

This report is public	
Application to grant a New Premises Licence	
Committee	Licensing Acts Sub Committee
Date of Committee	5 August 2026
Portfolio Holder	Councillor Nicola Borkmann – Portfolio Holder for Customer and Community Services
Date Portfolio Holder agreed report	27 July 2026
Report of	Jan Southgate, Health Protection, Compliance and Licensing Manager

Purpose of report

To determine a New Premises Licence application for the location of 67 Calthorpe Street, Banbury, Oxfordshire, OX16 5EX as applied under the Licensing Act 2003.

1. Recommendations

There are no recommendations. In reaching its decision, the Sub-Committee should consider the objections received and what is appropriate for the promotion of the licensing objectives.

- the prevention of crime and disorder – Whether the late night refreshment activity and/or applicant represents, or is likely to represent, a risk to the public in relation to crime and disorder or a safeguarding concern.
- public safety - whether the activity represents, or is likely to represent, a substantial risk to public safety.
- the prevention of public nuisance – whether the activity represents, or is likely to represent, a substantial risk to nuisance to the public from noise and/or odour particularly in residential areas.
- the protection of children from harm - whether the activity represents, or is likely to represent, a substantial risk to children

2. Executive Summary

2.1 To consider objections received to the grant of a New Premises Licence. The application applied for is Kebabish, 67 Calthorpe Street, Banbury, OX16 5EX.

2.2 The application applied for is Late Night Refreshment from 23:00 to 05:00, Monday to Sunday.

Implications & Impact Assessments

Implications		Commentary		
Finance		There are no financial implications arising from this report. All work associated with the hearing are met within existing budget. Kelly Wheeler, Finance Business Partner, 24 July 2026		
Legal		The report makes it clear that the Sub-Committee's determination must be confined to the licensing objectives and to matters raised in the relevant representations , and must give appropriate weight to those representations, the Section 182 Guidance, and the Council's Licensing Policy. Any conditions imposed must be appropriate, proportionate, and directed at the concerns raised, and consistent with the operating schedule. The Sub-Committee should reach its decision on the evidence before it, applying the civil standard of the balance of probabilities. Denzil – John Turbervill, Head of Legal Services, 24 July 2026		
Risk Management		The service has not identified any risk implications arising from this report. Kaimi Ithia, Head of Chief Executive's Office, 27 July 2026		
Impact Assessments		Positive	Neutral	Negative
Equality Impact			X	
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?			X	
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?			X	
Climate & Environmental Impact			X	
ICT & Digital Impact			X	

Data Impact		X		
Procurement & subsidy		X		
Council Priorities	N/A			
Human Resources	N/A			
Property	N/A			
Consultation & Engagement	Consultation details When a Premises Licence is granted for the first time, the council will carry out a consultation process over a period of 28 days. The Licensing Authority will consult with the following designated responsible authorities. Thames Valley Police, Oxfordshire Fire and Rescue services Oxfordshire Trading Standards. Oxfordshire Safeguarding OSCB Oxfordshire Public Health Board Cherwell District Council Planning Cherwell District Council Public Protection Cherwell District Environmental Health Secretary of State The applicant must ensure that they complete consultation requirements by displaying a blue notice at the premises and issuing a newspaper notice in a locally circulated newspaper. The 28 day consultation period ran from 16 June 2026 to 14 July 2026. The application was advertised in accordance with the requirements set out in the Licensing Act 2003 with Site Notices displayed at the premises and a notice issued within a locally circulated newspaper Consultation responses During the consultation licensing did not receive any objections from the responsible authorities. Six objections were received within the consultation period from members of the public. Details of the objections are attached to this report as Appendix 3.			

Supporting Information

3. Background

- 3.1 Kebabish is a takeaway offering hot food and cold drinks, located at 67 Calthorpe Street, Banbury, OX16 5EX. The current operating hours of the premises are Monday to Thursday and Saturday 14:00 to 23:00, Friday and Sunday 15:00 to 23:00.

- 3.2 The premises are located below residential housing and next to Fat Jacks, another takeaway that has a late night refreshment License with the operating hours of 11:00 to 02:00 Sunday to Wednesday and 11:00 to 04:00 Thursday to Saturday. There is also the taxi company, Carriage Cars that operates 24 hours a day 7 days a week from our understanding.

4. Details

- 4.1 On the 16 June 2026 the licensing authority received an application from Mr Adam Ahmed, requesting a grant of a premises license under the trading name of Kebabish.

A copy of the application is attached as **Appendix 1**. A copy of the Site Plan is attached as **Appendix 2**.

- 4.2 The application was for late night refreshment from 23:00 to 05:00 Monday to Sunday.
- 4.3 The application was validated on the 16 June 2026, and the consultation process began on the 17 June 2026 and ran until the 14 July 2026.
- 4.4 Licensing received confirmation from the applicant that the site notices had been displayed on site, and the circulation of the consultation notification notice had been issued in a locally circulated newspaper.
- 4.5 The licensing authority received 5 relevant objections and 1 irrelevant objection to the Premises Licence application. The objections were from members of the public and were received within the consultation period.
Copies of the Objections are attached as **Appendix 3**
- 4.6 The objections raised were shared with the Applicant who responded with mitigation to each of the concerns raised, attached as **Appendix 4**.
- 4.7 The Licensing Authority received No objections responses from Thames Valley Police, Oxfordshire Fire and Rescue, Public Protection and Environmental Health. There were no responses received to the application consultation from any other responsible authority, or businesses trading within the proposed trading area.

5. Alternative Options and Reasons for Rejection

- 5.1 At the end of the consultation period the licensing authority must hold a hearing if any objections are received. It must take such steps as it considers appropriate for the promotion of the licensing objectives, which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

Options available to the Licensing committee are:

- Issue the Licence as applied
- Refuse the application
- Issue the consent with amendments which could include:
 - (i) Changes to the trading days of the week or/and trading times
 - (ii) Issues the consent with additional conditions. .
 - (iii) Other.

6 Conclusion and Reasons for Recommendations

6.1 There are no recommendations

Decision Information

Key Decision	N/A
Subject to Call in	N/A
If not, why not subject to call in	N/A
Ward(s) Affected	Banbury Cross & Neithrop Ward

Document Information

Appendices	
Appendix 1	Application Form
Appendix 2	Premises Plan
Appendix 3	Relevant Objections
Appendix 4	Applicants' mitigation and replies to objections.
Background Papers	None
Reference Papers	Cherwell District Council Statement of Licensing Policy https://www.cherwell.gov.uk/info/26/licensing/1040/statement-of-licensing-policy
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Executive Director Approval (unless Executive Director or Statutory Officer report)	Kristian Aspinall Executive Director Neighbourhood Services 24 July 2026