

Friday, 30 July 2021

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LICENSING PANEL

You are summoned to a meeting of the Licensing Panel which will be held in Committee Room 2 on **Monday, 9 August 2021 at 9.30 am.**



Giles Hughes
Chief Executive

To: Members of the Licensing Panel

Councillors: Councillor Ted Fenton, Councillor Andy Graham and Councillor Norman MacRae
MBE (Chairman)

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted. By participating in this meeting, you are consenting to be filmed.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Administrator know prior to the start of the meeting.

AGENDA

1. **Apologies for Absence and Temporary Appointments**
2. **Declarations of Interest**
To receive any declarations from Members of the Committee on any items to be considered at the meeting.
3. **Participation of the Public**
To receive any submissions from members of the public, in accordance with the Council's Rules of Procedure.
4. **Application for a Variation to an Existing Premises Licence for Cineworld (Pages 3 - 28)**
Purpose
To consider the application for a variation to an existing premises licence.
Recommendation
The Panel must decide one of the following, to:
 - Grant the licence as per the operating schedule.
 - Grant the licence as per the operating schedule, but taking into account representations made by the Responsible Authorities and Interested parties, apply conditions taken from the Licensing Authorities Pool of Conditions that the Panel considers will address the impact of this application on the licensing objectives. That is Condition(s) [name them]
 - Refuse the application based on the applications likely impact on the licensing objective(s).
 - Defer the decision and specify the reason for the deferral.

(END)

WEST OXFORDSHIRE DISTRICT COUNCIL

LICENSING PANEL

9 AUGUST 2021

DETERMINATION OF AN APPLICATION TO VARY A PREMISES LICENCE

REPORT OF THE GROUP MANAGER OF RESIDENTS' SERVICES

(Contact: Andrea Thomas, Tel: (01993) 861000)

(The Panel's decision on this matter will be a resolution.)

1. PURPOSE

To determine An application to vary of a Premises Licence in relation to Cineworld, Marriotts Walk, Witney.

2. RECOMMENDATION

- To grant the application as requested;
- To grant the application subject to such conditions that are necessary to promote the Licensing Objectives.
- Refuse the application in whole or in part where it is necessary to promote the Licensing Objectives

3. ANNEXES

Annex A – Copy of Application

Annex B – Noise Management Plan

Annex C – Response from EHO Neil Shellard

Annex D – Objection from Mr Nellist

Annex E – Location of premises.

4. BACKGROUND

4.1. The Licensing Act 2003 allows applicants to apply for new premises licences, premises licence variations, club premises certificates and personal licences. This application is to make a variation to an existing premises licence.

4.2. The application (Annex A) is to remove the following condition from the Operating Schedule which forms part of the Premises Licence;

The designated premises supervisor or duty manager is to ensure the effective overall management of regulated entertainment from the cinema auditoria to ensure that noise from such activities is effectively inaudible inside neighbouring premises at all times.

And to replace it with;

The premises will operate in accordance with the noise management plan submitted to and agreed with the Senior Environmental Health Officer on 1st October 2020.

- 4.3. A Noise Management Plan has been agreed by Senior EHO Neil Shellard from West Oxfordshire District Council and this can be seen attached at Annex B.
- 4.4. Mr Shellard has also submitted a response to the Variation application and this can be seen at Annex C.

Site Description

- 4.5. The premises is situated in the shopping centre called Marriott's Walk in Witney as seen on the plan at Annex D.

4.6. REPRESENTATION

The Council has received one objection during the consultation period. This has been made by a local resident. A copy of their objection can be seen at Annex E. Their address has been marked on the plan.

NATIONAL GUIDANCE

- 4.7. The Secretary of State's Guidance requires Licensing Authorities, following receipt of an Objection, to hold a hearing to determine whether the removal of the condition would undermine the licensing objectives and whether the new condition would promote the licensing objectives.

4.8 PROCEDURES

5. THE CHAIRMAN WILL OUTLINE THE PROCEDURE FOR THE MEETING AT THE START OF THE MEETING. ALL PARTIES WILL BE GIVEN AN OPPORTUNITY TO ADDRESS THE PANEL AND ANSWER QUESTIONS FROM MEMBERS. OPTIONS

5.1. That the Licensing Panel is asked, in light of the information provided, to consider the Variation application and determine whether to:-

- to permit the request made in the application;
- to permit the request as stated in the application but subject to imposing relevant conditions that are imposed on the Premises Licence that are necessary to promote the licensing objectives;
- to refuse the variation application.

