

Thursday, 19 August 2021

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LICENSING PANEL

You are summoned to a meeting of the Licensing Panel which will be held in the Council Chamber, Woodgreen, Witney OX28 1NB on **Friday, 3 September 2021 at 10.00 am.**



Giles Hughes
Chief Executive

To: Members of the Licensing Panel

Councillors: Councillor Ted Fenton, Councillor Norman MacRae MBE and Councillor Alex Postan

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 Democratic Services officers 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. **Application for a New Premises Licence for Witney Music Festival Ltd (Pages 3 - 66)**
Purpose

To determine an application for a new premises licence in relation to a one day event run by Witney Music Festival Ltd to take place on Church Green, Witney.

Recommendations

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

(END)

WEST OXFORDSHIRE DISTRICT COUNCIL

LICENSING PANEL

3RD SEPTEMBER 2021

DETERMINATION OF AN APPLICATION FOR A NEW 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 for a new Premises Licence in relation to a one day event run by Witney Music Festival Ltd to take place on Church Green, 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 the application and plan

Annex B – Response from Environmental Health

Annex C – Noise Management Plan

Annex D – Response from Oxfordshire Fire Authority

Annex E – Objections from members of the public and the Local Ward Member

Annex F – Copy of the Licensing Panel procedures

4. BACKGROUND

- 4.1. The Licensing Act 2003 ("the Act") allows applicants to apply for new Premises Licences.
- 4.2. A new Premises Licence application was submitted by Eric Marshall on behalf of Witney Music Festival Ltd on 12th July 2021 (copy at Annex A) to provide entertainment and the sale of alcohol (on the premises) from midday to 2200hrs (alcohol sales to cease at 2145hrs) on the 25th September 2021 on Church Green, Witney for up to 5000 people.
- 4.3. Thames Valley Police did not make any objections to the application.
- 4.4. Mr Neil Shellard, Senior Officer, from the Council's Technical Pollution Services Team submitted a representation with regard to the application (copy at Annex B) The Applicant has now submitted a Noise Management Plan (Annex C).

4.5. During the consultation Oxfordshire Fire Authority contacted the Applicant requesting further information (copy at Annex D). At the time of writing this report the Fire Officer had not been provided with any further information from the Applicant.

4.6 Objections have also been received from 11 local residents and the Local Ward Member, Councillor Harvey (copies at Annex E). The main concerns raised in the objections are as follows;

- Traffic , including road safety
- Parking
- Crime and Disorder emanating from alcohol
- Lack of toilet facilities

The Licensing Authority is unable to accept the following concerns due to the following reasons;

Traffic, Parking, Toilet Facilities and Conservation Area

These concerns cannot be taken into consideration under the Act and would be dealt with under Planning Law. Planning and Licensing are two separate jurisdictions and it is up to the business operator to ensure that they adhere to both and have necessary requirements in place. As the application is for a one day event Planning Consent is not required.

Crime and Disorder concerns

The Police Licensing Officer has not objected to the application.

5. NATIONAL GUIDANCE

5.1 The Secretary of State's Guidance requires licensing authorities, following receipt of relevant representations, to make judgements about what constitutes public nuisance and what is necessary, in terms of conditions attached to a specific Premises Licence, to prevent it.

5.2 Where the Act provides for mandatory conditions to be included in a Premises Licence, it is the duty of the Licensing Authority issuing the Licence to include those conditions of the Licence

6. PROCEDURES

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.

7. OPTIONS

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

- 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.

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)

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

8. FINANCIAL IMPLICATIONS

There are no direct financial implications arising from the consideration of the 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.

9. LEGAL IMPLICATIONS

There is a right of appeal to the Magistrates' Court within 21 days of the Council's decision should the Council refuse the application or against conditions imposed on the Licence.

9.1 BACKGROUND DOCUMENTS

West Oxfordshire District Council's Statement of Licensing Policy – 2018

S.182 Secretary of States Guidance April 2018

Group Manager of Resident Services

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

Date: 13 August 2021

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West Oxfordshire
Application for a premises licence
Licensing Act 2003

For help contact
ers@westoxon.gov.uk
 Telephone: 01993 861000

* 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

Not Currently In Use

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?

☐ Yes

☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Eric

* Family name

Marshall

* 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:

☒ 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant 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

8449499

Business name

Witney Music Festival Ltd

If your business is registered, use its registered name.

VAT number

-

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

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 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Eric Marshall

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /

* Nationality Documents that demonstrate entitlement to work in the UK

[Add another applicant](#)

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

A 7,300m2 site laid to grass, turned into a festival site, enclosed by event fencing for safety and licensing purposes but open to all members of the public. A appropriate stage and sound system Line Array will be used to ensure we have full sound bleed control and infrastructure with trained event staff to manage the event. In keeping to open air event guidance for all facilities and infrastructure. Within the enclosed site there will be the sale of alcohol from 1 bar directly contracted by Witney Music Festival, which will be controlled to ensure no under age drinking. All visitors of a legal age will be allowed to

Continued from previous page...

bring a limited amount of alcohol on to site, as part of our objective to support local businesses. Security will be conducting age verification using the Think 25 Policy on the entrance point to the site and at the festival bar. The site will be for a capacity of 4,999 although our crowd management plan will begin to limit numbers at a lower rate.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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.

Continued from previous page...

TUESDAY

Start End
 Start End

WEDNESDAY

Start End
 Start End

THURSDAY

Start End
 Start End

FRIDAY

Start End
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SATURDAY

Start End
 Start End

SUNDAY

Start End
 Start End

Will the performance of live music take place indoors or outdoors or both?

☐ Indoors ☒ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Live Music and recorded Music on a stage, amplified sound with Line Array System to give full control of sound bleed. With Trained Sound Level Monitor and Sound Engineer

State any seasonal variations for the performance of live music

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

Witney Music Festival seeks to host this event on the day specified as a thank you to local residents, funded by Witney Town Council.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

Continued from previous page...

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

N.A

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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Start

End

THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Give 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.

Will the playing of recorded music take place indoors or outdoors or both?

☐ Indoors

☒ Outdoors

☐ Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

Continued from previous page...

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Recorded Music played between live music. Recorded Music will be lower in volume than live music to give surrounding residence and festival goer's breaks from higher levels of music volume. All music will cease at 22:00 at the latest.

State any seasonal variations for playing recorded music

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

N.A

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

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

N.A

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give 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.

Continued from previous page...

THURSDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

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Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the performance of dance take place indoors or outdoors or both?

☐ Indoors ☒ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Dance acts may take place on the Main stage but this is unlikely.

State any seasonal variations for the performance of dance

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

N.A

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

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

N.A

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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

Continued from previous page...

Will you be providing anything similar to live music, recorded music or performances of dance?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Give a description of the type of entertainment that will be provided

The acts we have at the Festival will evolve year on year and there may be acts similar to those covered by live performance, recorded music and dance. The exact nature of these are not exactly known, however, the same stringent monitoring will be carried out. This section has been completed for the purposes of completeness and to cover future possibilities that could develop around music and dance.

Will this entertainment take place indoors or outdoors or both?

☐ Indoors

☒ Outdoors

☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

The music may well be amplified in line with the live music section and recorded music section.

Continued from previous page...

State any seasonal variations for entertainment

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

N.A

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

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

N.A

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give 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.

Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the sale of alcohol be for consumption:

- ☒ On the premises ☐ Off the premises ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

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

N.A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

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

N.A

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Robert

Family name

Carr

Continued from previous page...

Date of birth

/ /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Personal Licence number
(if known)

10/00713/BEXLEY/LI

Issuing licensing authority
(if known)

London Borough of Bexley

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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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

Give 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.

None

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

State any seasonal variations

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

In line with the bylaws for this location we cannot fully restrict to the public, however bylaws allow exceptions to be made if deemed relevant to ensuring the safety of the public. In this case we would request that access is limited to the public in the morning of Saturday 21st August.

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

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

N.A

Continued from previous page...

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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.

To promote the four licensing objectives the Licensed premises is secured by G4 Anti Climb Event Fencing, a main entrance point is sited allowing us to control festival goers entrance and exit of the site. We are also deploying SIA trained staff, ensuring a safe environment for festival goers and to provide a closer relationship with local Police on site. Wrist bands will be available for children or adults with their parent/guardian contact details on. A vulnerable person policy will be in place to ensure correct handling of vulnerable persons. The reduction of opening times to 22:00 instead of 23:00 will aid the dispersion of attendants will happen earlier reducing the impact on local residents. At the end of the event all exit routes will be opened and the entrance point will be temporarily reversed to allow for a quick dispersion from site and reduce the numbers of people egressing directly through the north exit point.

b) The prevention of crime and disorder

Enclosing the site and increasing our SIA staff will assist in the prevention of crime by restricting unauthorised access to the site, a number of SIA staff will also ensure a more proactive approach in detecting the potential of criminal activity and preventing it, ensuring appropriate action is taken and the site is secured from persons re-entering. Strict accreditation will be in use for all back stage areas.

c) Public safety

All Stewards, Staff and SIA personnel will be aware of our site rules and H&S Guidelines, they will be continuously check areas for damage or potential safety related issues and report these to the site team, Site Safety Officer or appropriate person. Site teams and Site Safety Officer will make regular checks of the site to ensure the site remains at its check off status. The Site Safety Officer will monitor the build-up and take down of the event, ensuring the site meets Open air event regulations, The safety team are IOSH Trained. Ear defenders will be available on request, all staff in the pit area must wear ear defenders. A medical team will also be available on site throughout the event build, live event time and take down along with SIA staff and clearly marked work areas.

d) The prevention of public nuisance

Trained staff will ensure the build-up of rubbish is kept clear or to a minimum, Management team will monitor queuing levels and open other secondary entrances if needed, sound levels will be monitored by an appropriately trained person at strategic points around the site, who will have direct contact with the sound engineer. Site Teams and Site Safety Officer will monitor the build-up and take down of the event, ensuring it is done to a timed order so to prevent noise or disruption to residence and road users.

Fencing will be deployed around the site to prevent members of the public from spilling into the surrounding roads. All members of the public will enter and exit onto an existing public footpath which has an existing boundary fence in place preventing public overflow into the road. This will also be stewarded to ensure the public footpath is not blocked. The site cuing lanes are within the premise are and located as such that the public can filter off of the main footpath from the centre of town where we anticipate most attendees will arrive from. The event will not prevent access to any frontages on the roads immediately surrounding the site.

e) The protection of children from harm

All Staff we be trained in our Vulnerable child and adult policy, this document goes in depth of how to report and issues and who issues should be reported to. Appropriately DBS checked persons will be on site. Staff and SIA Trained staff will remain vigilant to any suspected vulnerable child, adult or person. Medical teams will be available along with links to the police. As our site is secured, we have trained site safety officers, SIA trained staff, trained steward's, medical staff, DBS checked staff and Vulnerable Children, Adults and persons policy, this will further our ability to ensure we protect all persons from harm

Continued from previous page...

while on our site.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

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.

Continued from previous page...

- 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.

Section 21 of 21

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.

Premises Licence 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 you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event 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 (£)

100.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my

* licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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

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"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Add another signatory

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

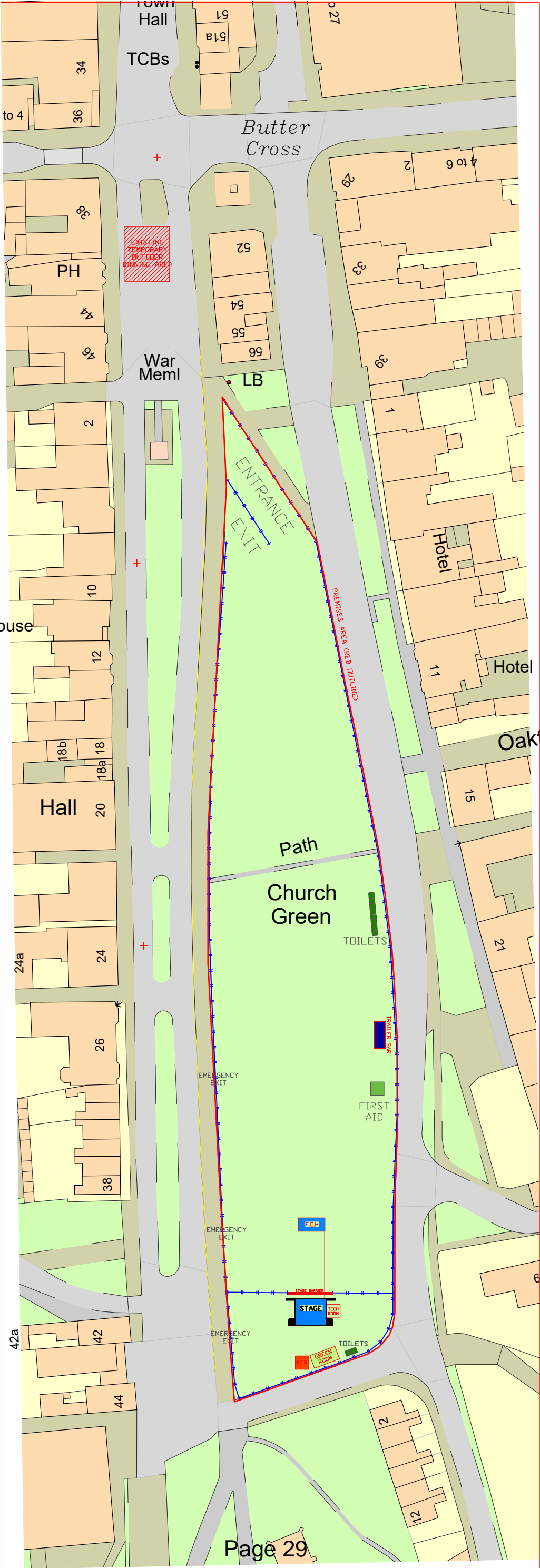
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/west-oxfordshire/apply-1> to upload this file and continue with your application.

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

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

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Further to my email to the applicant on 23 July 2021 (copied below for completeness), I now write to complete my response to the licence application to hold a music festival for local artists on Church Green, Witney on 21 August 2021.

