the O.S plans supplied by WM where the marquees are likely to be positioned but historically the marquees have been erected close to our house and boundary.

We are primarily concerned by the number of events, the noise and duration of the proposed opening hours in the grounds of WM including events in marquees. Please note that at a recent meeting the manager, Christian Kaberg, undertook that there would be only one event per day in the grounds of WM as local residents were concerned that more than one event could be held on the same day. We feel that this agreement should be incorporated into the licence. We feel the number of events should be strictly limited to 12 events per annum.

As regards specific hours, our suggested times for finishing for both indoor and outdoor activities are as follows:

- 1 Plays: each day of the week, 22.00 hours both indoor and outdoor.
- 2 Live music and making music: Monday to Thursday: 22.00 hours finish indoors and outdoors; outdoors Friday and Saturdays: 22.30 hours finish; Sunday: 21.00 hours finish.
- 3 Recorded music; performance of dance; anything of a similar description; provision of facilities for dancing and entertainment of a similar description as is 2 above.
- 4 Late night refreshment: 22.00 hours outdoors; 2.00 a.m. indoors.
- 5 Supply of alcohol: 23.00 hours finish indoors; 22.00 hours outdoors.

Our main concern is the noise factor and, as you will understand, noise travels much further at night than in the day.

D.B should be carefully monitored by the council and all relevant authorities and should be the

same as other licenced premises in similar rural localities and conservation areas of Cherwell District Council. With the previous owners we have experienced severe noise problems with fireworks, music, clay pigeon shooting, quad bikes, late night parties and drinking with discos. Although we did not make formal complaints to the council, we certainly took matters up with the then owners and made our feelings known.

As we have already said, we do object to 18 events and we consider one event per month would be appropriate and proportionate.

We object to boxing and wrestling entertainment which we consider totally inappropriate for a "luxury hotel" in a rural community and conservation area. This type of event should be held in a town hall or city-type venue away from private houses.

We are certainly keen that WM is successful. We are really impressed by Christian Kaberg and his responsible attitude and plans but the fact is inevitably he will move on and his successor may not be of a similar calibre and like minded person.

We would be only too pleased to address any committee and make representations on sufficient notice.

If any matters require discussion, please let us know.

Please acknowledge receipt.

Yours sincerely,

Mr and Mrs A J S Henman



**Hazel Cottage
Weston-on-the-Green
Oxford OX25 3QX**

14 June 2012

The Licensing Authority
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

01869 350313
01869 350096

Ref: Weston Manor Hotel Licence Number: 0027

Dear Sir,

Weston Manor Hotel

You have received an application to vary an existing premises licence concerning various activities at Weston Manor Hotel.

The existing licence put in place by the previous owners struck a reasonable balance between the essential requirements of a country hotel and its position within a quiet Oxfordshire village.

The new licence application seeks to significantly extend the entertainment regime in the hotel particularly comprising live and recorded music externally until 1.00am in the morning. If this level of activity were licensed it would effectively be a broad spectrum consent permitting essentially unregulated noise and would impinge on the whole village.

Can I ask you to carefully consider this application and to act in the best interests of the occupants of Weston on the Green and to restrict nuisance accordingly.

Best regards,

Yours sincerely,

Norman Machin

c.c. Peter Hicks, Tony Henman, Brian Wilson, Graham Barnett, Bob Hessian

Dr WMGTunbridge

Coppermill, Church Lane

Weston on the Green

Bicester, OXON

OX25 3QS

Cherwell District Council

14 June 2012
RECEIVED

Bodicote House, Bodicote, Banbury OX15 4AA

1 JUN 2012

RE : Application to vary a premises licence relating to the Weston Manor Hotel by Mr C Kaberg for OXON Investments Ltd . Premises licence no 0027

Dear Sir ,

Our home backs on to the Weston Manor Hotel and we write to oppose the application by the Hotel Manager, Mr Kaberg, to extend the hours when music could be played outdoors until 1.00am on Friday and Saturday evenings (or any other evenings). It is important to note that a marquee is often put up in the grounds of the Hotel and this should not be regarded as "indoors" but as part of the "outdoor" noise problem.