5.2 The Panel must consider the following when determining the application:

- The Licensing Act 2003
- Guidance issued under Section 182 of the Licensing Act 2003 (April 2018)
- The Councils Statement of Licensing Policy (October 2018)

5.3 The Panel may attach reasonable conditions to the licence that address the licensing Objectives which are:

- The protection of children from harm
- Public safety
- Prevention of public nuisance

- Prevention of crime and disorder

6. LEGAL IMPLICATIONS

The Secretary of State's Guidance requires Licensing Authorities, following receipt of an Objection, to hold a hearing to determine whether the event would undermine the licensing objectives and whether the condition can be removed and replaced.

7. FINANCIAL IMPLICATIONS

There are no direct financial implications arising from the consideration of the variation application. However, any appeal to the Magistrates' Court against conditions imposed or against the refusal of any application or against a refusal to vary conditions could result in the Council having to bear the legal costs incurred in defending its decision. Any appeal to the Magistrates' Court could result in the Council having to bear the legal costs to defend its action.

Group Manager of Resident Services

(Author: Andrea Thomas, Tel: (01993) 861000; email: andrea.thomas@publicagroup.uk)

Date: 16 July 2021)

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A Premises **Noise Management Plan** shall incorporate the following steps:

A. External acoustic doors:

- (i) External emergency exit doors (acoustic doors) to all screen auditoria shall be of a design, mass and construction specification which prevents the transmission or leakage of airborne sound at the low, middle and high frequencies spectrum (Hz).
- (ii) The acoustic doors shall be of a construction that ensures that doors and their seals retain their structural integrity, damping performance and sound insulation characteristics over time.

B. Periodic testing of sound insulation performance of external acoustic doors:

- (i) At intervals of every four years, the sound insulating performance of the acoustic doors shall be tested, verified and checked by measurement.
- (ii) A noise verification report shall be presented to the Council Licensing Authority of the measurement results for their approval and consideration. The Licensing Authority will determine if replacement or maintenance of acoustic doors is warranted. Acoustic doors shall be maintained in good working order.
- (iii) Measurements shall involve the use of a proprietary acoustic camera, positioned externally from the acoustic door fascia (i.e façade measurement) and 1.2-1.5 m above the ground. With the acoustic door in the closed position any sound leakage at either low, middle or high frequencies spectrums (Hz) will be surveyed, measured and the data presented in a noise assessment report. A continuous sound source shall be reproduced inside each screen auditorium, equivalent to the loudness and frequency spectrum of a representative cinematic action film experience. The tests shall use a constant source of reproducible reverberant sound, in third octave bands. And representative of films for their loudness, definition (clarity of sound), resonance (fullness of tone), balance, blend and echoes. All acoustic doors shall be assessed.
- (iv) Personnel for sound tests: Competent persons should take the noise measurements and carry out the assessment. Guidance on what constitutes appropriate training for competency can be obtained from the Institute of Acoustics or the Association of Noise Consultants. Both bodies will provide a list of their members on request.

C. Permanent speakers:

- (i) Numbers, location and mounting of permanent speakers shall be arranged so that any transmission and leakage of structure and airborne noise externally, through acoustic doors, external walls or ceiling is minimised.

D. Wall covering/surfaces:

- (i) Where necessary wall surfaces within auditoria shall be covered with low frequency acoustic absorbent material and be effective at low and middle frequency spectrum range of absorption. Treatments will be dependent on the tuning of the auditoriums, with specific attention on bass response according to the outcome of the noise assessments.

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Neil Shellard
Senior Officer MCIEH Dip IOA MSc
Environmental & Regulatory Services Senior Officer

I am the technical pollution team's licence application consultee (noise). My role and duty is to promote the licensing objective termed 'prevention of public nuisance'