Please accept this as a formal **Objection** to the proposal, on the grounds:

(i) *of prevention of public nuisance-*

I confirm that an amicable meeting was held (virtually) with the applicant (Mr Eric Marshall and Turner) on 4 August, when the event was discussed in relation to possible amplified sound noise limits and controls. Whilst I accept that the organisers are willing to operate to an 'off-site' boundary music (amplified sound) limit of 55 dB(A), measureable at 1 m from the façade of the nearest noise sensitive premises. On reflection, I think that even this low level would be very hard to comply with, given the very close proximity of residential premises on both sides. Church Green is a primarily residential area and the plan is to place a stage close to houses where elderly people live. In terms of noise (amplified sound) management, I simply don't think that Church Green is a big enough area to support a festival event of the scale that the event has grown to in previous years. Furthermore, unfortunately I don't think their noise management plan addresses sufficiently the concerns this team have. I think if it does go ahead, there could be in the region of 20-50 formal noise complaints from local residents. This number of noise complaints would need to be dealt with and responded to by an EHO both during and after the event, which would take up a lot of valuable officer resource and time. Whilst I accept that the event could help local traders and be very welcomed by various sections of the community, I strongly believe that an alternative site can be found to hold the event where noise (amplified sound) can be better managed and pose less of a risk of harm.

Kind regards

Neil Shellard MCIEH

Senior Officer | MSc IoA Diploma Acoustics & Noise Control
Technical Pollution Team

Dear Mr Eric Marshall.

Licensing Act 2003

Premises licence application. Witney Music Festival (21.08.21) 12:00-22:00 hrs *Church Green*, Witney

I am the consultee to your Licensing Act application (W/21/00507/PRMA) and my role is to promote the Licensing objective termed '*Prevention of public nuisance*'

From the outset I have serious concerns that there will be many noise related (amplified sound) complaints if this events happens on this narrow site~ Church Green. There are residents living all around and immediately adjacent the proposed event site. I know the proposed site very well. Before registering a formal **OBJECTION** on likely amplified sound noise impact and complaints, I am also obliged to try and see if the event could possibly be managed by strict noise conditions relating to boundary music noise limits.

Without prejudice to my final recommendation, I am therefore willing to discuss (by email) or otherwise and or meet with you, to see if the event could possibly be held in a way or manner that would prevent noise complaints. Although given the context as it stands I think that is [very] unlikely. You mention in your application '*Live music and recorded music on a*

stage amplified sound with Line array system with trained Sound Level Monitor and sound engineer'. Can you explain what you mean by Sound Level Monitor?

There is a window of time to discuss the above until the cut-off consultation period on 19th August. However, I am on leave from **16-20th August**, hence earlier discussions if you want

Neil Shellard
Environmental & Regulatory Services Senior Officer

WITNEY MUSIC FESTIVAL 2021

Appendix G

NOISE MANAGEMENT PLAN

V.1

21st AUGUST

12:00 – 22:00

PREPARED BY: SIDESHOW PRODUCTIONS LTD

FOR: WITNEY MUSIC FESTIVAL

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1. Introduction

This document aims to establish, explain, and indicate how noise/sound will be managed at Witney Music Festival 2021. Through reviewing the layout of the festival site this document will state the timings and mitigations put in place to allow both those attending the event and not attending the event to have a satisfactory experience in regard to noise levels.

2. Timings in relation to Noise

Saturday 21st August:

06:00 – Trailer Stage Arrives and is placed in position (low level car noise)

07:00 – Fencing deliveries begin. (Low level car noise from single vehicle)

07:00- Stage construction begins. (Low level metallic sounds, stage is designed to fold out requiring minimal crew and construction requirements)

07:15 – Perimeter fencing build begins. (Low level chatter and potential metal “clanging” sounds as fence is moved.

08:00 – Toilets arrive

08:00 – Bar arrives

09:30 – Sound check (playback only to establish systems are working and gauge correct levelling. Expected to take 10mins.)

10:00 – Sound check backline setup (Single instruments played to establish line signal is being received)

10:00 – 11:30 General site setup (signage etc)

11:30 – Vehicle Curfew in place, all non-essential vehicles removed from the festival site)

12:00 – Event Opens to the public Amplified sound for event begins.

22:00 – Event Closes to the public – Amplified sound for event ends.

22:15 – Midnight – Removal of site infrastructure.

3. Noise/ Sound during the event.

3.1 The Public

As to be expected with an outdoor music festival the members of the public attending the event will create a level of consistent chatter through conversation. During live performances applause and shouting is to be expected. Between performance levels we anticipate the public will use this time to disperse from the "arena" area in front of the stage to use the on-site facilities and/or visit the on-site bar. Our security team are present on and around the event parameter to discourage rowdy behaviour and encourage persons congregating outside of the event parameter to move away from the event, if it is clear, they have congregated due to the event taking place.

3.2 Staff/Contractors

Due to the size of the event, there will only be a small number of staff/contractors on site. Each group of persons will be working within groups closely and therefore will be able to communicate at talking volume level during the build and de-rig. During the show staff and contractors will be equipped with radios with earpieces reducing spill from radio calls.

3.3 Performances

All noise/sound levels during the event from performances will be directly controlled by the events front of house sound engineer. The front of house sound engineer has been briefed on the requirements stated in this document and is responsible for controlling the sound levels from our amplified sound source during the event. The Event Manager will periodically spot check the front of house sound engineer is remaining compliant.

4. Managing Noise

Whilst the event takes place on land that is not under the ownership of Witney Town Council the event will still abide to reasonable agreed sound level limits.

This section will detail how sound levels will be monitored during the event.

The event manager can make a dynamic assessment to turn volume levels down at any time if it is felt levels are excessive – even if still operating within the set dB levels agreed.

4.1 Amplified Sound Sources

The Main Stage

The main stage is the only location on the site that will use an amplified sound source.

The P.A system is a line – array system consisting of X6 flown line array modules per side and X4 twin 18" subs at floor level beneath the stage.

Sound levels will not exceed 110db from the front of house mixing position situated 25m from the sound source and centred to the PA system.

PA speakers will be placed at low level hanging off the existing stage structure only and will be angled appropriately to project sound down at attendees only within the limitations of the PA system. The aim of this is to reduce sound bleed into surround areas as much as possible.

4.2 Noise Measurements

During the event a sound level data logger and decibel meter device will be installed at the main stage front of house mixing position. This monitor sound levels and log data in real time as a record of sound levels throughout the event.

This device has a 0.1 decibel resolution and accurate to within 1.5dB. It operates on a A/C frequency rating and will be set to log data every 60 seconds.

The full log of this monitoring will be made available upon request post event.

In addition to this a mobile monitoring device will be used to measure dB levels around the event footprint every hour to ensure excessive levels are not reached around the immediate vicinity of the venue.

Sound levels at the front of house mixing position will not exceed 110db at any time during the event.

4.1 Managing Complaints

Prior to the event commencing, residents within a 50m radius will receive a letter stating basic information about the event. This letter will also contain a number to call for any enquiries prior to the event and an event control phone number to call during the event that will give residents a direct line to the event management team.

During the event if noise complaints are received, we shall make a log of the complaint and discuss the issue with the complainant to diffuse any complaints that may be raised to the local authority.

As part of the logging process, we shall ask the complainant for their address or approximate location and dispatch a member of the event management team to this location to take a Db level reading to check if excessive volumes are present at this location.

Should an issue be identified with a particular location and/or a particular surrounding area the event manager will look to adjust the main stage volume levels accordingly and a log will be made of this action taking place and a further meter reading will be taken at the location.

5. Noise and Safety

The event will be compliant with the Health and Safety Executives "The Control of Noise at Work Regulations 2005".

