

Wednesday, 8 February 2023

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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 **Thursday, 16 February 2023 at 2.00 pm.**



Giles Hughes  
Chief Executive

To: Members of the Licensing Panel

Councillors: Norman MacRae MBE (Chair), Mike Cahill, Ted Fenton and David Jackson (Spare).

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. **Minutes of Previous Meeting (Pages 3 - 6)**  
To approve the minutes of the meeting held on 5 September 2022.
2. **Apologies for Absence**  
To receive any apologies for absence.
3. **Declarations of Interest**  
To receive any declarations from Members of the Committee on any items to be considered at the meeting.
4. **Application For a Variation to a Premises Licence - The Bull Hotel (Pages 7 - 74)**  
Purpose:  
To determine a variation to a premises licence application made by David Crank from DWF Law on behalf of The Bull at Burford Limited in regards to the premises The Bull at Burford  
  
Recommendation:  
That the Licensing Sub-Committee is asked, in 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;
  - refuse the application in whole or in part where it is necessary in order to promote the licensing objectives.
5. **Application For a Variation to a Premises Licence - The Highway Inn, Burford (Pages 75 - 142)**  
Purpose:  
To determine a variation to a premises licence application made by David Crank from DWF Law on behalf of The Bull at Burford Limited in regards to the premises The Highway Inn in Burford.  
  
Recommendation:  
That the Licensing Sub-Committee is asked, in 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;
  - refuse the application in whole or in part where it is necessary in order to promote the licensing objectives.

(END)

## WEST OXFORDSHIRE DISTRICT COUNCIL

### Minutes of the meeting of the Licensing Panel

Held in Committee Room 1, Council Offices Woodgreen at 2.00 pm on

Monday, 5 September 2022

### PRESENT

Councillors: Norman MacRae MBE (Chair), Joy Aitman, and Ted Fenton.

Officers: Alex Kirk (Lawyer), Andrea Thomas (ERS Officer, Professional Services), Michelle Ouzman (Strategic Support Officer) and Maria Harper (Strategic Administration Officer).

6

#### **Election of a Chair for this meeting only**

Councillor Fenton proposed Councillor MacRae be the Chair for the Panel, this was seconded by Councillor Aitman, therefore.

**Resolved** that Councillor MacRae was elected as Chair for the Panel held 5 September 2022.

7

#### **Minutes of Previous Meeting**

The minutes of the meeting held on 11 August 2022, were approved and signed by the Chair as a correct record.

8

#### **Declarations of Interest**

There were no declarations of interest received.

9

#### **An application for a new premises licence**

The Chair, Councillor MacRae, welcomed everyone to the hearing and introduced the Panel, and the Council's Officers, in attendance.

The Chair announced that the hearing was to consider an application for a new premises licence made by Samuel Chaloner on behalf of Blind Tiger Limited.

The Panel was asked 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;
- refuse the application in whole or in part where if it was necessary in order to promote the licensing objectives.

The Applicant in the case was Mr Samuel Charloner who was not in attendance, but was represented by Emily Rutter the majority shareholder of Blind Tiger Limited.

Mr Ian C. R. Wares was in attendance and represented the Police.

There were no Interested Parties present.

The Chair outlined the process the hearing would follow and explained that the Panel would be advised by the Council's Legal Adviser, and Committee Clerk.

The Licensing Officer, Andrea Thomas, outlined the application. She highlighted that the Applicant had agreed to the conditions laid out by Thames Valley Police and Environmental Team at West Oxfordshire Council.

05/September2022

Police were in attendance and Environmental Team were on Jabber (the Councils Communications System) if the Panel had any questions, they would be able to answer them live via the system.

There had been written objections received from Gemma Nolan and Robert Shelley, neither were in attendance to the hearing.

The Chair invited Emily Rutter to address the Committee.

Emily Rutter explained she spoke on behalf of the Applicant, and believed that with the conditions agreed that it mitigated all concerns, and thought that some concerns were linked to other nearby venues.

The Chair made it clear that the Panel were only considering this application.

Emily Rutter concluded that the Applicant would adhere to all fire, health and safety conditions also which she felt with the all the conditions agreed mitigated all concerns and that there was nothing more to add.

The Licensing Officer reflected that the Applicant had also included in the application, a dispersal policy to manage customers leaving the premises late in the evening.

The Chair asked Mr Wares if the Police had any questions, there were none.

The Chair asked the Panel if there were any questions. Councillor Fenton asked why the venue allowed children up to 8pm. Emily Rutter explained that the Blind Tiger welcomed children accompanied by adults until 8pm, as they thought that customers may wish to use the venue following a shopping trip to town.

The Chair asked if there were any more questions from anyone present. There were no further questions.

The Chair noted that the conditions listed in the report at 3.2, the first condition was a replication by the times stated in the application.

The Chair checked with the Panel that they were satisfied with the conditions and that the application met with the authorities licence objectives, and there were no concerns. The Panel indicated there were no concerns.

The Chair confirmed that the conditions listed in the report under 3.2 (exception first condition) and conditions in 3.3 of the report against the activities and times listed in the report under 1.4, were acceptable to the Applicant as follows:

Premises Licence for the following licensable activities and times:

- Supply by retail of alcohol on the premises  
Sunday to Wednesday Midday to Midnight  
Thursday to Saturday Midday to 0200hrs
- Live Music and Recorded music  
Sunday to Wednesday Midday to 0030hrs  
Thursday to Saturday Midday to 0230hrs
- Hours open to the public  
Sunday to Wednesday Midday to 0030hrs  
Thursday to Saturday Midday to 0230hrs

## Licensing Panel

05/September2022

Thames Valley Police conditions to be attached to the Licence:

1. CCTV systems must record, while the premises is open to the public and retain footage for 30 days and must be available on request from TVP or other authorised person.
2. Last entry to new customers on Thursday, Friday and Saturdays will be 0100hrs.
3. If the premises is open past midnight there will be at least 2 x SIA licensed door staff on duty from 220hrs until 30 minutes after closing.
4. There must be a refusal/incident log on the premises and the SIA staff will record details their names and SIA badge numbers when booking on duty.

Environmental Health - West Oxfordshire District Council conditions to be attached to the Licence:

1. After 2300hrs all external doors and windows must be kept closed, other
  - than for access and egress, when amplified music is taking place.
2. The volume of any music at the premises shall be controlled to prevent nuisance to neighbouring properties.
3. The Management shall receive and respond to any complaints throughout the duration of all events.
4. Prominent, clear notices shall be displayed at all exits requesting customers
  - to respect the needs of local residents and leave the premises and the area quietly
5. 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.
6. If justified complaints are received the West Oxfordshire District Council will require a noise limiter to be installed, fitted, working and maintained at all times, 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.
7. All speakers to be mounted on isolation mounts. Speakers should not be attached to party walls or the ceiling.

The Chair of the Panel stated they had also considered the Licensing Objectives which are:

- The prevention of crime and disorder;
- Public safety;

Licensing Panel

05/September2022


- The prevention of public nuisance;
- The protection of children from harm;

Based on the information provided and taking into account the representations made by the responsible authorities and application representatives, the Panel

**Resolved** that the application for premise licence be granted subject to the conditions mentioned. The Panel stated they had considered the application in accordance with the licensing objectives and the Council's Licensing Policy. The Panel considered the application and conditions promoted the licensing objectives.

The Meeting closed at 2.10 pm

CHAIR

 <b>WEST OXFORDSHIRE DISTRICT COUNCIL</b>	<b>WEST OXFORDSHIRE DISTRICT COUNCIL</b>
Name and date of Committee	<b>LICENSING PANEL – 16<sup>th</sup> February 2023</b>
Report Number	<b>Agenda Item 4</b>
Subject	<b>Application For a Variation to a Premises Licence – The Bull Hotel</b>
Wards affected	Burford
Accountable member	Licensing Committee
Accountable officer	Andrea Thomas, Licensing Officer Tel: 01993 861000 Email: andrea.thomas@publicagroup.uk
Summary/Purpose	To determine a variation to a premises licence application made by David Crank from DWF Law on behalf of The Bull at Burford Limited in regards to the premises The Bull at Burford
Annexes	Annex A – Redacted Application Form Annex B – Proposed Plans Annex C – Current Premises Licence and plans Annex D – Representations from Burford Town Council and Cllr Ashton Annex E – Representations from local residents Annex F – Further representations from local residents Annex G – Licensing Hearing Procedures
Recommendation/s	That the Licensing Sub-Committee is asked, in light of the representations received, to consider the application and determine whether to:- <ul style="list-style-type: none"> <li>• grant the application as requested;</li> <li>• grant the application subject to such conditions that are necessary to promote the licensing objectives;</li> <li>• refuse the application in whole or in part where it is necessary in order to promote the licensing objectives.</li> </ul>
Corporate priorities	Ensure that services delivered by the Council are delivered to the highest standard
Key Decision	<b>NO</b>

Exempt	NO
Consultees/ Consultation	A 28 day consultation has been undertaken with all Responsible Authorities, Ward Member, Town Council and advertised in accordance with the Licensing Act 2003

## 1. BACKGROUND

I.1 The Licensing Act 2003 ("the Act") allows applicants to apply for new Premises Licences, Premises Licence variations, Club Premises Certificates and Personal Licences. This Application is for a variation to an existing Premises Licence.

I.2 The application was received on the 29<sup>th</sup> November 2022. The Applicant is The Bull and Burford Limited who is represented by Mr David Crank of DWF Law LLP.

I.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 21<sup>st</sup> December 2022 and a Site Notice advertising the Application was placed at the site for 28 days.

I.4 The nature of the variation is to reflect the refurbishment of and improvements to this premises that has been closed for some time and to open up additional areas in the premises under the Licence. The premises will operate as a hotel and changes are requested to the hours to reflect this while substantially retaining the same hours for non-residents. It is proposed to create an enhanced offering with these changes. A set of plans accompany this application and show the incorporation of 107 High Street in the premises with an altered entrance at 107 to the reception area.

It would be proposed to licence the whole of the premises. The principal public licensed areas going forward would be the lounges and function rooms on the ground floor, including a Sushi Bar created at the rear of the main building at 105. Also, it is proposed to conduct wine tasting events in the basement room marked to that effect. At the rear of the grounds of 105 are rooms for residents and the upstairs area will now be residential rooms for hotel guests.

The external areas in the gardens of 105 and 107 would be landscaped and brought into use for licensable activity; the areas are shown by the foliage and external seating on the ground floor plan. It would be proposed that small functions, possibly wedding receptions and other celebrations, would be held in the rear area.

There is also provision requested for an external area at the front of the premises subject to other permissions

As indicated, the premises will cater for hotel residents and it is proposed the Licence will operate 24 hours a day Monday to Sunday for the service of alcohol and late night refreshment for residents and bona fide guests. It would be proposed licensed hours for non-residents would remain the same save that recorded music be extended to commence at 10.00 hours rather than 20.00 hours.



There is a condition permitting only internal entertainment and prohibiting speakers in external areas at the premises and the application asks for that condition to be removed. It would be proposed that any external music would conclude by 23.00hrs

A copy of the redacted application is attached at **Annex A**.

## **2. SITE DESCRIPTION**

**2.1** A copy of the proposed site plan and location is attached at **Annex B**, there is also a copy of the current licence and plans at **Annex C**.

