

Thursday, 2 December 2021

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LICENSING PANEL

You are summoned to a meeting of a Licensing Panel which will be held in the Council Chamber, Woodgreen, Witney OX28 1NB on **Friday, 10 December 2021 at 10.00 am.**



Giles Hughes
Chief Executive

To: Members of the Licensing Panel

Councillors: Norman MacRae MBE (Chairman), Andy Graham and Lysette Nicholls.

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. **Declarations of Interest**

To receive any declarations from Members of the Committee on any items to be considered at the meeting.

2. **Apologies for Absence and Temporary Appointments**

3. **Application to Vary a Premises Licence (Pages 3 - 54)**


Purpose

To determine a Variation to a Premises Licence Application made for the Siege of Orleans in Carterton, Oxfordshire.

Recommendation

That the Licensing Sub-Committee is asked, in the light of the representations received, to consider the application and determine whether to:-

- grant the application as requested;
- 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 in order to promote the licensing objectives.

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>LICENSING PANEL – 10th DECEMBER 2021</p>
<p>Report Number</p>	<p>Agenda Item 3</p>
<p>Subject</p>	<p>APPLICATION FOR A VARIATION TO A PREMISES LICENCE</p>
<p>Wards affected</p>	<p>Carterton South</p>
<p>Accountable member</p>	<p>Cabinet Member for Environment, Councillor MacRae Norman.macrae@westoxon.gov.uk</p>
<p>Accountable officer</p>	<p>Andrea Thomas, Licensing Officer Tel: 01993 861000 Email: andrea.thomas@publicagroup.uk</p>
<p>Summary/Purpose</p>	<p>To determine a Variation to a Premises Licence Application made by Mr. Chris Jones for the Siege of Orleans in Carterton, Oxfordshire</p>
<p>Annexes</p>	<p>Annex A – Copy of application Annex B – Plan and location of the premises Annex C – Copy of Thames Valley Police (TVP) conditions Annex D – Copy of Technical Pollution Services (TPS) conditions Annex E – Copy of response from Oxfordshire Fire and Rescue Annex F – Copy of objections from local residents Annex G – Applicant’s response to objections Annex H – Hearing Procedures</p>
<p>Recommendation/s</p>	<p>That the Licensing Sub-Committee is asked, in the light of the representations received, to consider the application and determine whether to:-</p> <ul style="list-style-type: none"> • grant the application as requested; • 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 in order to promote the licensing objectives.
<p>Corporate priorities</p>	<p>Ensure that services delivered by the Council are delivered to the highest standard.</p>
<p>Key Decision</p>	<p>No</p>
<p>Exempt</p>	<p>No</p>

Consultees/ Consultation	A 28 day consultation has been undertaken with all Responsible Authorities, Ward Member and the Town Council and advertised in accordance with the Licensing Act 2003.
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1. BACKGROUND

- 1.1. The Licensing Act 2003 ("the Act") allows applicants to apply for new Premises Licences, Premises Licence Variations, Club Premises Certificates and Personal Licences.
- 1.2. An application for a Variation to a Premises Licence was received on the 15th October 2021. The applicant is Mr. Chris Jones for the Siege of Orleans in Carterton, Oxfordshire.
- 1.3. The Licensing Authority is satisfied that the application was duly made, the correct notification process was followed and the application was appropriately advertised. The advertisement appeared in the 'Witney Gazette' on the 27th October 2021 and a Site Notice advertising the application was placed in the window of the premises for 28 days.
- 1.4. The application seeks a Variation to a Premises Licence for the use of an upstairs area along with an extension of hours for sale of alcohol and regulated entertainment as follows:
 - Supply be retail of alcohol on and off the premises between the hours of Sunday to Thursday 1100hrs to midnight
Friday and Saturday 1100hrs to 0100hrs
 - Live and recorded music inside the premises between the hours of Sunday to Thursday 2300hrs to midnight
Friday and Saturday 2300hrs to 0100hrs

The Live Music Act 2015 and Deregulation Act 2015 permit the Premises Licence holder to play live and recorded music between the hours of 08.00 and 23.00 hours where the sale of alcohol (on sales) are taking place.

A copy of the application can be found at **Annex A**.

2. SITE DESCRIPTION

- 2.1. The site is situated in the Giles Centre, Alvescot Road, Carterton, OX18 3LD. A copy of the plans and the location of premises are attached at **Annex B**.