Ear protection will be available to both staff and customers upon request during the event.

The programming of the event allows for periods of time between acts when attendees will not be exposed to hazardous levels of sound. Playback will be used between acts and the volume level of playback will not exceed 85bD.

Should any form of incident occur that requires the site to be evacuated live performance and playback will cease immediately and the P.A system will only be used for distributing key information as required and if safe to do so.

6. Considerations

Witney Music Festival is open to negotiation and are able to adapt both prior to and during the event to manage noise levels.

End of document.

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(08/19)



Date: 15/07/2021

Our ref: 10009867914

Mr Eric Marshall
1 Lewis Court
172 Corn Street
Witney
Oxon
OX28 6BY

**Oxfordshire County Council
Fire and Rescue Service
Headquarters
Sterling Road
Kidlington
Oxfordshire OX5 2DU**

**Rob MacDougall
Director of Community Safety
and Chief Fire Officer**

Cc Michelle Bignell - West Oxfordshire District Council
Licensing Committee

Dear Mr Eric Marshall

Re: Licensing Act 2003

Request for additional information in respect to Fire Safety Arrangements

Premises: Witney Music Festival, Church Green, Witney, Oxfordshire OX28 4AZ

Unfortunately, the information you have provided regarding the above application for a licence is insufficient for the Fire Authority to reach a determination, concerning the safety of persons from the effects of fire. To enable an informed decision to be made as to whether your fire safety arrangements are likely to be suitable and enough in your circumstances, you are requested to supply the information detailed below (see also Note 1 overleaf).

In addition to yourself as the employer / employer's representative, if the premises have designated Safety Officer(s) or other person(s) who has a specific fire safety role as part of their duties, those individuals should also be available.

Detail of Additional Information Requested.

Specific Documents required for Fire Safety Audit purposes

- (1) Fire Risk Assessment /Event Plan for the event .
- (2) Occupancy numbers expected at the event.
- (3) Further information regarding the number of emergency exits for the event and the width of each exit.

Until the information has been provided by you, or it has been obtained as a result of the inspection, the Fire Authority will be unable to make informed comment upon your licence application, in particular in regard to the licensing objective dealing with the promotion of public safety. Failure to provide the information may adversely affect your application and may result in the Fire Authority making a representation to the DCLC or seeking a review.

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.

Should you require any further information or assistance, please do not hesitate to contact me, via the telephone number or e-mail address below.

Yours sincerely

Glen Lee
Fire Safety Assessor

Mobile: 07843511640
Email: glen.lee@oxfordshire.gov.uk
www.oxfordshire.gov.uk/fire

For further information on Business Fire Safety, please go to;
<https://www.oxfordshire.gov.uk/business/advice-businesses/business-fire-safety>

For further information on how you can improve your business resilience to an emergency, please go to
<https://www.oxfordshire.gov.uk/cms/content/business-resilience>

Note 1:

Additional information requested to assist with evaluation of fire safety arrangements at the premises.

The date of the last fire risk assessment carried out together with details of any significant findings

Details of any proposed changes or improvements to deal with any significant findings together with timescale for implementation and name(s) of person(s) responsible for ensuring these works are carried out.

Details of the occupancy numbers for persons permitted to resort to each defined area of the premises and type of use, together with details of management procedures to ensure these limits are not exceeded.

A copy of the emergency fire action plan for the premises.

A single line scaled plan or architects plan of the premises and including a map if necessary, e.g. outdoor events. The drawings to show the layout, the areas to be licensed, the fire safety provisions including fire alarm, emergency lighting, firefighting equipment and fire safety signs along with details of all fire resisting walls, doors and door furniture, and escape routes from the premises to a place of ultimate safety together with any significant other features. (For more detailed guidance see SI 2005 No 42 The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 Section 23).

Details of any special effects including information about any control measures or management procedures to be adopted in respect to these matters.

Any supporting evidence necessary to confirm appropriate maintenance of fire safety provisions and systems, and evidence of effective management of fire safety at the premises.

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1. Cllr David Harvey

I wish to object to this licence application on several grounds. Church Green is a primarily residential area and the plan is to place the stage a few metres from two rows of almshouses where elderly people live. When the festival has previously taken place on The Leys local residents have been forced to go away for a few days as they cannot get any respite from the extremely loud music and fireworks late into the night.

The selling of alcohol on a large scale in this residential area may well cause some considerable disruption to residents who also have a right to peaceful enjoyment of their environment. Church Green is unsuitable for a festival of this nature as access and car parking are very restrictive. These comments also apply to those areas adjacent to Church Green.

2. Ms Jennifer Angless

I am responding to the licence application to hold a music festival on Church Green, Witney on 21 August 2021, and I am writing to formally object to this proposal.

Church Green is a public space, and intimately surrounded by mostly dwelling houses.

In the past the Witney Music Festival has been held on the Leys in consideration for residents. Why has this changed this year? Are there less residents than previous years? We could still hear noise, both inside and outside our homes (inside you could feel the vibration of the base) but we did feel the Festival organisers were trying to be considerate,

Where would people park their cars? Where will the toilet facilities be? I am intrigued as to the thinking behind holding the Festival on the Green when the Leys is so obviously much more suitable - more space, easier access, fewer homes in the immediate vicinity?

I am also concerned about the effects that the alcohol licence could have for local residents. As it is, we are always collecting bottles and rubbish on The Green during the course of the day and evening.

I enjoy music festivals, but they are always respectfully distanced from residential homes.

Please do not set the unwise precedent of holding this music festival on the Green.

I am certainly objecting, and would like an answer as to why the Green is considered more acceptable than the far end of the Leys for the stage itself?

3. Mr Alan Godfrey and Mrs Hilary Godfrey

To whom it may concern,

In response to the application to hold The Witney Music Festival to be held on Church Green.

I would like to object to this proposal as a resident of Church Green on the grounds that it would be an inappropriate place to hold this large public event taking into account, parking, toilet facilities, litter and loud noise.

We have already suffered as residents with some people using the lane by our house as a public toilet, amongst other dubious and antisocial uses.

Also the noise created would be unfair to the residents, especially the older residents. The amount of drinks etc would create a huge amount of rubbish in an area which suffers from a recurring problem of abandoned litter every time people gather on the Green.

4. Mr Paul Graves and Mrs Mari Graves

We are writing to submit a response to the notices which have been put up at the end of last week on various posts around Church Green stating that an application is being made on behalf of Witney Music Festival Ltd. for a licence for the playing of live and recorded music and for the sale and consumption of alcohol on Church Green from between 12.00 and 22.00 hours on 21st August.

We wish the Music Festival well but this is the first that we and virtually all of our neighbours have heard of this proposal. We are not aware therefore of exactly what is proposed but we assume that it will be something similar to what in previous years has been held on The Leys. That has involved the construction of a substantial stage and other tents and temporary buildings and the music has been exceptionally loud, so as to be heard at times at the far end of the town.

Church Green is a key component in the character of Witney which is recognised in all the publicity relating to the town and acknowledged by its designation as a Conservation Area. It is a place where local residents and visitors to Witney enjoy walking, exercising their dogs, playing games and having picnics against the attractive tree-lined backdrop of the parish church and some of the oldest buildings in the town. In our view, the proposal is totally out of keeping with the existing character of the Green and will severely limit its general use as a public open space at least for that day.