## **3. CONDITIONS**

**Environmental Health** – West Oxfordshire District Council suggested the following conditions.

1. The outside seating and garden area should close by 23:00 prompt.
2. Use of the garden area for weddings and functions where regulated entertainment is being provisioned shall only be used for any two weekends out of every three weekends over a yearly period.
3. At the end of a function an announcement must be made requiring that patrons leave the premises quietly.
4. The windows and doors shall be kept closed after 23:00 (except for immediate customer access and egress) when regulated entertainment is being provisioned.
5. 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.

At the time of writing this report these conditions had not been fully agreed by the applicant

## **4. REPRESENTATIONS**

### **Responsible Authorities under the Licensing Act 2003**

**4.1** There have been no further representations made by any of the other Responsible Authorities under the Act, except Thames Valley Police who have no objections to the application.

### **Other persons**

#### **Burford Town Council and Local Ward Councillor**

**4.2** Comments were received from Burford Town Council and the local Ward Councillor, Cllr Hugo Ashton and can be found in **Annex D**.

### **Residents**

**4.3** There have been representations from local residents received in relation to this Application and can be found in **Annex E**. There are also further representations

submitted by other local residents at **Annex F**. Only information concerning the Bull at Burford can be taken into account by the Licensing Panel

**4.4** The following concerns raised in the objections:

- Traffic , including road safety
- Parking
- Crime and Disorder emanating from alcohol
- Area of Outstanding Natural Beauty

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

Traffic, Parking and Area of Natural Beauty

These concerns cannot be taken into consideration under the Licensing Act 2003 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.

Crime and Disorder concerns

The Police Licensing Officer had no objections 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 in the Licence.

## **6 PROCEDURES**

**6.1** A copy of the procedure for the Meeting is attached at **Annex G**.

## **7 FINANCIAL IMPLICATIONS**

**7.1** 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.

## **8 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 the conditions imposed on the Licence.

## **9 BACKGROUND DOCUMENTS**

**9.1** West Oxfordshire District Council's Statement of Licensing Policy – 2021

**9.2** Home Office S.182 Statutory Guidance published April 2018.

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**West Oxfordshire**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
[ers.licensingandapplications@publicagroup.uk](mailto:ers.licensingandapplications@publicagroup.uk)  
 Telephone: 01993 861000

\* 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	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	DC/CB/2039745-1	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? <input checked="" type="radio"/> Yes <input type="radio"/> 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	The Bull at Burford Limited	
* Family name	The Bull at Burford Limited	
* E-mail	David.Crank@dwf.law	
Main telephone number	[REDACTED]	Include country code.
Other telephone number		
<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.

### Applicant Business

Is the applicant's business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	02409561	
Business name	The Bull at Burford Limited	If the applicant's business is registered, use its registered name.
VAT number	-	Put "none" if the applicant is not registered for VAT.
Legal status	Private Limited Company	

*Continued from previous page...*

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

**Agent Business**

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 18**

**APPLICATION DETAILS**

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

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

\* Premises Licence Number

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

☒ Address ☐ OS map reference ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

*Continued from previous page...*

Non-domestic rateable  
value of premises (£)

43,000

### Section 3 of 18

#### VARIATION

Do you want the proposed  
variation to have effect as  
soon as possible?

☒

Yes

☐

No

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

☐

Yes

☒

No

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

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

#### Describe Briefly The Nature Of The Proposed Variation

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

The nature of the variation is to reflect the refurbishment of and improvements to this premises that has been closed for some time and to open up additional areas in the premises under the Licence. The premises will operate as a hotel and changes are requested to the hours to reflect this while substantially retaining the same hours for non-residents. It is proposed to create an enhanced offering with these changes. A set of plans accompany this application and show the incorporation of 107 High Street in the premises with an altered entrance at 107 to the reception area.

It would be proposed to licence the whole of the premises. The principal public licensed areas going forward would be the lounges and function rooms on the ground floor, including a Sushi Bar created at the rear of the main building at 105. Also it is proposed to conduct wine tasting events in the basement room marked to that effect. At the rear of the grounds of 105 are rooms for residents and the upstairs area will now be residential rooms for hotel guests.

The external areas in the gardens of 105 and 107 would be landscaped and brought into use for licensable activity, the areas are shown by the foliage and external seating on the ground floor plan. It would be proposed that small functions, possibly wedding receptions and other celebrations, would be held in the rear area.

There is also provision requested for an external area at the front of the premises subject to other permissions.

As indicated the premises will cater for hotel residents and it is proposed the Licence will operate 24 hours a day Monday to Sunday for the service of alcohol and late night refreshment for residents and bona fide guests. It would be proposed licensed hours for non-residents would remain the same save that recorded music be extended to commence at 10.00 hours rather than 20.00 hours.

There is a condition permitting only internal entertainment and prohibiting speakers in external areas at the premises and the application asks for that condition to be removed. It would be proposed that any external music would conclude by 23.00 hours.



*Continued from previous page...*

It would be proposed to offer a condition requiring CCTV in public areas, a condition offering an age verification policy, Challenge 21, a condition that staff will be trained and training recorded.,

#### Section 4 of 18

##### 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

#### Section 5 of 18

##### 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

#### Section 6 of 18

##### 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

#### Section 7 of 18

##### 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

#### Section 9 of 18

##### 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?

Continued from previous page...

☒ 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

#### 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.

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.

*Continued from previous page...*

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.

All outdoor music to cease by 23:00

## Section 10 of 18

### 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

## Section 11 of 18

### 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

## 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

End

Start

End

#### TUESDAY

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.

*Continued from previous page...*

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

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 unamplified.

State any seasonal variations.

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

Non standard timings. Where 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.

Please note that for hotel residents and bona fide guests late night refreshment hours will be 23.00 to 05.00 hours Monday

Continued from previous page...

to Sunday, and deregulation on New Year's Eve and New Year's Day to continue.

## Section 13 of 18

### 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

##### FRIDAY

Start

End

Start

End

##### SATURDAY

Start

End

Start

End

##### SUNDAY

Start

End

Start

End

*Continued from previous page...*

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.

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.

Sale by retail of alcohol to remain the same, please note that for hotel residents and bona fide guests service of alcohol will be for 24 hours; so permitted between 00.00 to 23.59 Monday to Sunday

## Section 14 of 18

### 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.

NONE

## Section 15 of 18

### 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

*Continued from previous page...*

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.

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

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

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

The applicants seeks to remove the condition providing that entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises.

☐ I have enclosed the premises licence

*Continued from previous page...*

☐ 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.

Only a copy of the licence was received from the previous owners of the company this is attached but the original is not available

## Section 16 of 18

### 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.

The premises will run as a hotel and the operator will look to ensure the premises are run responsibly. Certain conditions are offered to supplement that intention over and above duties under other legislation.

b) The prevention of crime and disorder

There will be CCTV monitors in public places that will record images and retain them for 28 days. Such images will be made available to the responsible authorities on request compliant with data protection legislation and notices will be displayed advising that CCTV is in operation.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

The premises will operate a Challenge 21 policy whereby anybody looking under the age of 21 will be asked to produce ID so that they are over the age of 18. Acceptable ID would be photographic driving licence, passport, government approved PASS card or HM Forces identity card.

Staff will be trained to understand their responsibilities under the Licensing Act and there will be a written record of training retained for a period of 12 months

## Section 17 of 18

### 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 18 of 18

### 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](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 (£)

315.00

### 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

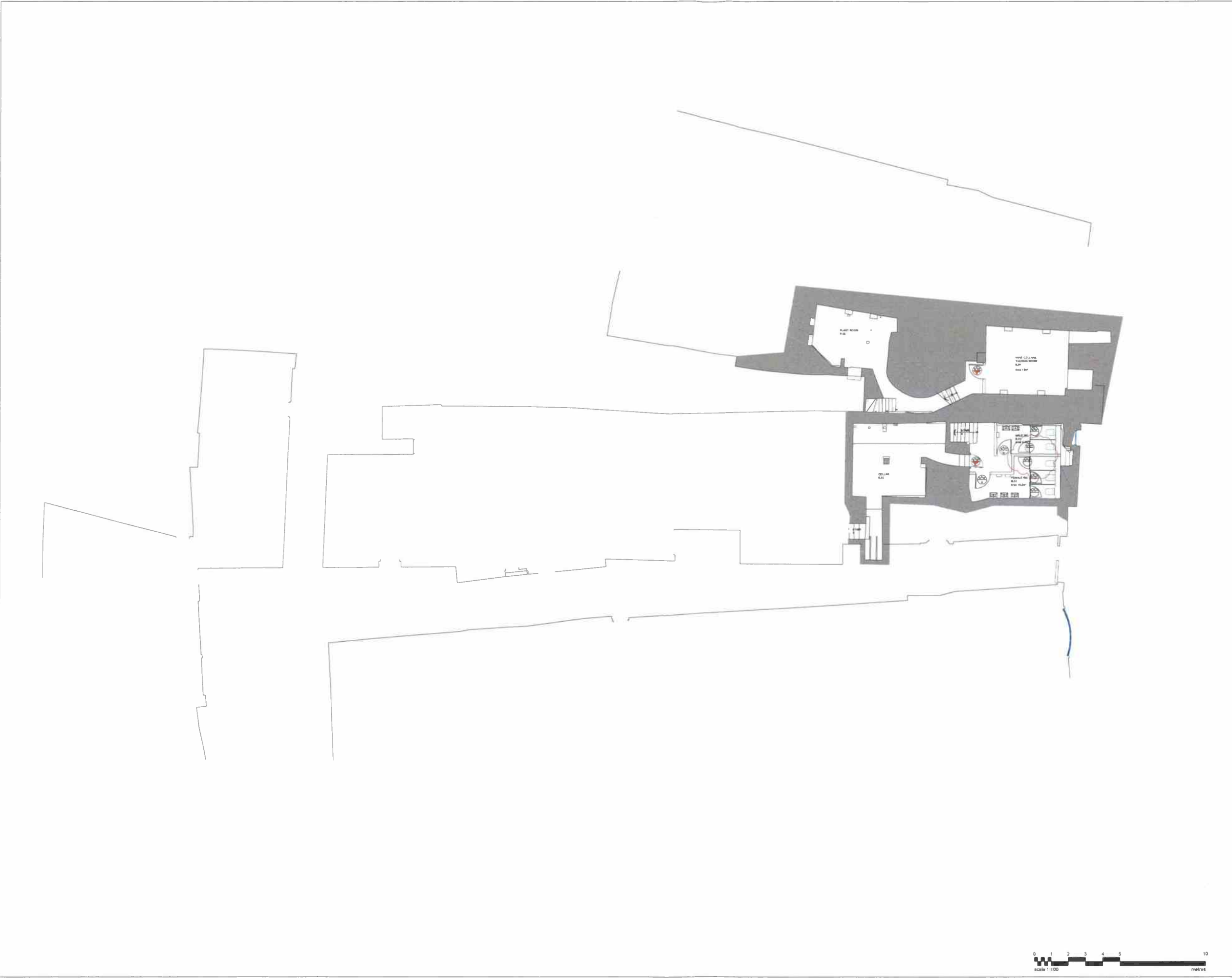
Approval deadline

Error message

Is Digitally signed ☐

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

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Notes

Do not scale from this drawing.

All dimensions are to be checked prior to construction and any discrepancies are to be identified to the Architect.