3. REPRESENTATIONS

3.1. Responsible Authorities under the Licensing Act 2003

The following Conditions at **Annex C** have been submitted by Thames Valley Police and the applicant has agreed to these conditions which will form part of the Operating Schedule on the Premises Licence.

Conditions suggested by the Technical Pollution Services Officer can be found at **Annex D** (at the time of writing this report the applicant is in discussions with Technical Pollution Services Officer to attempt to reach an agreement.

The response from Oxfordshire Fire and Rescue can be found at **Annex E**.

No other Responsible Authorities have made any representations.

3.2. Local Ward Member and Town Council

No response was received from the Local Ward Member or the Town Council during the consultation period.

3.3. Other Persons (Residential)

There have been 3 residents representations received in relation to this application. Copies of these representations are attached at **Annex F**.

A written response to these objections has been submitted by the applicant and are attached at **Annex G**.

4. FINANCIAL IMPLICATIONS

- 4.1. There are no financial implications arising directly from the consideration of this application. However, any appeal to the Magistrates' Court against the refusal of the application or against the imposition of Conditions could result in the Council having to bear the legal costs of defending its decision.

5. LEGAL IMPLICATIONS

- 5.1. 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 the Conditions opposed on the Licence.

6. PROCEDURES

- 6.1. A copy of the procedure for the meeting is attached at **Annex H**

7. BACKGROUND PAPERS

- 7.1. West Oxfordshire District Council's Statement of Licensing Policy – 2021.

* required information

Section 1 of 18

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	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="sgl:2112"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on behalf of the applicant?		Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
<input checked="" type="radio"/> Yes <input type="radio"/> No		

Applicant Details

* First name	<input type="text" value="Christopher"/>	
* Family name	<input type="text" value="Jones"/>	
* E-mail	<input type="text" value=""/>	
Main telephone number	<input type="text" value=""/>	Include country code.
Other telephone number	<input type="text" value=""/>	
<input type="checkbox"/> Indicate here if the applicant would prefer not to be contacted by telephone		

Is the applicant:

- ☐ Applying as a business or organisation, including as a sole trader
- ☒ Applying as an individual

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

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

Stewart

* Family name

Gibson

* E-mail

Main telephone number

Other telephone number

Include country code.

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

Are you:

☐ An agent that is a business or organisation, including a sole trader

☒ A private individual acting as an agent

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

Your Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Address official correspondence should be sent to.

Continued from previous page...

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

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

* Premises Licence Number

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

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VARIATION

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

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

☐ Yes ☒ No

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

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

Describe Briefly The Nature Of The Proposed Variation **Page 9**

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

The premises trades as a bar retailing the sale of alcohol, and seeking regulated entertainment and Late Night Refreshment when open beyond 23:00 hours. we are also seeking to add to the licensable area, as per the attached plans.

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

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

☐ Yes ☒ No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

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

☐ Yes ☒ No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

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

☐ Yes ☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

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

☐ Yes ☒ No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

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

☒ Yes ☐ No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 23:00

End 00:00

Start

End

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

TUESDAY

Start 23:00

End 00:00

Start

End

WEDNESDAY

Start 23:00

End 00:00

Start

End

THURSDAY

Start 23:00

End 01:00

Start

End

FRIDAY

Start 23:00

End 01:00

Start

End

SATURDAY

Start 23:00

End 01:00

Start

End

SUNDAY

Start 23:00

End 00:00

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 select 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.

To allow live music when applicable to continue beyond 23:00 hours

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.

n/a

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above 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 RECORDED MUSIC

[See guidance on regulated entertainment](#)

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

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

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 select 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.

To allow the provision of recorded music, including DJ music to continue beyond 23:00 where applicable

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 above, list below.

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

n/a

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

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

☐ Yes ☒ No

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

[See guidance on regulated entertainment](#)

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

☐ Yes ☒ No

Continued from previous page...

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

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

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start 23:00

End 00:00

Start

End

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

TUESDAY

Start 23:00

End 00:00

Start

End

WEDNESDAY

Start 23:00

End 00:00

Start

End

THURSDAY

Start 23:00

End 01:00

Start

End

FRIDAY

Start 23:00

End 01:00

Start

End

SATURDAY

Start 23:00

End 01:00

Start

End

SUNDAY

Start 23:00

End 00:00

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure select 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 amplified

Continued from previous page...