Although the properties surrounding the Green are in a variety of uses, Church Green is in a predominantly residential area and there are a significant number of people living on or just off the Green, a fair proportion of whom are elderly. It is difficult to see how this proposal will be anything other than a major nuisance to these residents as a result of the excessive noise, traffic, litter and volume of people which this proposal is likely to generate, and which the promoters no doubt hope to attract.

In the past when the Festival has been held on The Leys, the volume of sound has been extremely loud at times with the thud of vibration being felt even at a distance. With the houses on either side of the Green, and the bulk of St. Mary's church behind, the sound is likely to be even more amplified and funnelled into the centre of the town. That may be part of the promoters' intention but would be a potential nuisance to people who are not part of the Festival.

We would be concerned that, if permitted, sufficient provision is made by way of toilet facilities. The public toilets are some way distant from the Green and the combination of alcohol and a number of alleyways off the Green, or even front gardens could be dangerous, and unacceptable in terms of public health.

We would also be concerned at possible damage to the grass and surface of the Green. We imagine that large vehicles will be involved in erecting the stage and other buildings required and it seems likely that some of these will need to be driven onto the grass itself. As already referred to, the Green is used for recreation throughout the year by a great many local residents and visitors, and it would be exceedingly annoying and damaging to the image of the town if parts of the Green had to be fenced off to enable turf to be repaired. The promoters will no doubt give assurances that they will take the greatest care but it seems unreasonable that they should expect the community to accept the risk to this most sensitive location in the town, particularly when there is an obvious alternative in The Leys nearby.

As a final point of procedure, we see that the notices that have been put up by the Green state that submissions have to be made between 8th July and 9th August. Since we saw the first notice being put up near the Angel pub on Thursday last week, 29th July, the reference to submissions after 8th July on the form raises the question as to whether proper notice has in fact been given of this proposal.

We should be grateful if you would take these points into account in your consideration of this application.

The following has also been received from Mr Graves

Having been out on part of the Green this morning clearing up lime tree seeds and leaves, I realise that I should have mentioned one other point which I think that Licensing Team needs to consider. That is that, unlike The Leys where the Music Festival has been held previously, Church Green is largely unfenced with public roads on most of its sides. If a music event were to be permitted, I would be seriously concerned for people's safety, particularly children's, with moving traffic on the edge of the Green. The danger would in fact be greater than normal because it would not be so easy to hear vehicles approaching due to the background noise and general crowd distraction.

If the promoters have carried out any form of risk assessment, it would be surprising if they have not identified this as an area of very high risk in terms of public safety and also of potential harm to children. The promoters may be proposing steps to attempt to minimise the risks, but short of stopping all traffic round the Green entirely, it seems inevitable that there will be some measure of increased risk in terms of public safety arising from the proposal.

I apologise for sounding negative again but it could have been a lot more helpful if the Music Festival had consulted beforehand with those who were most likely to be directly affected by their planned move from The Leys

5. Dr Melody Helm

I write in response to the licence application to hold a music festival on Church Green, Witney on 21 August 2021.

Please accept this as a formal objection to the proposal, on two grounds:

(i) On the grounds of prevention of public nuisance:

Church Green is closely bounded by buildings which serve to reverberate and intensify noise. Those buildings, and many more just off Church Green, are for the most part residential. Occupiers would be unable to escape the unwanted, amplified noise except by leaving their homes, which is quite unacceptable.

(ii) On the grounds of public safety:

The increase in people using Church Green is likely to present a traffic hazard.

The Leys continues to offer more than ample space for such a function. In the face of such a close and real alternative, I trust you will reject the application in respect of Church Green accordingly.

6. Ms Fiona Herron and Mr Gerard Nolten

In response to the licence application to hold a music festival on Church Green, Witney on 21 August 2021, I am writing to formally object to this proposal.

While Church Green is a public space, it is almost entirely surrounded by dwelling houses. Past editions of the Witney Music Festival have been held on the Leys, and even then the noise nuisance was considerable (with thumping base tones making it impossible for local residents to sit in their gardens while the festival was on, and the music still clearly audible indoors). Moving the event to the Green would further exacerbate this.

Also, how are people supposed to get here?! Where would they leave their cars?! Where will the toilet facilities be? What is the thinking behind holding the Festival on the Green when the Leys is so obviously much more suitable - more space, easier parking, fewer homes in the immediate vicinity?

I am also concerned about the effects that the alcohol licence could have for local residents. As it is, we are always having to pull bottles and cans out of our hedge, so I can only imagine how awful it could get (also see previous remark about toilet facilities...)

I realise that everyone is longing to get back to some sort of normality, and music festivals are a very important part of this. But in the interests of keeping local residents inside I would strongly urge you not to set the unwise precedent of holding the festival on the Green.

7. Ms Shirley Lefort

I am writing to register my objection to the above festival on 21st August. The objection is not to the Festival itself, but to the decision to hold it on Church Green, which will affect me in terms of noise. In the past it was held in the nearby Leys, which was just far enough away to keep the noise levels down a bit.

Church Green and the adjoining lanes are in a mainly residential area and it's residents are already subjected to noise from the pubs at night. We pay a high rate of council tax and like any other citizens are entitled to a degree of quietness in our homes. The Music Festival is an extremely noisy occasion, and certainly the vibrations from the drums and loud microphones would be more bearable in the Leys, where it would be more suited.

Please can we not leave it there? I know the Fleece would love to have the extra business, but surely we have already accommodated the Fleece enough by extending their tables into the road and in front of the property next door.

I hope you will consider leaving the festival in the Leys.

8. Dr Richard Stevens

This is an objection to the Witney Music Festival using Church Green on 21/8/21.

The houses on Church Green are within 50-75 yards of the centre of the Green. This makes the music far too noisy for the residents of the Green.

Everyone is entitled to like their own style of music but they should not be able to impose it on other people. There are many older people on the Green who do not like pop music and it should not be inflicted on them.

The WMF has traditionally taken place on The Leys, a large open space, lightly used and without many near houses. It is still noisy across Witney and makes a mess but people are generally willing to tolerate that. Any damage to the grass is easy to repair.

Church Green is a heavily used everyday by the community of Witney, but it is rather fragile. Apart from the mess, noise, and drinking, there is a prospect of damage to the Green, damaging it for the community

9. Dr Sue Stevens

I understand that it has been proposed to hold the 2021 Witney Music Festival on Church Green.

I think this is a very bad idea as it will be very noisy and ruin the quality of life for hours for the people who live around Church Green, as I do. Saturdays are always busy around the Green and this will make access and parking a nightmare, never mind the associated litter and general nuisance which the event will inevitably cause.

Please note my concerns and disapproval

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Licensing Act 2003

Licensing Hearing Procedure

May 2005

1. Statement of intent

- 1.1. The Licensing Authority (West Oxfordshire District Council) is committed to processing and determining applications made under the Licensing Act 2003 in an honest, efficient, and considerate manner. Each application will be considered on its individual merits and the Authority will endeavour to prevent negative impact on the four licensing objectives.