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Q	14/07/22	ambulant outsiders added	AG
F	30/03/22	revised layout	AG
E	30/03/22	door tags updated	AG
D	12/11/21	construction issue	AG

Revisions

Status

CONSTRUCTION

Client

Paton Developments

Project

The Bull at Burford  
High Street, Burford,  
Oxfordshire, OX18 4RG

Title

Proposed  
Basement Floor Plan

Scale	Size	Date	Drawn	Checked
1:100	A1	24/11/20	AG	DP

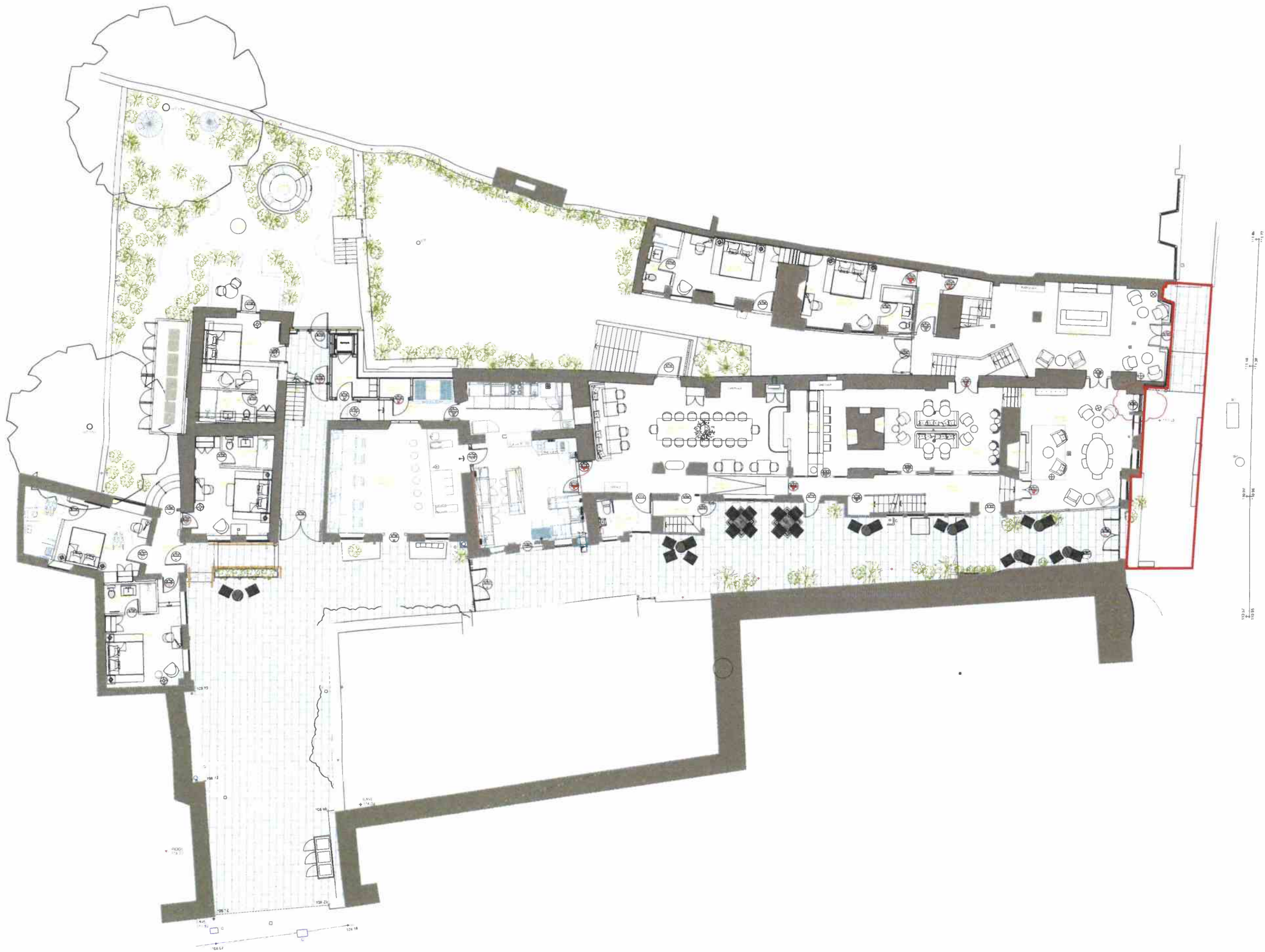
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Drawing No.  
200189-3DR-00-DR-20-11020

Rev.  
G





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T	06/06/22	door reference code added G-132 to Library	AG
S	14/07/22	ber G.56 and G.34 revised doors added	AG
R	15/06/22	revised layouts from PDL	AG
Q	30/03/22	door tags updated	AG
P	25/03/22	layout updated	AG
N	04/02/22	kitchen host updated	AG
M	14/11/21	bedroom G.33 and G.34 added	AG
L	18/11/21	Suite omitted/ room added to client comments	DP
K	12/11/21	approved ID layout/ construction issue	AG

Revisions

Status

**CONSTRUCTION**

Client

**Paton Developments**

Project

**The Bull at Burford  
High Street, Burford,  
Oxfordshire, OX18 4RG**

Title

**Proposed  
Ground Floor Plan**

Scale	Size	Date	Drawn	Checked
1:100	A1	24/11/20	AG	DP

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Architecture Interiors Masterplanning

Drawing No.

**200189-3DR-01-DR-20-11021**

Rev.

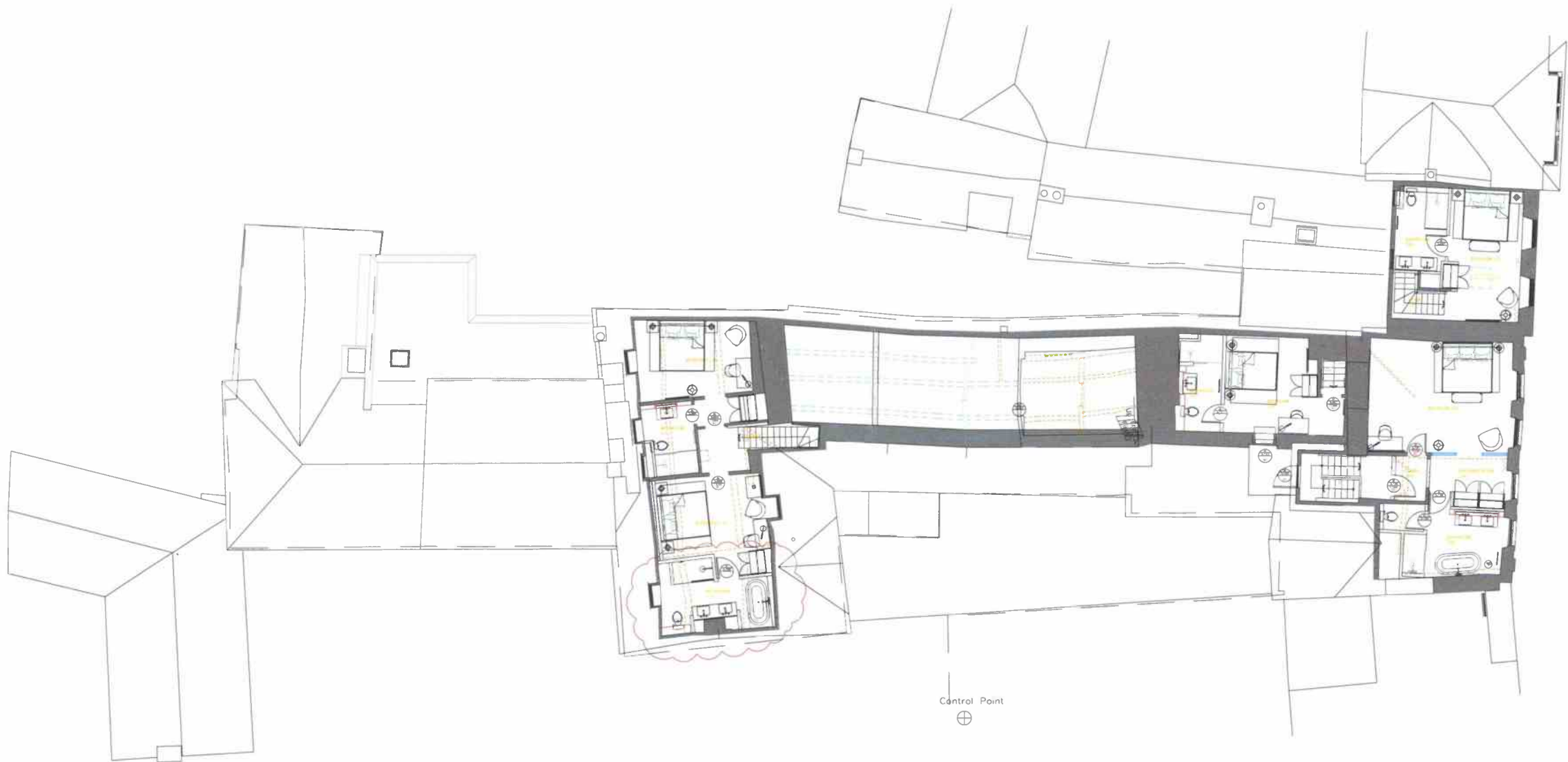
**T**







Drawing No.  
200189-3DR-02-DR-20-1102



Notes

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- L 14/07/22 Bathroom 2.13 revised
- K 15/06/22 revised layout from PDL
- J 30/03/22 door type updated
- H 25/03/22 layout updated
- G 17/02/22 access hatch added to room 3.01 i
- F 04/02/22 general revision
- E 12/11/21 approved ID layouts added for con