To allow the sale of hot food and drink to continue beyond 23:00 hours.

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 provision of late night refreshment at different times from those listed above, list below.

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

n/a

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SUPPLY OF ALCOHOL

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

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

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 above, list below.

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

n/a

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ADULT ENTERTAINMENT

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

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

n/a

Continued from previous page...

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

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

n/a

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

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

n/a

Continued from previous page...

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

n/a

☒ I have enclosed the premises licence

☐ I have enclosed the relevant part of the premises licence

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

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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.

current conditions to remain:
The premises will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. All staff will be fully trained on induction in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.

b) The prevention of crime and disorder

Current Conditions to remain:

SIA Door Staff to be on duty from Thursday to Saturday from 22:00 until 30 mins after closing.

The premises shall install and maintain a comprehensive CCTV system. All entry and exit points must be covered enabling frontal identification of every person entering in a light condition. The CCTV system shall continually record whilst the premises are open. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer of the Council.

A staff member from the premises who is conversant with the operation of the CCTV system shall be in the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested and within a maximum of 24 hours of the initial request.

Notices shall be prominently displayed within the premises stating that CCTV is in operation.

Any person entering the premises who appears to be under the influence of alcohol or drugs shall in the interests of other members of the public using the premises be requested to leave the premises.

Continued from previous page...

A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- a) all crimes reported to the venue
- b) all ejections of patrons
- c) any complaints received concerning crime and disorder
- d) any incidents of disorder
- e) all seizures of drugs or offensive weapons
- f) any faults in the CCTV system, searching equipment or scanning equipment
- g) any refusal of the sale of alcohol including date, time and name of staff member
- h) any visit by a relevant authority or emergency service.

c) Public safety

All relevant fire procedures are in place for a premises of this size.

d) The prevention of public nuisance

Current conditions to remain.

Music played to outside speakers will cease at 22:30 each evening.

Upstairs windows to remain closed during any DJ performance.

The use of outside bins will cease at 22:30 each evening for the disposal of used bottles.

All customers will be reminded by way of notice at the exit door to leave the premises quietly and have respect for neighbouring properties in relation to noise nuisance.

e) The protection of children from harm

The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authorised Trading Standards Officer of the Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

A written register of refusals will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of the Council on demand.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

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.

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PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

I/WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE

* STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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

Continued from previous page...

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

* Full name

* Capacity

* Date / /
dd mm yyyy

[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/change-1> to upload this file and continue with your application.

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

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

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

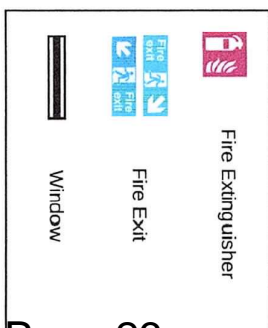
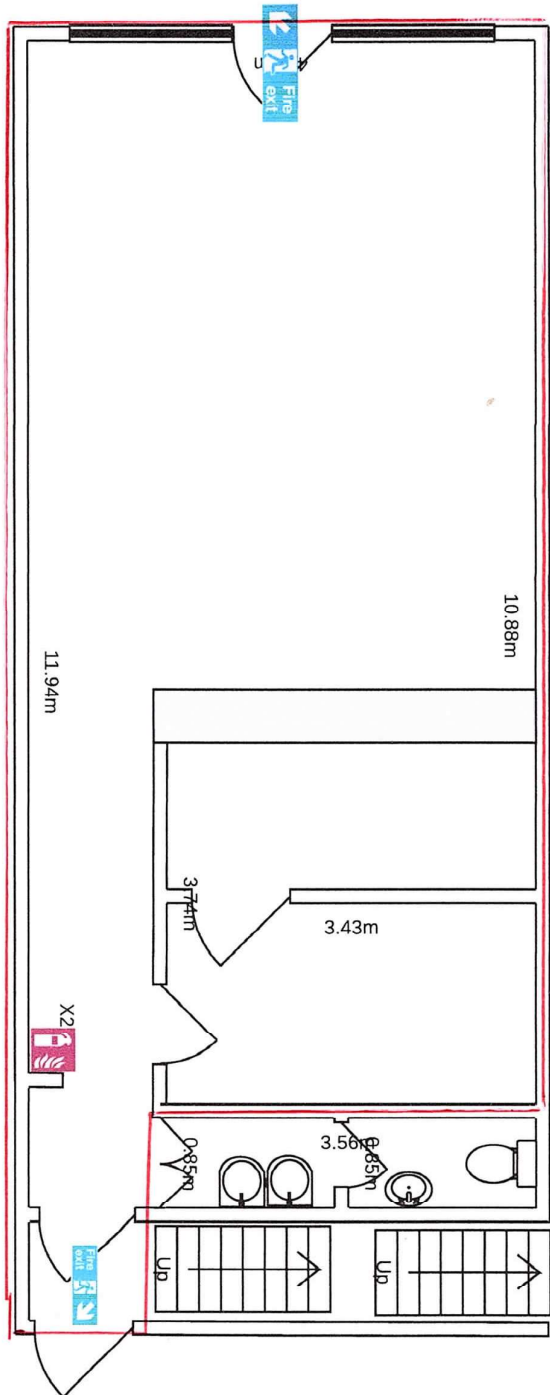
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The Siege of Orleans - Downstairs