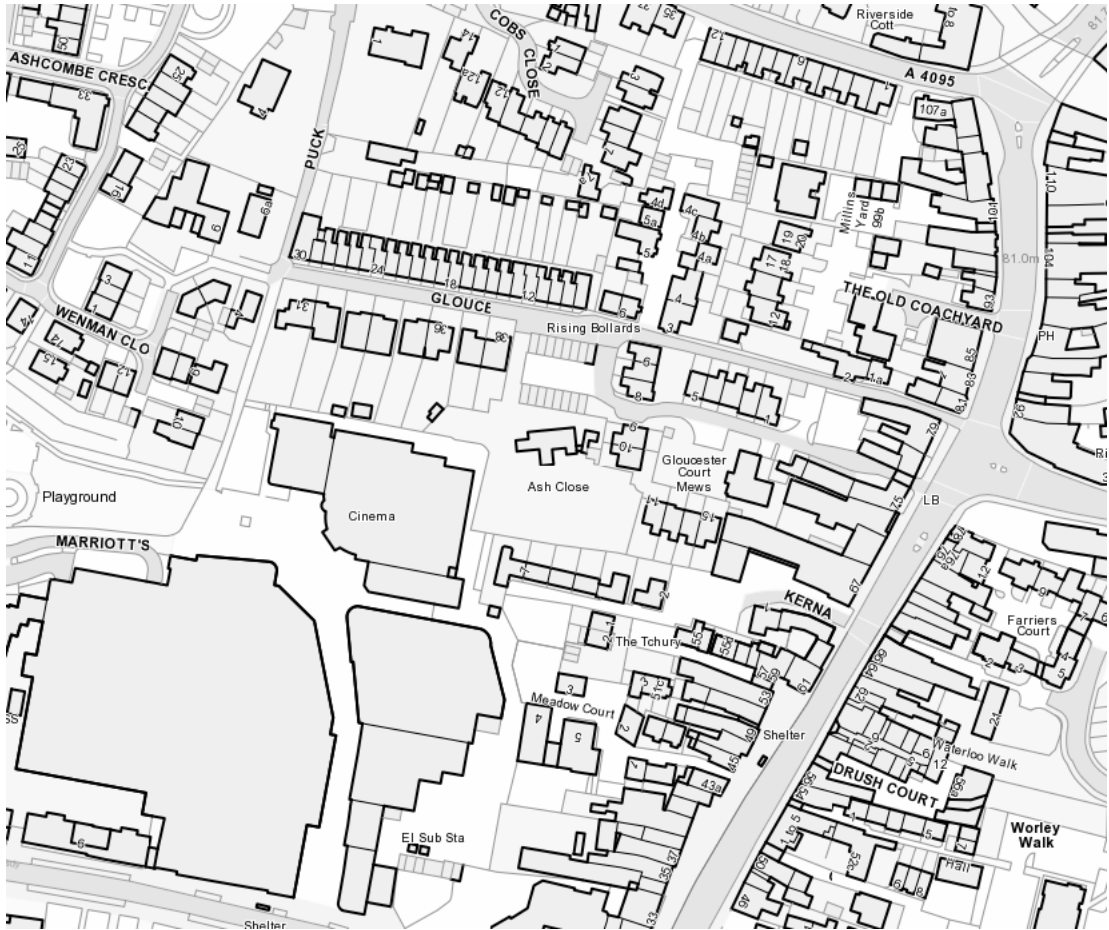
I have become familiar with the premises and was instrumental in drafting the terms of a proposed 'Noise Management Plan' (NMP) as a condition of a previous application in 2020. A copy is attached of the NMP [1st October 2020]. As you may know, there have been complaints of noise breakout from the premises in the past by one resident. I understand there was a representation by the same resident to last years application. And the premises having being closed for long periods of the pandemic since.

I remain of the opinion and confident that the terms of the NMP would be proportionate, effective and reasonable in all respects. And would be enforceable to allow the existing condition to be removed. I don't now propose any new changes or amendments to the NMP as written.

The existing condition reads, "The designated premises supervisor or duty manager is to ensure the effective overall management of regulated entertainment from the cinema auditoria to ensure that noise from such activities is effectively inaudible inside neighbouring premises at all times" is to be deleted and replaced with the following condition that reads, "The premises will operate in accordance with the noise management plan submitted to and agreed with the Senior [Environmental Health] Officer on 1st October 2020."

In summary, I support the variation in principle, based on the NMP terms agreed in 2020. I am therefore happy for you or your colleague, Richard Taylor, to confirm in writing with the Council's Licensing officer (Ccd) the same.

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Representation from James Nellist

Cineworld Multiplex, Marriotts Walk, Witney, Oxfordshire OX28 6GW.