Revisions

Status

CONSTRUCTION

Client

Paton Developments

Project

The Bull at Burford  
High Street, Burford,  
Oxfordshire, OX18 4RG

Title

Proposed  
Second Floor Plan

Scale	Size	Date	D
1:100	A1	24/11/20	J

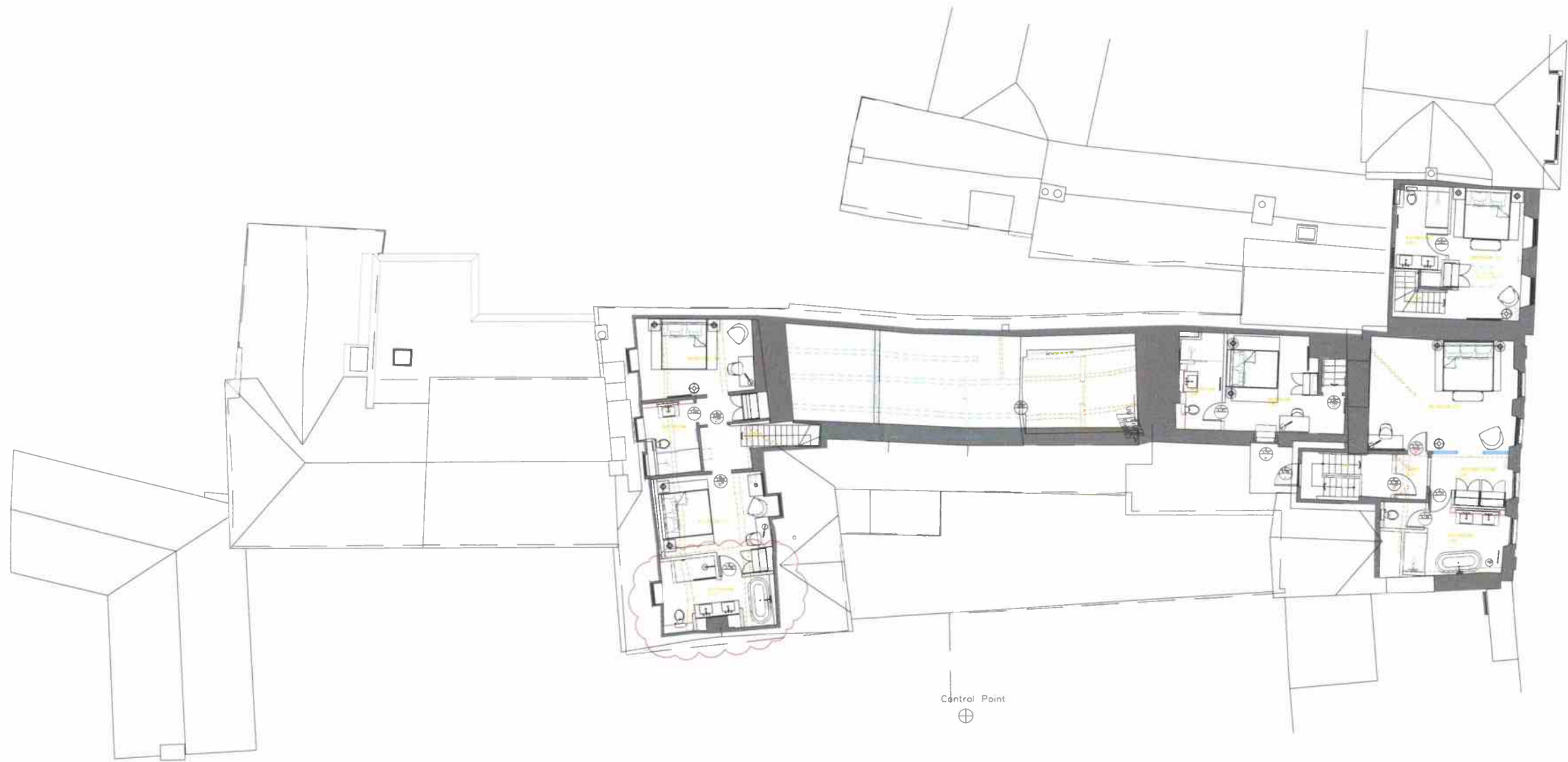
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Architecture Interiors Masterplanning

Drawing No.

200189-3DR-03-20-11023







Notes

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- L 14/07/22 Bathroom 2.13 revised
- K 15/06/22 revised layout from PDL
- J 30/03/22 door tags updated
- H 25/03/22 layout updated
- G 17/02/22 access hatch added to room 3.01
- F 04/02/22 general revision
- E 12/11/21 approved ID layouts added for con

Revisions

Status  
**CONSTRUCTION**

Client  
**Paton Developments**

Project  
**The Bull at Burford  
High Street, Burford,  
Oxfordshire, OX18 4RG**

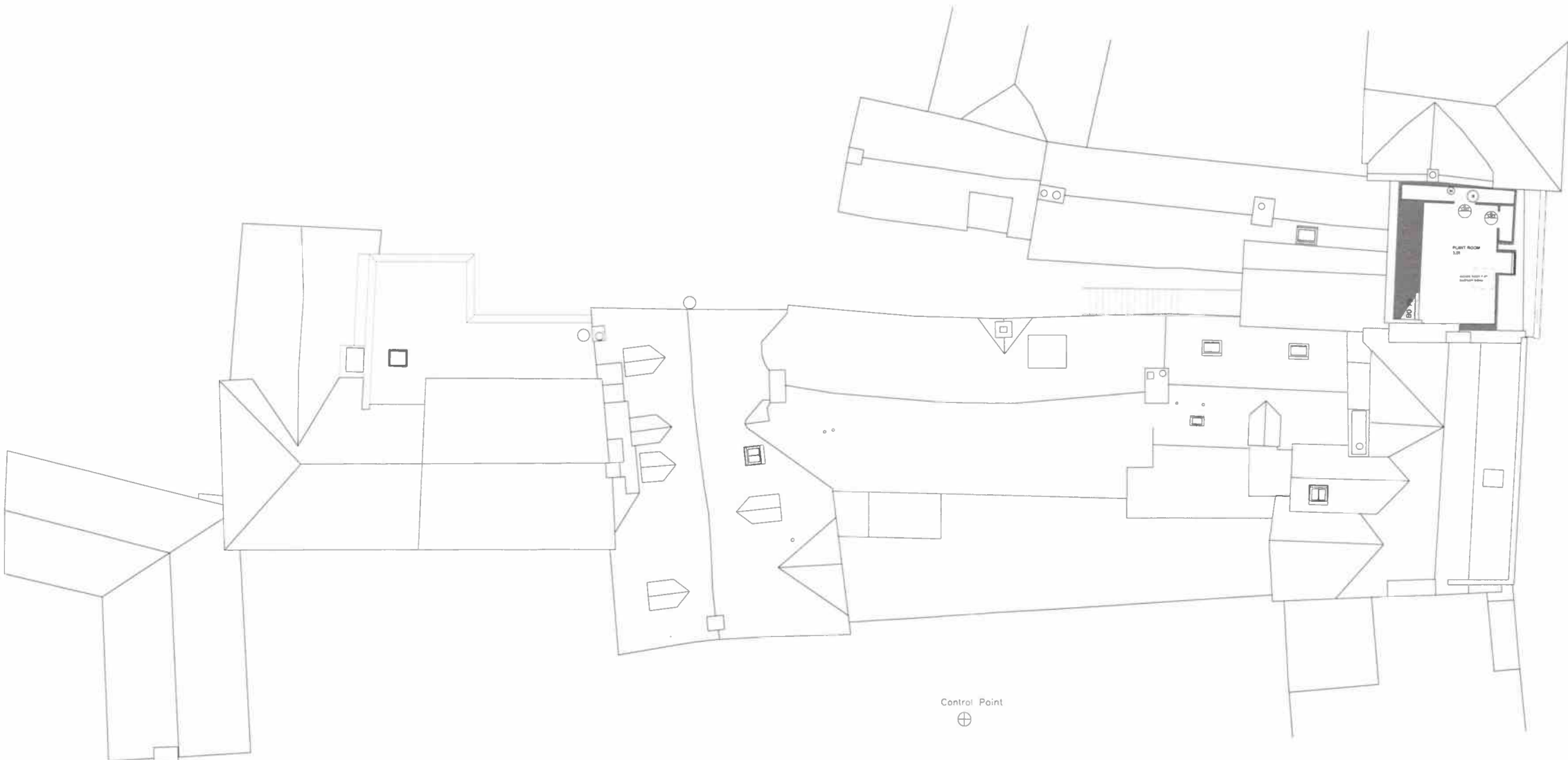
Title  
**Proposed  
Second Floor Plan**

Scale	Size	Date	D
1:100	A1	24/11/20	/

3DR Reid  
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Architecture Interiors Masterplanning

Drawing No.  
**200189-3DR-03-20-11023**





Notes

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G	17/02/22	room rename Plant Room stair removed	AG
F	04/02/22	general revision	AG
E	12/11/21	construction issue	AG

Revisions

Status  
**CONSTRUCTION**

Client  
**Paton Developments**

Project  
**The Bull at Burford  
High Street, Burford,  
Oxfordshire, OX18 4RG**

Title  
**Proposed  
Third Floor Plan**

Scale	Size	Date	Drawn	Checked
1:100	A1	24/11/20	AG	DP

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www.3DReid.com  
Architecture Interiors Masterplanning



Drawing No.	Rev.
200189-3DR-03-DR-20-11024	G



## SCHEDULE 12 PART B OF THE LICENSING ACT 2003

PREMISES LICENCE NUMBER	PREM/187
-------------------------	----------

<b>POSTAL ADDRESS OF PREMISES:</b>	
Old Bull Hotel 105 High Street	
<b>POST TOWN:</b> Burford	<b>POST CODE:</b> OX18 4RG
<b>TELEPHONE NUMBER:</b>	

<b>WHERE THE LICENCE IS TIME LIMITED THE DATES</b>	N/A
--	-----

<b>LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE</b>	Provision of regulated entertainment Live music, recorded music and dancing Sale by retail of alcohol
--	--

<b>THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES</b>	Live music Mon - Sun 1000hrs to midnight Recorded music Mon - Sun 2000hrs to midnight Dancing Mon - Sun 1400hrs to midnight Sale by retail of alcohol Sun - Thurs 0800hrs to 0030hrs Fri and Sat 0800hrs to 0100hrs Standard 36 hour deregulation New Years Eve/New Years Day
---	---

<b>THE OPENING HOURS OF THE PREMISES</b>	Sun - Thurs 0800hrs to 0100hrs Fri and Sat 0800hrs to 0130hrs
--	--

<b>WHERE THE LICENCE AUTHORISES THE</b>	On and off the premises
---	-------------------------

<b>SALE OF ALCOHOL WHETHER THESE ARE ON AND /OR OFF SUPPLIES</b>	
--	--

<b>NAME, (REGISTERED) POSTAL ADDRESS OF HOLDER OF PREMISES LICENCE:</b>	
The Bull at Burford Limited Bull Hotel 105 High Street	
<b>POST TOWN:</b> Burford	<b>POST CODE:</b> OX18 4RG
<b>TELEPHONE NUMBER:</b> 01993 824055	

<b>REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NAME, CHARITY NUMBER (WHERE APPLICABLE)</b>	2409561
<b>NAME, POSTAL ADDRESS OF DESIGNATED PREMISES SUPERVISOR (DPS) (WHERE APPLICABLE):</b>	
Jean-Marie Lauzier c/o The Bull Hotel 105 High Street	
<b>POST TOWN:</b> Burford	<b>POST CODE:</b> OX18 4RG
<b>TELEPHONE NUMBER:</b> 01993 824055	
<b>PERSONAL LICENCE NUMBER:</b> PL/852	
<b>AUTHORISING OFFICER</b>	
Bill Oddy Head of Community Services West Oxfordshire District Council	DATE 4 January 2011



Architectural drawing showing the ground floor plan of a building. The plan includes various rooms, corridors, and structural elements. A scale bar indicates 1:100. The drawing is labeled 'GROUND FLOOR'.

SECOND FLOOR

GROUND FLOOR

SCALE 1:100

Location Plan  
NTS

**PETER NORTH & PARTNERS**  
Chartered Surveyors  
Building Surveying - Quantity Surveying  
Building Engineers  
42, UPPER HIGH STREET  
THAME  
OXON OX9 2DW  
Tel: 01844 251222  
Fax: 01844 251190  
Email: [Surveying@peternorth.co.uk](mailto:Surveying@peternorth.co.uk)  
Website: [www.peternorth.co.uk](http://www.peternorth.co.uk)

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IP33 1QT  
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Fax: 01284 706502  
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All drawings are to be checked and signed off prior to commencement of works

Drawn	Checked	Date
1	1	15/03/08

Scale: 1:100

Project No: 00000001

Sheet No: 00000001

DO NOT SCALE FROM THE DRAWING. ORIGINAL SHEET SIZE A1

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## **1. Burford Town Council**

Burford Town Council object to the variation of premises licence on the following grounds.