Sarah Clark | October 11, 2021

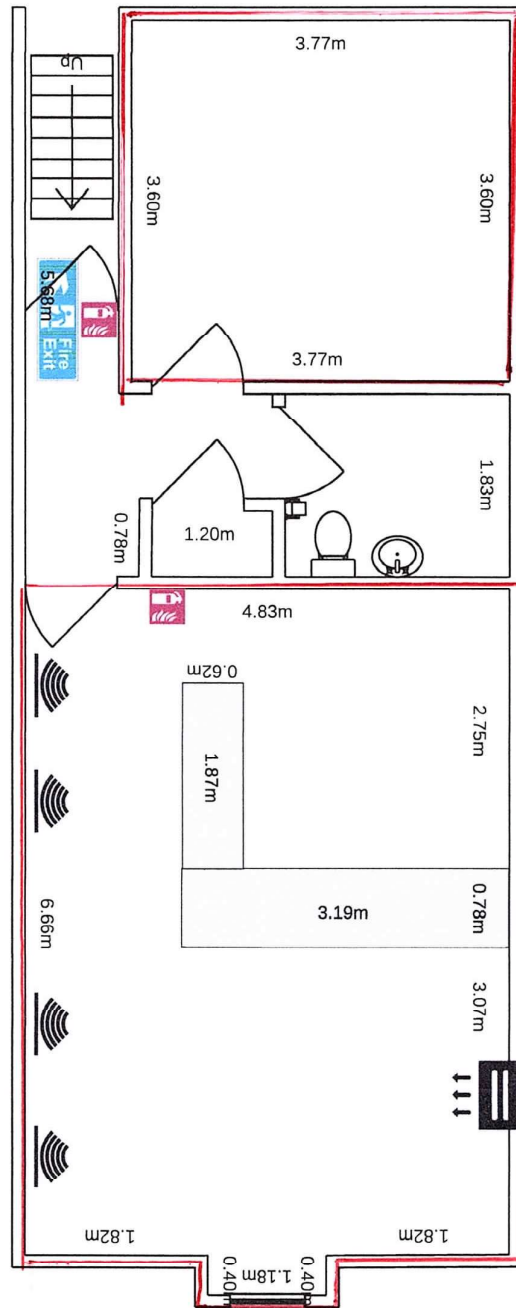