We are used to loud, often throbbing, music being played at the Hotel for weddings and other celebrations but under the previous owners all music ceased before midnight. We are also used to firework displays which in summer took place just after dark but also finished before 11pm.

We wish the new owners well in their efforts to improve the hotel facilities and run a successful business but we do not want them to disturb the peace with music or any loudspeaker voices beyond 11.30pm on any evening of the week.

We trust that Cherwell District Council will take due consideration of the Noise Abatement Act and disturbances that would be caused to many other people besides our immediate neighbours in the village if the above proposal were to go ahead and will reject the application.

Yours faithfully

Drs Michael and Felicity Tunbridge

The block contains two handwritten signatures. The top signature is in dark ink and appears to be 'Michael Tunbridge'. The bottom signature is in a lighter ink and appears to be 'Felicity Tunbridge'. Both signatures are written in a cursive, flowing style.

Stacey Walsham

From: john roper [johnwroper@yahoo.co.uk]
Sent: 18 June 2012 08:47
To: Licensing
Subject: Weston Manor Hotel - Variation of premises licence

Dear Sirs,

I wish to raise my concerns re the application for the extension of activities etc of the premises licence at Weston Manor Hotel (Oxon Investments Ltd)

The extension of the activities and hours for the sale of alcohol could create a Public Nuisance in this relatively "Quiet Village", therefore, I feel that the amount of "Noise related activities" should be restricted in numbers and regularly monitored.

Yours faithfully

John Roper

Ropeld
Church Lane
Weston on the Green
Bicester
Oxon
Ox25 3qs

WESTON ON THE GREEN PARISH COUNCIL

Newby Cottage, Weston on the Green, Bicester, Oxon. OX25 3QL

Tel: 01869 350662. parishclerkwotg@f2s.com

Chairman: Mr Graham Barnett

Clerk: Mr Bob Hessian

Please reply to: The Clerk

27th July 2012

For the attention of Alexandria Gilbert
Acting Senior Licensing Officer
Licensing Team
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4BN

Application to vary a Premises Licence: PRM 0027 - Weston Manor Hotel

With reference to the above application, Weston on the Green Parish Council wishes to make the following comments:

1. We are aware of the comments already made by a number of residents. Representatives from the Parish Council also attended the Public Forums arranged by Weston Manor. We appreciate the intention of the management to carefully monitor events and their willingness to heed the concerns of villagers. However, we are aware that such intentions are not embodied into the licence and could change should a new manager(s) come on board.
2. The Parish Council believe the revised timings are acceptable but seek clarity as to whether a function held in a marquee in the grounds is considered "indoors" or "outdoors". Bearing in mind there appears to be no defined area as to where a marquee could be situated, we would object to the proposed "indoor" timings if that also applied to a marquee. The "external" timings would be appropriate in this instance.
3. We believe the number of external events, where noise may be an issue should be restricted to one a month. This includes the holding of events in marquees.
4. The application (Section P, Page 20) makes a statement that "Weston Manor accepts the Parish Council wishes to appoint a individual to monitor the level of noise at their own expense." The Parish Council wish to point out that we will not be appointing any individual to monitor noise levels. We will however, keep a watching brief on proceedings and make due representations if the need arises.

Regards

Bob Hessian
Clerk to Weston on the Green Parish Council

Key:

1. Weston Manor Hotel
2. Village Farm
3. The Moat
4. 5 Blacksmiths Close
5. Hazel Cottage
6. Coppermill
7. Ropeld
8. Newby Cottage

Please note: the information given on the attached map is correct according to the Council's computerised systems. All addresses given to the Licensing Officer have been represented.



This page is intentionally left blank