Burford is an historic town with many listed buildings, and the town centre is a mixture of shops, Inns, Hotels and residential properties all closely packed together. The Bull at Burford is in the centre of this area.

Taking into consideration the comments of the many residents, who attended our planning meeting, we ask you to take into account the following observations and we object to the changes on the grounds of public nuisance.

1. Noise levels broadcast must not fall outside the regulations defined in the revised 1999 WHO Guidelines for Community Noise. These are a recommendation of 30 dBA in the evening and 55 dBA daytime. The WHO ask that a general peak of 45 dBA should be avoided. WHO recommended levels must be adopted and adhered to.
2. It should be noted that properties close to The Bull at Burford are, due to their age and listed status, only fitted with single glazing therefore not benefitting from the noise reducing properties of double glazing.
3. Due to the proximity of several neighbours, the nearest being 10 metres, we would ask that the music licence is not changed to cover the outside area, for the outside area to be closed by 11 p.m. and that the kitchen extraction fans be switched off at 10 p.m.
4. That the marquee proposed for the garden at The Bull at Burford and the public right of way passage from Witney Street to High Street be considered as outside space.
5. That only down lighting is used outside to keep light pollution to a minimum.

## **2. Cllr Hugo Ashton**

I am a resident of Burford, residing at The Lodge, Pytts Lane, Burford and I am District Councillor for Burford Ward. I am writing to object to elements of this application on the grounds that, if granted, the permitted activities are highly likely to cause a public nuisance. My objections and requests reflect my own views and those of residents of nine adjacent properties and an Elder representing attendees of the Quaker Meeting House in Pytts Lane who have petitioned me directly.

### Aspects of the application relating to external activities

The aspects of the licensing application which relate to the external parts of the Bull's premises must be considered in the context of The Bull being surrounded by residential properties with gardens or courtyards which either abut or are very close to The Bull's outdoor areas. Many of the neighbouring buildings are listed and are not permitted to install acoustic double glazing. From its medieval origins, Burford's commercial activities have been embedded in the town and one of its special features is the hugger-mugger interaction of pubs, hotels, shops and residences.

The current license condition of The Bull (namely "Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises") reflects the reality of the hotel activity adjacent to residences all around it, and its location in the Cotswold AONB which places a particular emphasis on the tranquillity of the environment where natural sounds are predominant. It is therefore crucial for the well-being of local residents and visitors to Burford that this condition is retained.

For clarity, external areas should include the gardens (whether or not in a tent), any pavement area licensed on the High Street frontage and the area through which there is a public right of way (between the High Street and Witney Street).

I understand that hotel guests should be allowed to access the external areas of the premises and note the condition accepted by the applicant that any outside seating area be closed daily at 23:00hrs. During Sunday to Thursday, nearby residents would strongly prefer an earlier time for silence to descend in the hotel's gardens, say 22:00.

Immediate neighbours are also concerned that lighting in the gardens will cause a public nuisance through light pollution in an area of the town which is unlit at night. If possible, a condition requiring the use of downlighters would be appreciated, ideally to be switched off once the gardens are closed.

If it is regrettably decided that the existing Condition should be removed, then please impose new conditions:

- that "Use of the garden area for weddings and functions where regulated entertainment is being provisioned shall not be held on consecutive weekends" (as requested by WODC Environmental Health Officer). At least this would provide some respite on alternate weekends.
- that a quiet environment is preserved on Sunday mornings until 13:00 for the Quaker meetings that take place then.

#### Aspects of the application relating to internal activities

I raise no objection in general to the elements of the license application relating to activities within the buildings on The Bull's premises.

However, there is a real concern by near neighbours, which I share, that the 24-hour provision of refreshments and food will require kitchens to be kept open and operating and will mean that the neighbourhood will be disturbed at all hours by the noise and odours that inevitably arise from the kitchen's extractor fans.

I would ask that a condition be applied that would prevent this happening, rather than relying on the reporting of a public nuisance after the event. This could be by specifying a cut-off time, or the installation of equipment with appropriate odour filters and low-noise fans.



Representations re The Bull @ Burford**I. Carolyn Walton**

I live in [REDACTED], and have done so for over 25 years, my parents living in my house before that.

My bedroom window looks down over Swan Lane towards Witney Street. We hear noise (if any) from the back gardens of the High Street and Witney Street easily in the summer months.

I object to aspects of this licensing application on the grounds of:

- (i) public nuisance,
- (ii) noise pollution,
- (iii) light pollution,
- (iv) potential anti-social activities and
- (v) unpleasant odours

Burford is a small medieval market town, busy during the day, but very, very quiet at night. People live and visit here to enjoy the beauty and tranquillity, peace and quiet of a small Cotswolds town set in a designated Area of Outstanding Natural Beauty in the Windrush Valley. They do not come or live here for an exciting night time experience, save to relish the peace of the night, hear the night bird life and observe the stars.

The Bull has been a pub, a pub/restaurant with rooms, and a coaching inn for hundreds of years. It is set in the heart of the town very closely surrounded by residents' homes, their courtyards and gardens. Throughout time the Bull has met the needs of visitors and locals to Burford without extended licensing hours and use of the land at the back for outside entertainment.

Extension of outside use.

The present licence states: "Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises" and is sufficient for

owners and managers of The Bull to satisfy their customers, and should be maintained. Extension of the license to allow entertainment of any nature to the external area will cause a nuisance to both local residents and visitors staying in other visitor accommodation. The use of the outdoor area must be restricted. And, for the avoidance of doubt "outdoor area" includes any covered area with wide open doors or French windows, tented areas, the paved area in front of the Bull, and the old coaching area with the right of way through it. The reason for this is that entertainment necessarily involves both noise and light. Both disturb late in the evenings and at night. We had direct experience of this when Wisdom House was hired out to groups of people for weekends and had a "hot tub" in the garden. My husband and I were disturbed by the laughter and shrieks of the visitors as they used the hot tub in the evenings. Sound carries up and we are uphill from the back of The Bull. One expects to tolerate the infrequent party held by neighbours, but not evening/nightly activities as envisaged by this application. Many of the residents of Burford are elderly and go to bed early.

If despite concerns of the neighbours and myself the application is allowed for use of the outdoor areas then conditions must be imposed so that noise and light pollution will cease at 10 pm, not as the current application envisages, 11 pm. And that any lighting that is approved be soft down lights that keep interference of the darkness of the area at night to a minimum.

The use of the Bull for weekend weddings, stag nights and hen nights, if allowed at all, should be restricted to infrequent occasions so that residents get some rest bite from the noise and smell disturbances and light pollution.

Internal use

The request for the Bull to provide food and drink inside on a 24 hour basis may well result in the use of the kitchens with noisy extractor fans and odours. Such use should be limited in time such that such equipment is not used at night, but the type of food and drink provided not require noisy and smelly equipment.

## **2. Lucinda Hart**

I am a resident of Burford and am highly concerned at the likely Public Nuisance which will be caused by the hotel lighting and noise from The Bull. This added noise and light, to an otherwise peaceful area, will bring with it risks of Stress, Inability to sleep properly at usual hours and, as a result, Mental Health suffering.

The sites are too close to residents not to have an effect unless the noise and lighting is strictly limited and controlled.

The grade 2 and grade 2\* listing means that residents will not be able to reduce the noise inside their homes by secondary or double glazing and will be very vulnerable to the noise even inside their houses.

The gardens nearby risk noise and light pollution and damage and loss of wildlife in the middle of the Burford Wildlife Gardens area.

We hope the Council will take action to protect the residents against this risk of substantial Public Nuisance.

### 3. Dr K W Gray CBE

I am a resident of Burford living on the [REDACTED].

Burford is very small town with a High Street that is a closely intermixed and medieval mixture of houses, retail and hotels. Burford High Street has the highest percentage of and High Street in the UK, 93%, and thus needs special protection.

I am writing to object to elements of this application on the grounds that, if granted, the permitted activities are highly likely to cause a public nuisance particularly to nearby domestic properties.

#### **Aspects of the application relating to external activities**

The aspects of the licensing application which relate to the external parts of the Bull's premises must be considered in the context of The Bull being surrounded by residential properties with gardens or courtyards which either abut or are very close by.

The Bull's outdoor areas. Many of the neighbouring buildings are listed and are not permitted to install double glazed windows.

The current license condition of The Bull (namely "Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises") reflects the reality of the hotel activity adjacent to residences all around it, and it is crucial for the well-being of residents and their guests that this condition is retained. For clarity, external areas should include the gardens (whether or not in a tent), any pavement area licensed on the High Street frontage and the area through which there is a public right of way between the High Street and Witney Street.

Hotel guests can access the external areas of the premises and should note the condition accepted by the applicant that any outside seating area be closed daily at 23:00hrs. From Sunday to Thursday this time should be reduced to 22.00.

There should also be lighting conditions as neighbouring gardens should not have significant light pollution in an area of the town which is unlit at night. The condition should require the use of down lighters closed off when the gardens were closed.

A further condition should be imposed that weddings and functions that use external spaces should not be held on consecutive weekends, giving neighbours some peace.

#### **Aspects of the application relating to internal activities**

I raise no objection to the elements of the license application relating to activities within the buildings on The Bull's premises except for one issue: The noise and smell of extractor fans, especially at night, which should have a low noise level. I note Westminster Council have this covered and WODC should follow suit. This should be a condition and not wait for the public nuisance reporting method.

### 4. Mr and Mrs Burnside

Thank you for your letter concerning the recently renovated hotel in Burford, renamed Bull.

We would like to add the following comments in response to the information your recently sent to us.

Firstly, we wish the opening of the hotel / restaurant great success. We are sure it will be an asset to the town. However, we are now concerned about the 24 hour food and alcohol licences and all the disruption it would bring.

We live in Witney street, where the parking is difficult at the best of times (especially as residents parking is not possible. We have written to Town Council in the past to request this and it was dismissed much to our dismay. Many other people would also like residents parking in Burford. There are many in Witney Street!

We fear that the proposal of the 24 hours licences, would only make parking a lot worse.

We have put up with all the work vans etc. on a daily basis during the renovation. It caused parking problems during the day. Therefore all the extra vehicles from this 24 hour licence would have a major effect in Witney street and other parts of the town.

The increased noise and light pollution after the usual 11.00pm closing time ( which all the other pubs and restaurants adhere to), would be of great concern to us and many residents who live close by.

We are aware venues can apply for licence extensions on special occasions i.e Christmas parties and weddings etc., but to be given a 24-hour permanent licence is, to repeat again, definitely NOT acceptable.

### **5. Jonathan Hart**

I am a resident of Burford and am writing to express my grave concerns about the application to vary the premises licence for the Bull here in Burford.

I believe the variation, if granted, will become a public nuisance to the residents of Burford for the following reasons.

1. There will be increased noise in the vicinity of the Bull from outdoor drinking and events which will inevitably create excessive disturbance and distress to the community, in what is currently a tranquil residential area.
2. The 24 hour alcohol licence will cause this increase in noise and disturbance to extend well in to the night – particularly during the summer months – with the very real potential for anti-social behaviour as customers come and go at unpredictable hours.
3. There will be significant noise from waiting taxis, cars of customers and the like who keep their engines running, and the slamming of car doors in what is a very peaceful and quiet street.
4. The events proposed will create further public nuisance with visitors from outside Burford unaware or unconcerned about existing residents' way of life.
5. There could potentially be a drastic change of shape for the town which could drive the transformation of the town from a pleasant place to live, to one where residents face anxiety from the public nuisance impact of a variation.
6. The proposed 24 hour licence will create food smells and disturbing noise from the kitchen fan for long periods during the night.