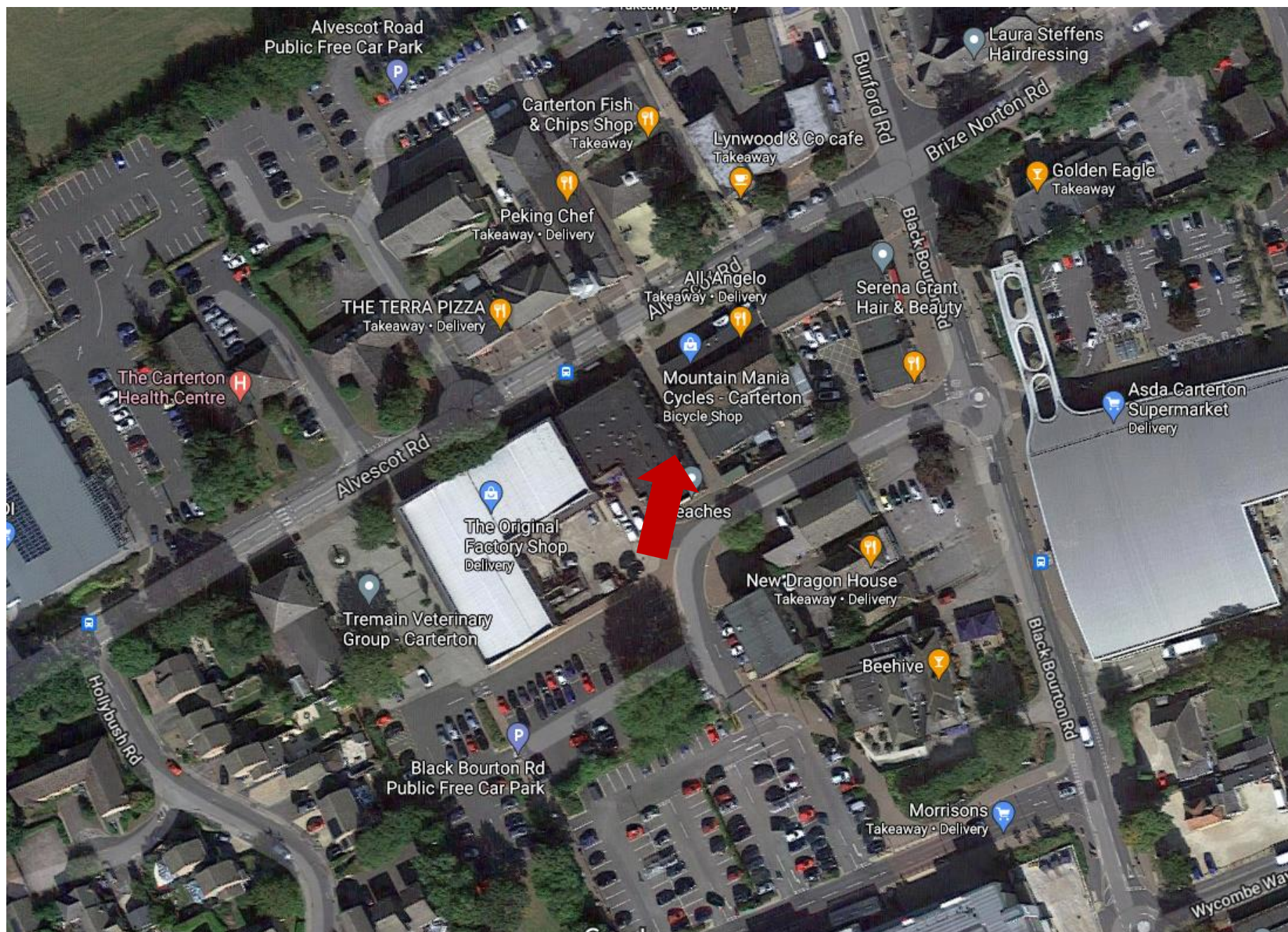
☒ LICENSABLE AREA.