Firstly, I would like to thank Neil Shellard (Senior EHO) for his work to investigate and try to resolve this licensing issue. I would also like to thank Cineworld for the additional remedial works they have proposed in their revised Noise Management Plan (NMP2) in an effort to address their ongoing breaches of the existing license conditions.

As currently proposed, I object to the variation application by Cineworld (W/21/00428/PRMV) to their Premises License as it will not uphold or meet the licensing objective of preventing public nuisance. I respectfully ask that measurable dB noise limits (assessment criteria) are added to the license condition and more detail is added to NMP2. Without enforceable noise limits a public nuisance could occur with no means to prevent it. I very much hope Cineworld will be agreeable to this.

The existing premises license includes a condition that Cineworld must *"...ensure that noise from such activities is effectively inaudible inside neighbouring premises at all times."*

However, I understand that this condition is considered too subjective and therefore is arguably difficult to enforce. This has allowed breaches of this existing license condition, by Cineworld, to continue unabated with no enforcement. I think changing the condition so it is enforceable is a sensible way forward.

However, as currently proposed the inaudible condition is to be removed and replaced with a Noise

Management Plan (NMP2) that may, or may not, prevent public nuisance. Therefore, I respectfully ask that the change to the license conditions includes a condition that stipulates measurable dB noise level limits (that are not subjective) and that these limits are equivalent to the existing condition i.e. that the condition includes Db (linear) noise limits equivalent to noise levels that are *"effectively inaudible inside neighbouring premises at all times"* to ensure that the licensing condition is enforceable. This would ensure the licensing objective of preventing public nuisance was met.

An example of a measurable condition that I would respectfully ask Licensing Officers to consider as appropriate is the noise level limit condition (set by planning) that is in place for Cineworld Cheltenham. The planning condition for Cineworld Cheltenham (planning permission 03/00607/FUL condition number 27) stipulates that:

27	<p>The cumulative noise level (as an Equivalent Noise Level, Linear, 5 minutes) from internally generated noise (excluding fixed plant and equipment) shall not exceed the background noise level at the mid-octave bands of 63Hz, 125Hz and 250Hz at 1 metre from the façade of any noise sensitive property.</p> <p>Reason: To safeguard the amenities of occupiers of nearby buildings and properties in residential use in particular.</p>
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I think if a Cineworld cinema in nearby Cheltenham can be expected to meet this criterion it is entirely

reasonable to expect the Cineworld in Witney to do the same and for the same justifiable reason i.e. to

“safeguard the amenities of occupiers of nearby buildings and properties in residential use in particular”.

I am not an acoustic expert but I trust the remedial work proposed by Cineworld (as set out in NMP2 – their revised plan attached to this application) will prevent any further licensing breach. However, I am concerned if it does not, or if at some later date an issue arises, the licencing condition as currently proposed does not stipulate what corrective actions Cineworld would be required to take.

For example, without any assessment criteria (linear dB noise limits) in the event that the remedial work (set out in NMP2) fails to resolve noise being audible the licencing condition offers no remedy. In this situation the licensing condition, as currently proposed, would require no further action for up to four years. In this event the proposed licensing condition would not uphold the licensing objective of preventing public nuisance.

Similarly, without any assessment criteria (linear dB noise limits) it is possible for the remedial works (set out in NMP2) to successfully resolve noise being audible but then at a later date, if Cineworld were inclined to start showing films at a louder sound volume, for the noise to become audible. The licensing condition, as currently proposed, would require no further action for up to a four years and would not require Cineworld to take any action to prevent public nuisance occurring.

May I also respectfully ask that any assessment criteria (linear dB noise limits) condition includes an *“at the nearest noise sensitive location”* stipulation, to allow Cineworld to measure the noise limits at the boundary of their premises and neighbour properties to enable them to evaluate if they are complying with licensing conditions stipulated as measurable dB noise level limits from within the perimeter of their own premises.

May I also ask that the plan (set out in NMP2) provides details of how noise will be monitored on a day-to-day basis. As currently proposed NMP2 sets out how the building fabric will be assessed (every 4 years which seems too infrequent) but not how often Cineworld will check noise levels, at what locations or what the noise limits are to be. The NMP2 also fails to set out what actions will be taken and by whom in the event of complaints or if noise limits are exceeded, what timescales for responding to complaints will be and how complaints and corrective actions will be recorded and reviewed. I understand these are all very standard elements of a Noise Management Plan and their omission seems remiss.