2. Introduction

- 2.1. Each application that is determined at a licensing hearing will be treated on its own merits, and The Licensing Authority will take its decision based upon:

- The merits of the application
- The promotion of the four licensing objectives
- The Statement of Licensing Policy, a copy of which can be obtained from Community Safety and Licensing, West Oxfordshire District Council, Woodgreen, WITNEY, Oxfordshire OX28 1NB, and is also available from the Council's web site – www.westoxon.gov.uk.
- The Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State for Culture, Media and Sport.
- Statutory Instrument 2005 No 44 – The Licensing Act 2003 (Hearings) Regulations 2005

- 2.2. In accordance with Policy GN 1 of the Statement of Licensing Policy, licensing hearings will give consideration to promoting the four licensing objectives, which are:

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

3. Licensing Hearing Procedure

- 3.1. In accordance with Policy GN 11 of the Statement of Licensing Policy a licensing hearing will be held to determine any of the following where an application has been made to the Licensing Authority and where a valid representation(s) has been made and not withdrawn:

- application for a Personal Licence;
- application for Personal Licence with unspent convictions; (in all cases as no objections or representations are required for this)
- application for Premises Licence or Club Premises Certificate;
- application for provisional statement;
- application to vary a Premises Licence or Club Premises Certificate;
- application to vary Designated Premises Supervisor;
- application for transfer of Premises Licence;
- application for interim authorities;
- application to review a Premises Licence or Club Premises Certificate;
- determination of a Police Representation to a Temporary Event Notice;
- decision to object when the Authority is a consultee and not the relevant authority considering the application.

- 3.2. The Licensing Authority shall arrange the date on which and time and place at which a hearing is to be held and shall give a notice of hearing in accordance with Regulations 5, 6 and 7. The Regulations provide for the timing of hearings and the notification

requirements to parties to a hearing of the date, time and place of a hearing and information to accompany that notification (regulations 4, to 7 and Schedules 1, 2 and 3). Schedules 1, 2 and 3 of the Licensing Act 2003 (Hearings) Regulations outline the following:

- The type of application – provision under which the hearing is held
 - Period of time by which the hearing must commence
 - Person whom the Notice of Hearing must be given
 - Documents to accompany the Notice of Hearing
- 3.3. The tables contained in the Regulations that show this information have been reproduced in the [Appendix](#) to this procedure.
- 3.4. A Notice of a Hearing will be sent to the applicant(s), interested parties, and responsible authorities in accordance with Regulation 34. The following information will also be made available:
- the rights of the party provided for in Regulations 15 and 16;
 - the consequences if a party does not attend or is not represented at the hearing;
 - this licensing hearing procedure;
 - any particular points on which the authority considers that it will want clarification at the hearing from the party
- 3.5. Where the applicant(s), responsible authority, or interested party intends to produce documents in support of their case, these should be supplied to the Licensing Authority not less than 7 working days prior to the hearing in order for this to be disclosed to all other parties. Regulation 18 allows additional information to be submitted (with consent) in relation to an existing representation at the time of the hearing.
- 3.6. The Licensing Authority will distribute hearing agendas, reports, and associated documents to the applicant(s), responsible authorities, and or interested parties ten clear working days prior to the hearing. Agendas and reports will be published on the Licensing Authority's web site – www.westoxon.gov.uk. Agendas, reports, and associated documents will be available for public inspection at the offices of the West Oxfordshire District Council, Woodgreen, WITNEY, Oxfordshire OX28 1NB. They will also be available for inspection at licensing hearings.
- 3.7. Licensing Hearings will generally be held at the Council Offices referred to in paragraph 3.6 above. The premises have wheelchair access and will be available to all parties 30 minutes prior to, and after the conclusion of, a licensing hearing.
- 3.8. The Licensing Authority may dispense with holding a hearing if the applicant(s), responsible authority, and or interested party agree that such a hearing is unnecessary. A notice will be sent to the applicant(s), responsible authorities, and or interested party informing them that the hearing has been dispensed with.
- 3.9. The Hearing agenda will contain the following information:
- Date, time and place of the hearing
 - Scheduled membership of the Licensing Panel
 - Licensing Authority Contact information
 - Order of business
 - Information on where agendas, reports, and associated documents will be available for public inspection.
 - Information on where the Licensing Hearing Procedure will be available for public inspection

- 3.10. The applicant(s) will have the right to be accompanied to a hearing by his or her representative who may present the case to the Licensing Panel for or on behalf of the applicant(s).
- 3.11. Hearings will be held in public unless the Licensing Authority considers that the public interest in not doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in public in which [case] the applicant(s), those assisting the applicant(s), responsible authorities, or other interested parties can be excluded.
- 3.12. At the conclusion of the Hearing the Licensing Panel will deliberate and determine the application. This process will be carried out in private session.
- 3.13. A record of proceedings will be kept for six years from the date of decision or the disposal of any appeal. The purpose of this is to provide an accurate record of proceedings, and a summary of the key points. The record will also include:
 - Membership of the Panel
 - Any declarations of interest
 - Confirmation that the agreed procedure was followed
 - Details of the decision taken and of the reasons for that decision

4. Licensing Hearing Process

- 4.1. The Chair of the Licensing Panel will at the start of the hearing outline the process, introduce the other members of the panel, and ask the applicant(s), and any responsible authorities or interested parties, to introduce themselves.
- 4.2. The Hearing will begin with a presentation by an officer of the Council, when the application will be outlined.
- 4.3. In accordance with the Regulations:
 - (i) the applicant(s) (or his/her representative) will be invited to address the Panel if they have indicated they wish to and in accordance with the Regulations;
 - (ii) each responsible authority will then be invited to address the Panel if they have indicated they wish to and in accordance with the Regulations; and
 - (iii) Each interested party (whether supporting the application or objecting to it) will then be invited to address the Panel if they have indicated they wish to and in accordance with the Regulations.
- 4.4. The applicant(s) (or his/her representative) will be invited to sum up their application and to address issues raised by the responsible authorities / interested parties.
- 4.5. The Licensing Panel may ask questions of any of the parties following their address.
- 4.6. Regulation 23 states that cross-examination cannot take place unless specified by the Licensing Authority. All parties present at a hearing will be allowed to ask questions of one another through the Chair of the Panel.
- 4.7. The applicant(s) (or his or her representative), responsible authorities, and or interested parties will be allowed an equal period of time (per party) allowed in which all parties can exercise their rights. This will be determined on a case by case basis.
- 4.8. New evidence by the applicant(s), and any responsible authority or interested party will only be considered with the agreement of all parties present at the hearing. The Licensing Authority expects any such evidence to be submitted to the Head of Community Safety & Licensing 48 hours prior to a hearing to allow the Panel, applicant(s), any responsible authority, or interested party the opportunity to consider it.

- 4.9. The Panel may retire at any point during the hearing to consider interim points as they arise.
- 4.10. Agendas, reports, and associated documents relating to the application will be distributed to the Panel prior to the hearing. Panel Members will read and have taken into account the information relating to the application. Applicant(s) (or his/her representative), responsible authorities, and interested parties should in the interest of fairness, efficiency and cost-effectiveness, ensure that their address is factual, and outlines 'key points' relating to the application and the positive or negative impact on the licensing objectives. The Licensing Panel can only consider the impact of an application on the four licensing objectives and will disregard information relating to other matters.
- 4.11. At the conclusion of the public hearing, the Panel will retire to carry out its deliberations and determination of the application. The Panel may have support in the process from an officer of the Licensing Authority, usually a Solicitor or a representative of the Chief Executive. Any advice given to the Panel by an officer of the Council will be disclosed to the applicant(s) (or his/her representative), responsible authorities, and interested parties. Following the deliberation, the Panel will determine the application and announce the decision. This may include:
- (i) Granting the licence in accordance with the operating schedule
 - (ii) Granting the licence in accordance with the operating schedule, but taking into account representations made by the responsible authorities and or interested parties
 - (iii) Applying condition(s) taken from the Licensing Authority's Pool of Conditions or constructing a condition(s) to address the negative impact of an application on one or more of the four licensing objectives
 - (iv) Refusing the application based on the likely negative impact of the proposal on one or more of the licensing objectives
 - (v) Deferring the determination, or adjourning the hearing.