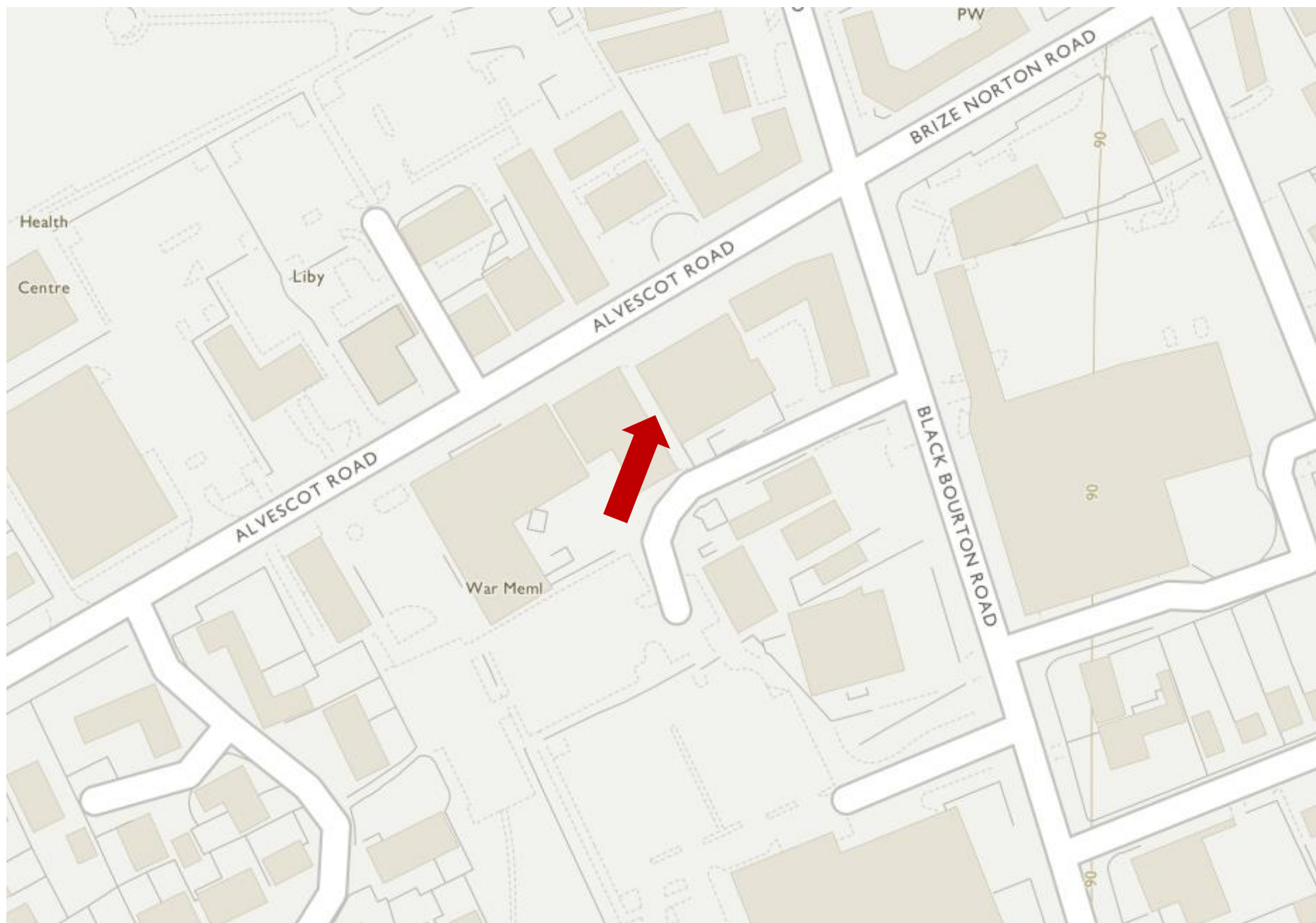
SIEGE OF ORLEANS
THE GILES CENTRE
ALVESCOT ROAD
CANNESBORO
OX18 3DH.

Siege upstairs

South Clark | October 8, 2021







Prevention of Crime and Disorder:

CCTV - The premises shall install and maintain a comprehensive CCTV system. All entry and exit points must be covered enabling frontal identification of every person entering in a light condition. The CCTV system shall continually record whilst the premises are open. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer of the Council.

Positioning of the cameras:

- One x Camera outside the front of the premises monitoring the area outside the front of the premises and capturing customers entering the premises.
- One x Camera covering the downstairs bar area and serving area in front of the bar.
- One x Camera covering the inside of the rear fire exit the stairs.
- One x Camera covering the area outside the rear fire exit.
- One x Camera covering the top of the stairs and the entrance door to the upstairs bar.
- One x camera covering the upstairs bar area.

A staff member from the premises who is conversant with the operation of the CCTV system shall be in the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested and within a maximum of 24 hours of the initial request.

Security:

- There will a minimum of One x SIA licensed Door Staff on duty Thursday, Friday and Saturday, and minimum of Two x SIA Licensed Door Staff on duty when the upstairs is being used as a dance floor, the Door Staff will be on duty from 22.00hrs until 30 minutes after closing of the premises.
- Any events or private parties held on the premises between Sunday and Wednesday shall be risk assessed by the management as to whether door staff are required or not.
- SIA door staff will book on and off duty in the incident log and will record their Name, Address and SIA Licence number.

The Premises will keep a written drug policy on the premises which will be available upon the request of Police or authorised officer of the Council.