It would also seem appropriate that NMP2 should clarify when the remedial work (eg surfaces to be covered with low frequency acoustic absorbent material, speakers re-arranged, etc) will take place and if once the remedial work (set out in NMP2) has been completed whether a full assessment will be carried out to evaluate if the remedial work has been effective. I think it is entirely appropriate that after the remedial work has been completed that there is a noise assessment (assessed against linear dB noise limit criteria) to check that any noise is below the background noise levels at the boundary of Cineworld with neighbouring properties in keeping with the Cineworld Cheltenham condition but at locations accessible to Cineworld.

Finally, may I also point out that there appears to be an error in the wording of the application (Section 15) available on the public records that states:

*"The existing condition that reads, "The designated premises supervisor or duty manager is to ensure the effective overall management of regulated entertainment from the cinema auditoria to ensure that noise from such activities is effectively inaudible inside neighbouring premises at all times" is to be deleted and replaced with the following condition that reads, "The premises will operate in accordance with the noise management plan submitted to and agreed with the Senior Environmental Health Officer on **1st October 2020.**" **The noise management plan is appended to this application.**"*

[Emphasise added in **bold**]

However, the Noise Management Plan appended to this application (W/21/00428/PRMV) is not the NMP agreed with the Senior EHO on 1st October 2020. The Noise Management Plan accompanying this application W/21/00428/PRMV is different (I have referred to as NMP2 in this document) and it includes sections A (External acoustic doors), B (Periodic testing of sound insulation performance of external acoustic doors), C (Permanent speakers) and D (Wall covering/surfaces). The plan agreed with the Senior EHO on 1st October 2020 was submitted with W/20/00690/PRMMV last year and the application was rejected. Could the wording of the condition please be revised so it is clear, and for the avoidance of any doubt, that is referring to the revised Noise Management Plan (NMP2) and not the previously rejected NMP please?

I very much hope this licensing matter can be resolved. I would agree to the variation to the license condition if appropriate dB noise level limits were added and if more detail was added to NMP2. I hope Cineworld will be agreeable to this.

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* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

- System reference This is the unique reference for this application generated by the system.
- Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
- Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
- Yes No

Applicant Details

- * First name
- * Family name
- * E-mail
- Main telephone number Include country code.
- Other telephone number
- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual
- A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

- Is the applicant's business registered in the UK with Companies House? Yes No
- Registration number
- Business name If the applicant's business is registered, use its registered name.
- VAT number Put "none" if the applicant is not registered for VAT.
- Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

206,000

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VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

To replace an existing unenforceable condition with a new condition agreed with the Licensing Authority and Environmental Health Officer.

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

AGE RESTRICTED FILMS

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

The existing condition that reads, "The designated premises supervisor or duty manager is to ensure the effective overall management of regulated entertainment from the cinema auditoria to ensure that noise from such activities is effectively inaudible inside neighbouring premises at all times"

is to be deleted and replaced with the following condition that reads,

"The premises will operate in accordance with the noise management plan submitted to and agreed with the Senior Environmental Health Officer on 1st October 2020."

The noise management plan is appended to this application.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

Continued from previous page...

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

ALL EXISTING CONDITIONS WILL BE MAINTAINED AND OPERATED SAVE FOR THE CONDITION TO BE DELETED.

b) The prevention of crime and disorder

ALL EXISTING CONDITIONS WILL BE MAINTAINED AND OPERATED SAVE FOR THE CONDITION TO BE DELETED.

c) Public safety

ALL EXISTING CONDITIONS WILL BE MAINTAINED AND OPERATED SAVE FOR THE CONDITION TO BE DELETED.

d) The prevention of public nuisance

ALL EXISTING CONDITIONS WILL BE MAINTAINED AND OPERATED SAVE FOR THE CONDITION TO BE DELETED.

e) The protection of children from harm

ALL EXISTING CONDITIONS WILL BE MAINTAINED AND OPERATED SAVE FOR THE CONDITION TO BE DELETED.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

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- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

635.00

DECLARATION

I/WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Ticking this box indicates you have read and understood the above declaration

Continued from previous page...

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text" value="GOSSCHALKS LLP"/>
* Capacity	<input type="text" value="SOLICITORS ON BEHALF OF THE APPLICANT"/>
* Date	<input type="text" value="15"/> / <input type="text" value="06"/> / <input type="text" value="2021"/>
	dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/west-oxfordshire/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="MCJ/MJM/86310.371"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

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