5. Information

- 5.1. Licensing Panels will consist of three elected members of the Licensing Authority (West Oxfordshire District Council). They will all be members of the Licensing Committee required to be established by virtue of the Licensing Act 2003, and will have received prior training on the Licensing Act 2003 and Panel Procedures.
- 5.2. The applicant(s), responsible authorities, and interested parties will be notified of the Panel's decision in writing.
- 5.3. In cases where a decision cannot be given at the end of the hearing, the Licensing Authority will inform the applicant(s) when they will be notified of the decision within five working days.
- 5.4. Decisions will generally be taken regardless of whether the applicant(s) is present, unless an application for an adjournment has been made and granted.
- 5.5. The record of the hearing will be published 10 working days after the hearing on the Licensing Authority's web site - www.westoxon.gov.uk and will be available for public inspection at West Oxfordshire District Council, Woodgreen, WITNEY, Oxfordshire OX28 1NB.
- 5.6. The Licensing Authority may remove disruptive persons from the hearing. These persons will be allowed to submit for consideration, before the end of the hearing, any written representations that relate to the licensing objectives they had wished to make orally to the hearing.

- 5.7. Clerical errors do not render the licensing hearing procedure void. The Licensing Authority will seek to cure any irregularity or error as soon as practicable.
 - 5.8. Written correspondence and documentation relating to the application, both in support and in objection will be made available in its entirety to the Licensing Panel, the applicant(s), responsible authorities, interested parties, and the public so that they can prepare for the hearing and, in the case of the Panel, make an informed decision on the application.
- 6. Appeals**
- 6.1. Applicant(s), responsible authorities, and interested parties have a right to appeal against the decision of a Licensing Panel. Details can be obtained from Community Services, West Oxfordshire District Council, Elmfield, WITNEY, Oxfordshire OX28 1PB Telephone: (01993) 861636. Email: community.services@westoxon.gov.uk.

SCHEDULES 1, 2 & 3 OF THE LICENSING ACT 2003(HEARING) REGULATIONS

Schedule 1		Schedule 2		Schedule 3		
Column 1	Column 2	Column 1	Column 2	Column 1	Column 2	Column 3
Provision under which hearing is held.	Period of time within which hearing must be commenced.	Provision under which hearing is held.	Persons to whom notice of hearing is to be given	Provision under which hearing is held	Person to whom notice of hearing is given	Documents to accompany notice of hearing
1. Section 18(3)(a) (determination of application for premises licence). Page 57	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c).	Section 18(3)(a) (determination of application for premises licence).	(1) The person who has made the application under section 17(1); (2) persons who have made relevant representations as defined in section 18(6).	Section 18(3)(a) (determination of application for premises licence).	The person who has made the application under section 17(1).	The relevant representations as defined in section 18(6) which have been made.
2. Section 31(3)(a) (determination of application for a provisional statement).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c) by virtue of section 30.	Section 31(3)(a) (determination of application for provisional statement).	(1) The person who has made the application under section 29(2); (2) persons who have made relevant representations as defined in section 31(5).	Section 31(3)(a) (determination of application for provisional statement).	The person who has made the application under section 29(2).	The relevant representations as defined in section 31(5) which have been made.

Schedule 1		Schedule 2		Schedule 3		
Column 1	Column 2	Column 1	Column 2	Column 1	Column 2	Column 3
Provision under which hearing is held.	Period of time within which hearing must be commenced.	Provision under which hearing is held.	Persons to whom notice of hearing is to be given	Provision under which hearing is held	Person to whom notice of hearing is given	Documents to accompany notice of hearing
3. Section 35(3)(a) (determination of application to vary premises licence).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c) by virtue of section 34(5).	Section 35(3)(a) (determination of application to vary premises licence).	(1) The holder of the premises licence who has made the application under section 34(1); (2) persons who have made relevant representations as defined in section 35(5).	Section 35(3)(a) (determination of application to vary premises licence).	The holder of the premises licence who has made the application under section 34(1).	The relevant representations as defined in section 35(5) which have been made.
4. Section 39(3)(a) (determination of application to vary premises licence to specify individual as premises supervisor).	20 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under section 37(5).	Section 39(3)(a) (determination of application to vary premises licence to specify individual as premises supervisor).	(1) The holder of the premises licence who has made the application under section 37(1); (2) each chief officer of police who has given notice under section 37(5); (3) the proposed individual as referred to in section 37(1).	Section 39(3)(a) (determination of application to vary premises licence to specify individual as premises supervisor).	(1) The holder of the premises licence who has made the application under section 37(1); (2) the proposed individual as referred to in section 37(1).	The notices which have been given under section 37(6).

Schedule 1		Schedule 2		Schedule 3		
Column 1	Column 2	Column 1	Column 2	Column 1	Column 2	Column 3
Provision under which hearing is held.	Period of time within which hearing must be commenced.	Provision under which hearing is held.	Persons to whom notice of hearing is to be given	Provision under which hearing is held	Person to whom notice of hearing is given	Documents to accompany notice of hearing
5. Section 44(5)(a) (determination of application for transfer of premises licence). <div>Page 59</div>	20 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under section 42(6).	Section 44(5)(a) (determination of application for transfer of premises licence).	(1) The person who has made the application under section 42(1); (2) each chief officer of police who has given notice under section 42(6); (3) the holder of the premises licence in respect of which the application has been made or, if the application is one to which section 43(1) applies, the holder of that licence immediately before the application was made.	Section 44(5)(a) (determination of application for transfer of premises licence).	(1) The person who has made the application under section 42(1); (2) the holder of the premises licence in respect of which the application has been made or, if the application is one to which section 43(1) applies, the holder of that licence immediately before the application as made.	The notices which have been given under section 42(6).

Schedule 1		Schedule 2		Schedule 3		
Column 1	Column 2	Column 1	Column 2	Column 1	Column 2	Column 3
Provision under which hearing is held.	Period of time within which hearing must be commenced.	Provision under which hearing is held.	Persons to whom notice of hearing is to be given	Provision under which hearing is held	Person to whom notice of hearing is given	Documents to accompany notice of hearing
6. Section 48(3)(a) (cancellation of interim authority notice following police objections).	5 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under section 48(2).	Section 48(3)(a) (cancellation of interim authority notice following police objections).	(1) The person who has given notice under section 47(2); (2) each chief officer of police who has given notice under section 48(2). <i>(Two days notice by virtue of Regulation 6)</i>	Section 48(3)(a) (cancellation of interim authority notice following police objection).	The person who has given notice under section 47(2).	The notices which have been given under section 48(2).
7. Section 52(2) (determination of application for review of premises licence).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 51(3)(c).	Section 52(2) (determination of application for review of premises licence).	(1) The holder of the premises licence in respect of which the application has been made; (2) persons who have made relevant representations as defined in section 52(7); (3) the person who has made the application under section 51(1).	Section 52(2) (determination of application for review of premises licence).	The holder of the premises licence in respect of which the application has been made.	The relevant representations as defined in section 52(7) which have been made.