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Technical Pollution Services – recommended conditions

1. At the end of a function an announcement must be made requiring that patrons leave the premises quietly.
2. The external front façade first storey window and front access door shall be kept closed at all times regulated entertainment is being provisioned. The front door to the premise must have a self-closing automatic closer mechanism and shall be kept closed at all times that regulated entertainment is being provisioned, save for immediate customer access and egress.
3. The volume and bass frequencies (low frequency content at 63Hz and 125Hz octaves) of recorded and live music shall be specifically controlled to prevent nuisance at neighbouring premises.
4. A noise limiting device must be installed, fitted and maintained in such a manner as to control all sources of amplified music or speech (live and recorded) at the premises. This should be set at a limit that has been agreed by the Council's Technical Pollution Services Team. The noise limiter shall be installed before the provision of live or recorded music.
5. Any outside seating area shall close daily at 23:00hrs.
6. All recorded music must cease by 01:00 hrs. Live music shall cease at midnight.
7. The DPS shall receive and respond to complaints throughout the duration of all noisy events.
8. All speakers to be mounted on isolation mounts. Speakers should not be attached to party walls or the ceiling. No speaker to be placed in a corner.
9. All queuing outside the premises shall be managed in such a way that prevents noisy or rowdy behaviour and therefore minimises disturbance to neighbours 12. A written dispersal policy designed to make the maximum contribution immediately before the premises closes, by exercising pro-active measures to move customers from the premises in such a way as to cause minimum disturbance.
10. There shall be explicit advisory signage at the exit front door requesting customers leave the venue quietly

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(08/19)



Date: 8/11/2021

Our ref: 100121315908

Christopher Jones

The siege of Orleans,
5 The Giles Centre,
Carterton,
OX18 3DH

**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 **West Oxfordshire** District Council
Licensing Committee

Dear Christopher,

Re: Licensing Act 2003

No adverse comments from Fire Authority

Premises: The siege of Orleans, 5 The Giles Centre, Carterton, OX18 3DH

Based upon the information you have provided regarding your application for a premises licence for the above-named premises, and on the understanding that a full risk assessment (see paragraph below) will be /has been undertaken and any necessary actions carried out to resolve any identified shortcomings, it is confirmed that the Oxfordshire Fire and Rescue Service have no adverse comments to make.

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

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

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

Yours sincerely

A handwritten signature in black ink, appearing to read "Michael Milling".

Michael Milling
Fire Safety Advisor

Mobile: 07919 111983

Email: michael.milling@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>

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

The RRFSO places the responsibility for ensuring the safety of people using the premises firmly upon the employer or the person having control of the premises; the “responsible person”. The main duty of the “Responsible Person” is to carry out a risk assessment, and to assist them a series of guides have been produced. These give detailed information on risk assessments and other issues and can be down loaded free of charge via
<https://www.gov.uk/workplace-fire-safety-your-responsibilities>

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

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

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

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

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

Further guidance concerning licensed premises may be found in the “Guidance issued under section 182 of the Licensing Act 2003”
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

James Rae

I wish to object to a permanent late license for The Siege of Orleans pub, my reason being that I am a resident in the area of this establishment, the noise levels when temporary licenses have previously been granted have been excessive and disruptive causing sleepless nights resulting in my daily work and mental health being affected. I am also a career so it is important that I get rest when I am at home regardless of the time of day.

While I do appreciate that some strict guidelines are being put in place to be followed, my concern would be that they will make no difference to the noise levels. The Siege was only ever ment to be a micro Pub, due to the size of the property. When it had this purpose the residents who live near by had no issues.

Since the use of the alleyway was granted for live music the noise levels have become excessive from around 8pm onwards even with my windows closed. For example it is 9:30pm and I can hear every word the artist is singing over my television.

Although permission has been permitted I feel it's unfair that residents can not relax within their own home until 11:30pm.

Now we have to deal with the upstairs having a DJ which is also load, again the nature of the building makes the noise carry.

The issues become very clear this year, when an outside speaker was installed which plays music from the time the Siege open until close.

While I have no objection to any business trying to do well in light of the recent events of COVID, it is the practically of having a venue so close to residential property that I object to.

I have for example, lived by the Beehive pub for over four years, this is a much larger venue with a dance floor and music. I have never had disturbance from them or any reason to complain, all residents have a good relationship with the landlord because of their consideration to those who live in the area.

While the noise levels of late have quietened down most evenings, this is a factor caused by weather and colder evenings, A member of the Siege team has already pointed out, a permanent license will mean more disruption from customers who have no concern for local residents regardless of a sign in the window, fights continue to get out of control and live events will be more regular, I was advised that moving might be a good option!