### **6. Patrick Heininger**

I was surprised to learn that The Bull is applying for a 24 hour alcohol licence, a 24 hour food licence, speakers to play music outside until 23.00 and the right to have outdoor events and weddings until 23.00. The outdoor area concerned is adjacent to homes.

These requests are not aligned with Burford's character as a quiet rural town. While it can be busy with tourists during the day, by 5.00 or 6.00 pm it is very quiet.

I object to:

- outdoor speakers in this location
- any alcohol or food licences that terminate later than the average for existing hotels and pubs
- any permission for outdoor events or drinking that would cause disturbance to neighbouring houses after 22.00.

Thank you for your consideration.

## 7. Christine McMaster

I am writing to you to make representation regarding proposed changes in the Variation of Licence application which was made by the Solicitor Agent acting for the Bull Hotel Burford Limited on 28th November 2022 and advertised on Page 29 of the Witney Gazette on 21st December. Applicant's Reference DC/CB/2039745-1. I am a resident of Burford, living very close to the Bull Hotel, 105-107 High Street, Burford. My primary concern, and I believe the issue that will adversely affect neighbouring residents, is the damaging effects of noise from the Bull Hotel if the Variation to Licence is accepted. Specifically, I believe that the application to play music externally should not be permitted, nor should the Council accept playing music in an externally situated tent be considered as acceptable. Whereas the original planning application (submitted April 2021) along with the current licence (Licence No. Prem/187) held by the Bull Hotel, was rightly approved by West Oxfordshire District Council in October 2021 (21/01408/FUL), the changes now being proposed by the applicant in the Variation of Licence should be considered as unacceptable by the Council because they are contrary to specific requirements set out in the West Oxfordshire Plan 2031, particularly Policy EH8. Policy EH8 in the 2031 Plan states that *"Housing and other noise sensitive development should not take place in areas where the occupants would experience significant noise disturbance from existing or proposed development. New development should not take place in areas where it would cause unacceptable nuisance to the occupants of nearby land and buildings from noise or disturbance."* The original plans for development submitted by the Applicant in April 2021 were consistent with EH8 policy because the plans for the external area were for a Spa Garden. These plans detailed and illustrated an environment that conveyed the strong impression that the hotel's aim was to create a peaceful area of well-being. Local residents were pleased to support this plan. We believed there would be little noise from a Spa Garden and it would complement the town's tranquil character and the nearby garden of the Friends' Meeting Place. In our view the recently submitted Variation to Licence will result in a serious noise nuisance, the complete opposite to the original planning application. The main variations that I believe are unacceptable are as follows: 1. The Applicant's request to play music externally. The Applicant requests: *"There is a condition permitting only internal entertainment and prohibiting speakers in external areas at the premises and the application asks for that condition to be removed. It would be proposed that any external music"* Christina McMaster The Brewhouse PyT's Lane Burford OX18 4SJ Tel: 07557 054204 Email: chrisDnamusic@me.com To: Ms Andrea Thomas Planning Officer West Oxfordshire District Council 3 Welch Way Witney OX28 6JH Sent by email would conclude by 23.00 hours." I reject this. To ensure that the Licence is consistent with the principles established in the West Oxfordshire Plan 2031, we ask that the Licence only allows recorded music to be played internally. 2. The Applicant's request to define a tent as being 'inside'. See section 9 of the Application, in which the Applicant states that *"inside may include a tent"*. It should be clear that playing music inside a tent but located outside will still create as much noise as if the music was being played outside. It should be noted that if this part of the Application is accepted then the Applicant will be able to play music until 2400 hours within the tent. 3. The request to play recorded music from 10.00 hours. See section 3 and section 9 of the Application. The Applicant requests: *"It would be proposed licensed hours for non-residents would remain the same save that recorded music be extended to commence at 10.00 hours rather than 20.00 hours."* Section 9 makes it clear that the Applicant seeks that

recorded music can also be played externally as well as internally from 10.00 hours. I submit that music should only be played internally (excluding a tent) from 20.00 hours. It seems that whereas the original planning application is consistent with The West Oxfordshire Plan, Policy EH8, when the latest Variation of Licence is considered alongside the Applicant's plans then this would be contrary to Policy EH8 because the noise and disturbance that would inevitably result from the change in the licence. I also ask the Council consider and reject the Application for Variation of Licence because the Council will be mindful of its own Statement of Licensing Policy 2013, clause 7.3.6, taking note that: *"Different approaches to prevention of public nuisance will apply to a premises licence application for regulated entertainment, given the nature of the activities, and special circumstances that can arise in relation to those activities, for example (a) longer hours of operation; (b) noise pollution issues;....."* More generally, clause 7.3.7 also states: *"Noise nuisance can adversely affect residents living near to licensed premises or business premises in their vicinity if measures taken to deal with noise are inadequate."* By refusing to accept the request to play music externally (or in a tent) then the Council will considerably reduce the noise nuisance potential for nearby residents. Finally, consideration should be given to the fact that the playing of music externally along with the possible location of tents with incorporated lighting could affect Clause 4 and Clause 6 of the Council's approval of the Planning Application 21/01408/FUL, because of the potential impact on bats and birds. I would appreciate it if you can keep me fully informed regarding the Council's consideration of this Variation of Licence and any representations or meetings where the public may attend to explain our position.

#### **8. Caroline Heininger**

I am writing to object to the application by The Bull in Burford for a 24 hour food and alcohol licence. This is not an out of town establishment with few local residents but a town centre venue surrounded by residential properties.

To grant permission to serve food and alcohol for 24 hours a day and to allow outside music as well will create a major disturbance. The fan alone from a kitchen working into the small hours will cause a disturbance, not to mention partying late into the night. Yes, of course guests should be able to enjoy themselves but in the right location. Who will enforce any infringement of noise levels? I think the concerns of residents should be taken into account not just commercial interests

#### **9. Ruth Jennings-Day**

(representing Burford Quaker Meeting)

My husband and I are residents of Burford. I am writing on behalf of us both to object to this application on the grounds that, if granted, the permitted activities would cause a public nuisance.

I have lived in the town for 40 years. Throughout that time I have been a member of Burford Quaker Meeting and a regular attender at their Meetings for Worship held every Sunday morning at the Meeting House which stands in close proximity to The Bull on Pytts Lane. We have particularly valued the peace and quiet which that location provides and which is so important for the holding of our Meetings. The current license condition of The Bull states that: "Entertainment is to be held internally only and no music or speakers shall

be provided to external areas of the premises" has served Quakers and the whole community well and it is crucial that this condition is retained.

If, regrettably, this existing condition is removed, please impose new conditions:

- that a quiet environment is preserved on Sunday mornings until 1pm for the Quaker Meetings that take place during that time.
- that "Use of the garden area for weddings and functions where regulated entertainment is being provisioned shall not be held on consecutive weekends" (as requested by WODC Environmental Health Officer) so that local residents have some respite.

### **10. Susan Ashton**

As a resident of Burford, living at [REDACTED] and a Member of Burford Quaker Meeting situated in Pytts Lane, I am writing to object to this application on the grounds that, if granted, the permitted activities would cause a public nuisance.

I was born and grew up in Burford, originally living in [REDACTED], adjacent to The Highway Hotel) and have been an attending Burford Quaker Meeting over the years since then. The Meeting has enjoyed a peaceful environment over that time even in the middle of Burford and with the Bull as an active hotel. The current license condition of The Bull (namely "Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises") has served the community well and I strongly urge that it is retained.

If the existing Condition is removed, then please impose new conditions:

- that "Use of the garden area for weddings and functions where regulated entertainment is being provisioned shall not be held on consecutive weekends" (as requested by WODC Environmental Health Officer). At least this would provide some respite on alternate weekends.
- that a quiet environment is preserved on Sunday mornings until 1pm for the Quaker meetings that take place then.

### **11. Gabriele Schotten**

I am a direct neighbour to the Bull Hotel, living and working in our Antiques shop to the front and residential premises to the rear of [REDACTED]. Our living accommodation is immediately next to the Bull and so is our garden. I am attaching a photograph to this email. The back of the High Street is very quiet and tranquil. As the WOT plan states – the town is highly attractive, remarkable unspoilt and with rural character.

I am objecting to the use of the Bull garden 24/7, playing music, serving food and alcohol. Our bedroom is only meters away from the Bull garden and so is our garden. We have no double glazing (Grade 2 listed building) and like most people we like to sleep with the windows open.

Obviously, Hotel guests should be able to access external areas, but there must be a limit to this, to allow undisturbed nights for the neighbouring residents.

Therefore, the garden should be vacated by 23:00 during the weekend and 22:00 during the week.

Also, a concern is the kitchen extractor fan. This can be extremely noisy and smelly. The extractor fan should be switched off by 22:00 at the latest.

The lighting of the garden should be down lighters and should also be turned off at 23:00 at the weekend and 22:00 during the week which is when the garden should be vacated.

I would like to object to the proposed variation to the current license on the grounds of public nuisance

Thank you for considering my objection.

## **12. Matthew Walker**

My family have been fortunate to own 111-113 High Street, Burford and the area and buildings to the rear for over a 100 years and we are keen to preserve and maintain these historical buildings and provide a pleasant environment for all those who live and work there.

There are three flats on the first floor of the properties and a house to the rear. The rear of our property adjoins the Bull Hotel and three of the four dwellings have windows looking out to the rear of the Bull Hotel. In addition, we have encouraged local businesses to use the old buildings in the rear area. These include a wedding dress maker, a chiropodists clinic and an antique dealer. They also all have windows looking on to the rear of the Bull Hotel. On behalf of the occupants of the above properties, I would like to object to the proposed variation to the current license on the grounds of public nuisance. The use of the area to the rear of the Bull Hotel for eating, drinking and playing music will greatly impact on the lives of people living and working nearby, especially late in the evening for neighbours trying to sleep! I would have thought that as the Bull Hotel has been trading perfectly well for many years with the current license arrangements, why is there a need to change them? But if they do have to be altered, could the hours be restricted? This also applies to the use of any mechanical extractors used for cooking. At least this will make life for the neighbours less unbearable.

## **13. Shirley Balmond**

We own [REDACTED] on [REDACTED]. It is our second home and is also a holiday let. The left hand side of our cottage borders the present car park of the hotel. For seven years we have lived along side the hotel very quietly and happily, with no problems.

The new owner has proposed various changes which will be detrimental to the peace and quiet of the neighbourhood, ie a public nuisance, in particular the proposal of using loud speakers to pump out music in the external areas of both garden areas. One of our bedrooms on the side of the house overlooks an external area. We will be disturbed by the music.

A proposal of external music should be vetoed at all costs in such a small area and in the heart of a residential area. It is simply not necessary in a hotel that has restaurants and receptions able to cater for music within its premises.



**14. Manfred Schotten**

I am a direct neighbour to the BULL Hotel, living and working at [REDACTED]

I would like to object to the proposed variation to the current license on the grounds of public nuisance



## **1. OUTSIDE MUSIC licence 10 am to midnight – at the front and rear**

I propose that there should be no outside music at all.