Schedule 1		Schedule 2		Schedule 3		
Column 1	Column 2	Column 1	Column 2	Column 1	Column 2	Column 3
Provision under which hearing is held.	Period of time within which hearing must be commenced.	Provision under which hearing is held.	Persons to whom notice of hearing is to be given	Provision under which hearing is held	Person to whom notice of hearing is given	Documents to accompany notice of hearing
8. Section 72(3)(a) (determination of application for club premises certificate).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 71(6)(c).	Section 72(3)(a) (determination of application for club premises certificate).	(1) The club which has made the application under section 71(1); (2) persons who have made relevant representations as defined in section 72(7).	Section 72(3)(a) (determination of application for club premises certificate).	The club which has made the application under section 71(1).	The relevant representations as defined in section 72(7) which have been made.
9. Section 85(3)(a) (determination of application to vary club premises certificate).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 71(6)(c) by virtue of section 84(4).	Section 85(3)(a) (determination of application to vary club premises certificate).	(1) The club which has made the application under section 84(1); (2) persons who have made relevant representations as defined in section 85(5).	Section 85(3)(a) (determination of application to vary club premises certificate).	The club which has made the application under section 84(1).	The relevant representations as defined in section 85(5) which have been made.

Schedule 1		Schedule 2		Schedule 3		
Column 1	Column 2	Column 1	Column 2	Column 1	Column 2	Column 3
Provision under which hearing is held.	Period of time within which hearing must be commenced.	Provision under which hearing is held.	Persons to whom notice of hearing is to be given	Provision under which hearing is held	Person to whom notice of hearing is given	Documents to accompany notice of hearing
10. Section 88(2) (determination of application for review of club premises certificate).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 87(3)(c).	Section 88(2) (determination of application for review of club premises certificate).	(1) The club which holds the club premises certificate in respect of which the application has been made; (2) persons who have made relevant representations as defined in section 88(7); (3) the person who has made the application under section 87(1).	Section 88(2) (determination of application for review of club premises certificate).	The club which holds the club premises certificate in respect of which the application has been made.	The relevant representations as defined in section 88(7) which have been made.
11. Section 105(2)(a) (counter notice following police objection to temporary event notice).	7 days beginning with the day after the end of the period within which a chief officer of police may give a notice under section 104(2).	Section 105(2)(a) (counter notice following police objection to temporary event notice).	(1) The premises user; (2) each chief officer of police who has given notice under section 104(2). <i>(Two days notice by virtue of Regulation 6)</i>			

Schedule 1		Schedule 2		Schedule 3		
Column 1	Column 2	Column 1	Column 2	Column 1	Column 2	Column 3
Provision under which hearing is held.	Period of time within which hearing must be commenced.	Provision under which hearing is held.	Persons to whom notice of hearing is to be given	Provision under which hearing is held	Person to whom notice of hearing is given	Documents to accompany notice of hearing
12. Section 120(7)(a) (determination of application for grant of personal licence).	20 working days beginning with the day after the end of the period within which the chief officer of police may give a notice under section 120(5).	Section 120(7)(a) (determination of application for grant of personal licence).	(1) The person who has made the application under section 117(1); (2) the chief officer of police who has given notice under section 120(5).	(No 11) Section 120(7)(a) (determination of application for grant of personal licence).	The person who has made the application under section 117(1).	The notice which has been given under section 120(5).
13. Section 121(6)(a) (determination of application for the renewal of personal licence).	20 working days beginning with the day after the end of the period within which the chief officer of police may give a notice under section 121(3).	Section 121(6)(a) (determination of application for renewal of personal licence).	(1) The person who has made the application under section 117(1); (2) the chief officer of police who has given notice under section 121(3).	(No 12) Section 121(6)(a) (determination of application for renewal of personal licence).	The person who has made the application under section 117(1).	The notice which has been given under section 121(3).
14. Section 124(4)(a) (convictions coming to light after grant or renewal of personal licence).	20 working days beginning with the day after the end of the period within which the chief officer of police may give a notice under section 124(3).	Section 124(4)(a) (convictions coming to light after grant or renewal of personal licence).	(1) The holder of the licence in respect of which the notice has been given; (2) the chief officer of police who has given notice under section 124(3).	(No 13) Section 124(4)(a) (convictions coming to light after grant or renewal of personal licence).	The holder of the licence in respect of which the notice has been given.	The notice which has been given under section 124(3).

Schedule 1		Schedule 2		Schedule 3		
Column 1	Column 2	Column 1	Column 2	Column 1	Column 2	Column 3
Provision under which hearing is held.	Period of time within which hearing must be commenced.	Provision under which hearing is held.	Persons to whom notice of hearing is to be given	Provision under which hearing is held	Person to whom notice of hearing is given	Documents to accompany notice of hearing
<p>15. Section 167(5)(a) (review of premises licence following closure order).</p> <p>Page 64</p>	10 working days beginning with the day after the day the relevant licensing authority receives the notice given under section 165(4).	Section 167(5)(a) (review of premises licence following closure order).	<p>(1) The holder of the premises licence in respect of which the review has been made;</p> <p>(2) persons who have made relevant representations as defined in section 167(9).</p> <p><i>(Five days notice by virtue of Regulation 6)</i></p>	<i>(No 14)</i> Section 167(5)(a) (review of premises licence following closure order).	The holder of the premises licence in respect of which the review has been made.	The relevant representations as defined in section 167(9) which have been made.
16. Paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence).	10 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under paragraph 3(2) or (3) of Schedule 8.	Paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence).	<p>(1) The person who has made the application under paragraph 2(2) of Schedule 8;</p> <p>(2) each chief officer of police who has given notice under paragraph 3(2) or (3) of Schedule 8.</p> <p><i>(Five days notice by virtue of Regulation 6)</i></p>			

Schedule 1		Schedule 2		Schedule 3		
Column 1	Column 2	Column 1	Column 2	Column 1	Column 2	Column 3
Provision under which hearing is held.	Period of time within which hearing must be commenced.	Provision under which hearing is held.	Persons to whom notice of hearing is to be given	Provision under which hearing is held	Person to whom notice of hearing is given	Documents to accompany notice of hearing
17. Paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate).	10 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under paragraph 15(2) or (3) of Schedule 8.	Paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate).	(1) The club which has made the application under paragraph 14(2) of Schedule 8; (2) each chief officer of police who has given notice under paragraph 15(2) or (3) of Schedule 8. <i>(Five days notice by virtue of Regulation 6)</i>			
18. Paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for grant of personal licence)	10 working days beginning with the day after the end of the period within which the chief officer of police may give a notice under paragraph 25(2) of Schedule 8.	Paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for grant of personal licence).	(1) The person who has made the application under section 117 to which paragraph 23(1) of Schedule 8 applies; (2) the chief officer of police who has given notice under paragraph 25(2) of Schedule 8. <i>(Five days notice by virtue of Regulation 6)</i>			

Copies of the Licensing Hearing Procedure are available from:

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Copies can also be downloaded on the Councils web site – www.westoxon.gov.uk.