I would ask for your support with this matter, I would suggest that Chris Jones may benefit from looking at alternative premises further away from a residential area.

This would also be of benefit to his customers, as a business manager myself, a bigger venue would surely support his already popular establishment.

C Clewes

I am a resident at xxx. I have lived at this address for nearly four years and in this time I have never experienced such a large amount of noise and disruption to my quality of life. Since April 2021 I have to ensure all my windows and internal doors are tightly closed due to the excessive noise and antisocial behaviour coming from the Siege of Orleans in the Giles Centre Alvescot Road. Because of this my sleep pattern has been destroyed and as I am a key worker for the military at RAF Brize Norton my work has been affected. Along with work I also help look after my 89 year mother and she has noticed that I have become very short tempered and stressed which is also affecting our relationship.

I live next door to the Beehive public house but do not hear any such noise from them at any time they are open. Even when the Beehive hold live music and disco nights I am not disturbed in any way.

It has now got to the point where I am having to spend nights away from my home and spend it with friends or family so that I can catch up on my sleep to be able to function and do my job.

I feel that with the variation of the premises licence for the Siege of Orleans increasing their hours of service will increase the amount of noise and antisocial behaviour outside my home, which in turn will cause me further stress and anxiety and my mental health will suffer greatly.

I have two sound recordings on my phone of the loud music coming from the Siege of Orleans and would like to offer these as evidence of the disruption that I suffer on a regular basis. If you could please contact me with a view to me forwarding these sound files to you for consideration.

JG Fitzgibbon

I would like to raise my concerns about the application for variation of Premises license for the Siege of orleans, W/21/00901/PRMV | Variation of Premises Licence | Open for Consultation | The Giles Centre Alvescot Road Carterton Oxfordshire OX18 3DH.

I am a resident that lives close to the Siege of orleans and am greatly concerned about the noise levels and antisocial behaviour that this variation will bring.

At present moment there is already a high level of noise that comes from the Giles Centre late at night over the weekends. This is quite disturbing and is detrimental to my sleep.

I am not the only one within the area that is disturbed, many of whom are older residents of the area.

I have also witnessed on a number of occasions the antisocial behaviour that comes from the Giles Centre once the Siege of orleans closes and feel that this will only increase if an extension to their licence is extended.

I therefore request that the application be denied on the grounds of noise level and antisocial behaviour.

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In response to the objections from residents, we would like to reply with the following..

- 1.) There has been no objection from residents who live in much closer proximity to the premises. There is a flat adjacent to the business and another to the rear.
- 2.) One of the objections is from a former member of staff and customer who is acting with prejudice.
- 3.) One of the objections is from a family member, of an employee of another business competitor, which they mention by name. They are acting with prejudice.
- 4.) The anti social behaviour mentioned has not been reported to the police.
- 5.) The police have monitored the premises during numerous TENs used as test events. They have no objection to the variation.
- 6.) Noise leakage from the inside of the Siege of Orleans is minimal to the point of zero.
- 7.) Self imposed conditions on the variation include:
All windows are closed and sealed on the 1st floor where a DJ is playing
Sound proofing has already been installed.
Speakers are to be turned off at 10.30pm and this has already been in place since 1st October.
- 8.) The outside area is to be closed down at 11pm and only used by smokers, this will be strictly controlled by door staff.
- 9.) Customers leaving the Siege of Orleans are reminded via signage at the entrance / exit to respect our neighbours and leave quietly.
- 10.) Since April 2021 having re-opened after being closed for 7 months from the previous 12, the Siege like many other places has seen a surge in trade. People had missed socialising and seeing friends, and town and city centres had been deserted to the point of no noise. It was inevitable that with these businesses returning, it would be louder in these areas than the previous year. We for-see it settling down much to how things were before in 2022. We ask to be given the variation to allow our business to compete on a level playing field and believe that the measures and conditions in place will support the licensing objectives.

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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.

APPENDIX**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 45	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 47</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
15. Section 167(5)(a) (review of premises licence following closure order). Page 52	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).	(1) The holder of the premises licence in respect of which the review has been made; (2) persons who have made relevant representations as defined in section 167(9). (Five days notice by virtue of Regulation 6)	(No 14) 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).	(1) The person who has made the application under paragraph 2(2) of Schedule 8; (2) each chief officer of police who has given notice under paragraph 3(2) or (3) of Schedule 8. (Five days notice by virtue of Regulation 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
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.