

WEST OXFORDSHIRE DISTRICT COUNCIL

Record of a meeting of the **LICENSING PANEL**
Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxon
at 10.00am on Thursday 5 June 2014

PRESENT

Councillors: N A MacRae MBE (Chairman), M R Booty and S J Good

1. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence or temporary appointments.

2. APPLICATION FOR THE VARIATION OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 – WHITE HART, NEWLAND STREET, EYNSHAM

The Chairman of the Panel welcomed those present to the meeting. Mr MacRae then set out the procedure by which the hearing would operate.

In response to a question from the Chairman, Mrs Jane Dearie, the Designated Premises Supervisor confirmed that the application had been properly advertised.

Mr Piers Warne, TLT Solicitors, then registered an intention to address the Panel on behalf of the applicants.

The Chairman explained the order of business for the meeting. He advised that the Panel Members were familiar with the written representations submitted and requested those addressing the Panel to highlight any specific points they wished to raise.

Mr MacRae also explained that new evidence could only be considered with the consent of all parties present and asked if any such evidence was to be introduced. There was no new evidence presented to the Panel.

The Council's Licensing Officer presented her report outlining the application. It was explained that two letters of representation had initially been received in respect of the application but one of these had been withdrawn. A letter from a resident withdrawing his objection was read to the Panel.

The Legal Adviser then outlined that each case had to be considered on its merits and any conditions needed to be appropriate to the four licensing objectives, evidence based and proportionate.

Mr Warne then addressed the panel in support of the application.

Mr Warne referred to the relevant paragraphs of the licensing guidance and that a judgement needed to be made with regard to the benefits of the application versus risk. Mr Warne outlined the location of the premises and highlighted that the remaining objection was from a property not directly adjacent to the premise. The neighbouring properties had not raised any objection.

In respect of the variation Mr Warne explained that it sought to cover the daytime period from Monday to Friday when the premise was currently closed. In addition it was seeking an earlier opening time for serving of tea, coffee and breakfasts.

In conclusion Mr Warne emphasised the lack of objection from responsible authorities and other statutory consultees. Mr Warne advised that concerns regarding music in the garden, which it was acknowledged had previously been a concern, had been fully addressed by Mrs Dearie.

The Panel had no questions for Mr Warne.

The Panel then considered the application.

Having considered the report and the submissions made at the meeting in relation to the licensing objectives and the Council's Statement of Licensing Policy and Guidance, it was:-

RESOLVED: That the application for a variation of the premises licence be approved as submitted.

The variation to conditions being as follows:

- Recorded music 1200hrs to 2330hrs Monday to Friday
- Supply of alcohol 1200hrs to 2330hrs Monday to Friday
- Opening hours 1000hrs to 2330hrs Monday to Friday, 1000hrs to 0000hrs Saturday and 1000hrs to 2230hrs Sunday

In advising of the decision Mr MacRae indicated that the Panel had considered the objection but it was also noted that no responsible authorities or other statutory consultees had raised an objection. The Panel considered the application to accord with the four licensing objectives.

The hearing closed at 10.10am