Our bedroom and garden are only a few meters from the Bull garden, because by adding 107 High Street to the Bull. The garden for 107 High Street has not been used before. There are 3 flats and 1 cottage in Castles yard. At the end of the yard is also the Quaker meeting house.

Their windows all face the Bull garden. We are all working and an undisturbed night's sleep is important.

The same goes for the front – our shop is right next to the new entrance to The Bull – we have a bedroom to the front and showroom/drawing room upstairs facing the High Street. Piped music would be very disturbing.

## **2. Refreshments inside and outside**

There should be a restriction to the use of the kitchen extractor fan which I am certain, will produce noise and smells. The extractor fan should be switched off by 10pm

Our property has no double glazing – Grade 2 listed building (and in any case we and most people sleep with open windows).

Therefore I propose that outside activities should be limited at the weekend to 11pm. During the week 10pm

## **3. Light pollution.**

I am very worried about permanent lights in the garden and security lights going on and off. Also, any lighting should be down lighters.

## **4. Weddings and other Functions**

The use of the garden area for weddings and functions where regulated entertainment is being provisioned, shall not be held on consecutive weekends.

I hope you will consider my objections and concerns on the grounds of public nuisance.

## **15. Reg and Dorrit Marshall**

We write with regard to the application to vary the Premises Licence listed above.

We are extremely concerned that any change to the existing permissions will lead to unacceptable noise levels, especially externally and that the changes to the licence will result in clients at the premises spilling into the street, both during the licenced hours and beyond. Smokers often congregate outside licenced premises in the town, and often cause a nuisance late at night.

Burford is a small town, beautifully quiet in the evenings when there is little traffic and the day tourists have left. It would be such a pity if extending the licence at The Bull impacted negatively on the town and its quaint character.

We ask you take our above comments into consideration when reviewing the application.

### **16. Christine Risebero**

We live at [REDACTED] and our garden adjoins that of the Highway Inn. I would like to lodge my objection to the application to vary the premises licences for the two named hotels, particularly for the Highway Inn. My objection falls under the heading of Public Nuisance.

We have lived next to the Highway Inn for 7 years and have been allowed to enjoy the peace and quiet of all the residential gardens behind these Inns with the present licences in place. It may surprise you to learn how residential it is behind the very noisy High Street. We believe that any music played at the back of the Highway and in the courtyard during the day and late at night will cause a public nuisance for us all. The Bull is further down the hill, but music carries over long distances and the two Inns playing music at the same time would be intolerable. Increased numbers of arrivals, departures and diners will add to the noise, all speaking loudly over the music. Many of us are very distressed by this prospect, when we thought we were coming to live in a unique Medieval town. We find we could be living in the middle of a party culture. The public come to Burford to escape from the noise of the 24 hour economy of major cities and it is our unique Medieval heritage that many people come to enjoy.

Many of us have created wildlife gardens, and the ancient Friends Meeting House between The Bull and Highway on Pytts Lane has a garden registered with the Quiet Gardens movement where people can come and sit in peace and quiet contemplation.

You say in your recent communication that the Highway Inn is just asking for an increase in hours for what they were doing already. Music in the courtyard is completely new, as is out door dining at the front and back until midnight. You say they will ask people to leave quietly, but car doors and engines cannot be quiet and night time voices, fuelled by alcohol, carry a long way.

I believe that this extension of licensing hours will cause much distress and a Public Nuisance

**17. Peter Martin**

I write to object to the request to allow recorded or any live music to be played outside The Bull at any time.

The Bull is closely surrounded by residential homes in a small, quiet Cotswold Town in an Area of Outstanding Natural Beauty, and what is being proposed, if accepted, would be a totally unacceptable public nuisance.

**18. Walter and Judy Meisenkothen**

Thank you for your considered reply to my e-mail of yesterday.

Having studied what you have said, my husband and I still wish to object to the Variation Application for the Bull at Burford as regards OUTDOOR MUSIC. Our objection would, from what you have said, come under Point 4 of the Licensing Objectives – ‘Preventing Public Nuisance’ under the heading of NOISE.

Outdoor music in a residential area 7 days a week until 23.00 is simply unacceptable – be it at the front of the building or at the rear. Disturbing sleep patterns on a constant basis in a close residential area is positively anti-social.

I hear what you say about your not being able to take other venues in the town into account – but we feel very strongly that you should. Precedent comes with great risk – and in a town like Burford with 10 pubs or hotels that risk is very real.

**19. Nigel & Penny Barraclough**

The application to permit music to be played externally at the front of the premises must be refused. The High Street is a public thoroughfare and passers-by should not be subject to unwanted noise.

The application to permit music to be played externally at the rear of the premises should:-

EITHER be refused outright because of the potential adverse effect on neighbouring residential buildings

OR be granted subject to strict decibel limits so that guests are able to hear the music but without neighbouring residential buildings being affected. If at any time it is found that neighbouring residential buildings are being affected, then the licence to play music externally must be revoked. Furthermore the applicant states that external music will cease at 23:00 and, if this proves not to be the case, then again the licence to play music externally must be revoked.

Parking is limited at the Bull meaning guests will inevitably park in nearby streets and will create noise from closing car doors, starting engines and driving away to the detriment of local residents.

**20. Ms C Agg**

I do not think there is need for the Bull to be open 24 hrs a day - out door music etc, this will change a fairly quiet part of Burford, we are not like the middle of London needing entertainment from morning to night.

Parking is bad enough now in my street, it can only get worse

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## **I. Gordon Jolly**

I am writing to object to the Variations of Premises Licence W/22/01451/PRMV and W/22/01504/PRMV related to the Bull Hotel and Highway Inn in Burford.

My main objection relates to the likely public nuisance resulting from the application by the Bull Hotel to allow for the playing of recorded music outside of the premises. As a resident of nearby Witney Street, Burford the sound of this music would I believe be audible from my property, particularly at night. This would be disturbing to me and my family, as well as my neighbours. The current licence for the Bull Hotel has the condition that

*“Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises”*. This condition should be retained.

Alcohol consumed outside, especially on the High Street should not be not allowed after 23.00. Both premises are looking to have outside seating on the High Street where alcohol will be consumed and this together with the potential playing of recorded music (by the Bull Hotel) should not be permitted outside of generally accepted licensing hours. Again noise related to this could be a disturbing nuisance. Whilst realising that both premises are hotels, late night alcohol sales and consumption is appropriate for residents, but this should be limited to inside only.

The playing of recorded music outside would I believe set an unwelcome precedent within the town centre of Burford. The other numerous pubs and restaurants in the town would doubtless be seeking the same if this element of the licence variation for the Bull Hotel were to be granted. If this was sought for multiple premises then the potential noise nuisance would be greatly increased.

## **Nigel and Penny Baraclough**

### **Both Premises**

Parking is limited at the Bull and non-existent at the Highway meaning guests will inevitably park in nearby streets and will create noise from closing car doors, starting engines and driving away to the detriment of local residents.

## **2. Judith Meisenkothen**

I write in regard to the two above requests to alter the existing licenses.

My husband and I do object strongly to the request to allow RECORDED MUSIC to be played OUTSIDE these two premises. A significant number of properties on Burford High Street, including in the immediate area of the Old Bull and The Highway, are residential and it would be incredibly invasive and disturbing on them, and indeed on many other homes in the area, for music to be played outside, particularly at night and up to midnight. For example, we live in Sylvester Close, just off Witney Street, and know, to our cost, how disruptive outdoor music is whenever the Warwick Hall garden is rented out for an event – and this is about 400 yards away from our home and the events are only occasional and have to stop at 23.00. We can only imagine the impact on homes of music – 7 days a

week – from the two properties in question, sited as they are in the middle of a residential town where people have to get up early to go to work and children to school.

The precedent that allowing outside music such as that envisaged is huge and damaging. There are 7 other pubs and hotels in the town and if they all requested a similar extension to their licenses the whole atmosphere of our ancient town would be destroyed.

Thank you for your attention.

### **3. A J Hodgkison**

Re: 'Enhancement' of Burford into - Blackpool on Sea ! The endless traffic through the town subsides later in the day to provide some welcome peace for residents and visitors. Most people stay in the town to experience 'getting away from it all' in the Cotswolds, not to listen to somebody else's music etc. This is a totally inappropriate idea in a medieval town with nearby residents living near a 'Funfair'.

### **4. J Hodgkison**

Regarding the above licencing variation application.

I would object to the provision of outdoor recorded music at either venue.

Both properties lie within a developed area of residential housing, and other hotels where guests could be disturbed at night by outside music. Whilst indoor music is hopefully regulated by the householder's consideration for neighbours I regret that commercial interests can sometimes overpower the views of residents.

I am a Burford resident living a little further away from the town centre and am aware of the already but occasional late night music and fireworks disturbing households late at night. In addition I do not feel a town of Burford's size can comfortably accommodate the consumption of alcohol on outdoor premises later into the night.

With regard to the possibility of wedding parties, there are already two hotels catering for such which are situated further from 'denser' residential property. Is Burford to become the 'party venue' of West Oxfordshire. We do hope not.

I hope these views will be considered when reviewing the application.

### **5. Steven Barber**

Please register my objection to the application for extending noise hours inside and more especially outside the Bull and the Highway Inn.

This is not the sort of character I want in a Cotswold town and insults our heritage.

### **6. Oonagh Barber**

I wish to object to the change in licensing hours and proposed music to be played outside at the Bull and Highway Inns in Burford....

I feel this would detract from a Cotswold Village image that many tourists pay to visit.

Please keep me informed regarding these plans.



## **7. Sanchia Barlow**

I understand there is a planning application to develop The Bull and Highway Inn, located in Burford High Street, to include a licence to serve food and drink and play music both inside and outside for extended hours.

I am writing to register my strong objection to these plans to create noise outside the property as this will inevitably cause a public nuisance due to disturbance and noise pollution for nearby residents and for wildlife. This is a tightly packed residential area, valued as a peaceful and secure environment in which to live and work. The gardens in this area are mature and well cared for, supporting significant bird and insect life which needs quiet and safety to thrive. The introduction of a business bringing noise and movement from people and music outside at all hours of the day and night will inevitably have a serious negative impact on the special nature of central Burford. It will benefit no one apart from the business itself and will actively harm a human and natural environment we should be prioritising with thoughtful care and respect.

Please urge relevant decision makers to honestly consider whether they would be willing to accommodate this intrusion into their 'back yard', into their quiet lives and closely packed neighbourhoods. Furthermore many people now work from home and may be unable to do so if there is constant music or socialising in close proximity. The impact will be extensive and severe.

I hope this application will be given the very serious attention it deserves and that the wishes of local residents and environmental interests which we know are of paramount importance will take precedence over commercial interests.

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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](http://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](http://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](http://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](mailto:community.services@westoxon.gov.uk).



## SCHEDULES 1, 2 &amp; 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).	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).	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).	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). <i>(Five days notice by virtue of Regulation 6)</i>	<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).	(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. <i>(Five 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
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:**

Community Safety and Licensing  
West Oxfordshire District Council  
Woodgreen  
WITNEY  
Oxfordshire  
OX28 1NB

Telephone: (01993) 861636  
Email: [licensing@westoxon.gov.uk](mailto:licensing@westoxon.gov.uk)

Copies can also be downloaded on the Councils web site – [www.westoxon.gov.uk](http://www.westoxon.gov.uk).

 <p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>	<p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>
<p>Name and date of Committee</p>	<p><b>LICENSING PANEL – 16<sup>th</sup> February 2023</b></p>
<p>Report Number</p>	<p><b>Agenda Item 5</b></p>
<p>Subject</p>	<p><b>Application For a Variation to a Premises Licence – The Highway Inn, Burford</b></p>
<p>Wards affected</p>	<p>Burford</p>
<p>Accountable member</p>	<p>Licensing Committee</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 David Crank from DWF Law on behalf of The Bull at Burford Limited in regards to the premises The Highway Inn in Burford</p>
<p>Annexes</p>	<p>Annex A – Redacted Application Form Annex B – Current Licence Annex C – Current Plans Annex D – Representations from Burford Town Council and Cllr Ashton Annex E – Local residents representations Annex F – Further representations Annex G – Licensing Hearing Procedures</p>
<p>Recommendation/s</p>	<p>That the Licensing Sub-Committee is asked, in light of the representations received, to consider the application and determine whether to:-</p> <ul style="list-style-type: none"> <li>• grant the application as requested;</li> <li>• grant the application subject to such conditions that are necessary to promote the licensing objectives;</li> <li>• refuse the application in whole or in part where it is necessary in order to promote the licensing objectives.</li> </ul>
<p>Corporate priorities</p>	<p>Ensure that services delivered by the Council are delivered to the highest standard</p>
<p>Key Decision</p>	<p><b>NO</b></p>

Exempt	NO
Consultees/ Consultation	A 28 day consultation has been undertaken with all Responsible Authorities, Ward Member, Town Council and advertised in accordance with the Licensing Act 2003

## 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. This Application is for a variation to an existing Premises Licence.

**1.2.** The application was received on the 29<sup>th</sup> November 2022. The Applicant is The Bull at Burford Limited who is represented by Mr David Crank of DWF Law LLP for the Highway Inn in Burford

**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 21<sup>st</sup> December 2022 and a Site Notice advertising the Application was placed at the site for 28 days.

**1.4.** This application is to vary the Premises Licence initially to change the name to the Highway Inn.

Further on considering the existing licence as it applies to premises with residents with the premises historically operating as a hotel with guests residing in it, we seek to amend the Licence to make it clear that the public can have access 24 hours a day Monday to Sunday to accommodate guests. Further that those resident at the premises can benefit from the sale and supply of alcohol and also late night refreshment at any time during that 24 hour period. It is not proposed to change the hours for non-residents just to make clear the position for residents.

The Licence is currently limited to on sales and we seek to vary to permit both on and off sales to ensure the ability to use the outside area is maintained. We also seek to confirm recorded music is permitted within licensed hours if required.

We also seek permission for regulated entertainment within the current licensed hours. The premises would still operate as they have historically, the variation is simply to clarify the position in relation to what has been a long standing use of the premises.

A copy of the redacted application is attached at **Annex A**.

## 2. SITE DESCRIPTION

**2.1.** A copy of the current plans and premise licence are at **Annex B** and **Annex C**

### 3. AGREED CONDITIONS

**Environmental Health** – West Oxfordshire District Council suggested the following conditions, which have been agreed by the applicant

1. At the end of a function an announcement must be made requiring that patrons leave the premises quietly.
2. Door and windows shall be kept closed (except for access and egress of patrons) at all times when regulated entertainment is being provisioned.
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. Any outside seating area shall close daily at 23:00hrs.

### 4. REPRESENTATIONS

#### **Responsible Authorities under the Licensing Act 2003**

**4.1.** There have been no further representations made by any of the other Responsible Authorities under the Act except for Thames Valley Police who had no objections

#### **Other persons**

##### **Burford Town Council and Local Ward Councillor**

**4.2.** Comments were received from Burford Town Council and the local Ward Councillor, Cllr Hugo Ashton and can be found in **Annex D**.

#### **Residents**

**4.3** There have been representations from local residents received in relation to this Application and can be found in **Annex E**.

There are also further representations submitted by other local residents at **Annex F**. Only information concerning the Highway Hotel in Burford can be taken into account by the Licensing Panel

Some of the representations relate to aspects which are not part of the application. There is no variation to include the garden and there is no variation to include music outside, these comments should be disregarded.

**4.4** The following concerns are raised in some of the representations:

- Traffic , including road safety
- Parking
- Crime and Disorder emanating from alcohol

- Area of Outstanding Natural Beauty

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

#### Traffic, Parking and Area of Natural Beauty

These concerns cannot be taken into consideration under the Licensing Act 2003 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

#### Crime and Disorder concerns

The Police Licensing Officer had no objections 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 in the Licence.

## **6. PROCEDURES**

**6.1.** A copy of the procedure for the Meeting is attached at **Annex G**.

## **7. FINANCIAL IMPLICATIONS**

**7.1.** 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.

## **8. 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 the conditions imposed on the Licence.

## **9. BACKGROUND DOCUMENTS**

**9.1.** West Oxfordshire District Council's Statement of Licensing Policy – 2021

**9.2.** Home Office S.182 Statutory Guidance published April 2018.

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**West Oxfordshire**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
[ers.licensingandapplications@publicagroup.uk](mailto:ers.licensingandapplications@publicagroup.uk)  
 Telephone: 01993 861000

\* 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	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	DDC/CB/2039745-2	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? <input checked="" type="radio"/> Yes <input type="radio"/> 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	The Bull at Burford Limited	
* Family name	The Bull at Burford Limited	
* E-mail	David.Crank@dwf.law	
Main telephone number	0151 907 3381	Include country code.
Other telephone number		
<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.

### Applicant Business

Is the applicant's business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	02409561	
Business name	The Bull at Burford Limited	If the applicant's business is registered, use its registered name.
VAT number	-	Put "none" if the applicant is not registered for VAT.
Legal status	Private Limited Company	

*Continued from previous page...*

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

### Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Agent Details

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

### Agent Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 18**

**APPLICATION DETAILS**

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

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

\* Premises Licence Number

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

☒ Address    ☐ OS map reference    ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

*Continued from previous page...*

Non-domestic rateable  
value of premises (£)

33,500

### Section 3 of 18

#### VARIATION

Do you want the proposed  
variation to have effect as  
soon as possible?

☒

Yes

☐

No

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

☐

Yes

☒

No

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

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

#### Describe Briefly The Nature Of The Proposed Variation

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

This application is to vary the Premises Licence initially to change the name to the Highway Inn.

Further on considering the existing licence as it applies to premises with residents with the premises historically operating as a hotel with guests residing in it, we seek to amend the Licence to make it clear that the public can have access 24 hours a day Monday to Sunday to accommodate guests. Further that those resident at the premises can benefit from the sale and supply of alcohol and also late night refreshment at any time during that 24 hour period. It is not proposed to change the hours for non-residents just to make clear the position for residents

The Licence is currently limited to on sales and we seek to vary to permit both on and off sales to ensure the ability to use the outside area is maintained. We also seek to confirm recorded music is permitted within licensed hours if required

We also seek permission for regulated entertainment within the current licensed hours.

The premises would still operate as they have historically, the variation is simply to clarify the position in relation to what has been a long standing use of the premises.

### Section 4 of 18

#### 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

*Continued from previous page...*

## Section 5 of 18

### 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

## Section 6 of 18

### 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

## Section 7 of 18

### 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

## Section 9 of 18

### 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

#### TUESDAY

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.

*Continued from previous page...*

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

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.

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.

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.

*Continued from previous page...*

## Section 10 of 18

### 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

## Section 11 of 18

### 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

## 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

End

Start

End

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

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

*Continued from previous page...*

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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 unamplified.

State any seasonal variations.

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

Non standard timings. Where 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.

To provide 24 hour service to residents and bona fide guests.

Section 13 of 18

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



Continued from previous page...

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

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.

*Continued from previous page...*

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.

To permit the sale of alcohol to residents and bona fide guests. 24 hours a day Monday to Sunday

## Section 14 of 18

### 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.

NONE

## Section 15 of 18

### HOURS PREMISES ARE OPEN TO THE PUBLIC

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

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

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

*Continued from previous page...*

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

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

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

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

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

To remove the full condition at Annex 2 on the Licence and replace with  
"The Company will operate a Challenge 25 Policy and Staff Training Policy"

☒ 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.

**Section 16 of 18**

**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.

*Continued from previous page...*

The premises had operated successfully under the existing conditions and it is not believed the change, which principally operates to properly reflect the position of residents and reflects the operation of the premises as a longstanding hotel, would require any additional conditions, although the premises will always look to operate with the licensing objectives in mind and offers the condition below to confirm the age verification policy to be applied.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

The Company will operate a Challenge 25 Policy and Staff Training Policy

**Section 17 of 18**

**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 18 of 18

### 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](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 (£)

315.00

### 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

Error message

Is Digitally signed ☐

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

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**Council Offices**

Woodgreen,  
WITNEY,  
Oxfordshire,  
OX28 1NB  
Tel: 01993 861000  
[www.westoxon.gov.uk](http://www.westoxon.gov.uk)

**Reply to : Andrea Thomas**  
Tel : 01993 861000  
Email: [ers@westoxon.gov.uk](mailto:ers@westoxon.gov.uk)

Your Ref: W/22/01044/PRMT

Date: 13th October 2022

David Crank  
DWF LAW LLP  
1 Scott Place  
2 Hardman Street  
Manchester  
M3 3AA

Dear Sir/Madam,

**LICENSING ACT 2003**  
**APPLICATION FOR Transfer of Premises Licence and variation of DPS**

We are pleased to inform you that the application for the above licence has been granted under the Licensing Act 2003. Please find enclosed the Premises Licence in respect of the following premises:-

Premises Name:	Highway Hotel
Address:	117 High Street
	Burford
	Oxfordshire
	OX18 4RG
Application Type:	Transfer of Premises Licence
Application Reference:	W/22/01044/PRMT

Please can you check that the details contained within the Premises Licence are correct. If there are any clerical errors please notify the licensing section immediately using the contact details above so that the errors can be rectified.

Part B of the Premises Licence must be on display at the premises it relates to at all times.

Attached to the Premises Licence, at Appendix I, are the current Mandatory Conditions. These Mandatory Conditions are subject to change and it is the licence holder's/Designated Premises Supervisor's responsibility to ensure that they are aware of the most up-to-date Mandatory Conditions. The full up-to-date list can be found on the West Oxfordshire District Council website ([www.westoxon.gov.uk](http://www.westoxon.gov.uk)), under the licensing service area. Please find a copy enclosed.

An annual fee is payable on the anniversary of the grant date of the Premises Licence. **West Oxfordshire District Council** will send the licence holder an invoice when this fee is due.

**West Oxfordshire District Council** may share information provided to it with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud under Section 6 of the Audit Commission Act 1998.

If you have any queries regarding this matter please do not hesitate to contact us.

Yours sincerely

**Licensing Team**  
**Environmental and Regulatory Services**

# LICENSING ACT 2003

## PART A – PREMISES LICENCE



**Premises Licence Number**

W/22/01044/PRMT

### Part 1 – Premises Details

**Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code**

117 High Street  
Burford  
Oxfordshire  
OX18 4RG

**Telephone number**

**Where the licence is time limited the dates**

Not applicable

**Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities**

Supply by Retail of Alcohol	Monday to Saturday	10:00 - 00:00
Supply by Retail of Alcohol	Sunday	12:00 - 22:30
<b>Non Standard Timings</b>	Supply of alcohol	
	Good Friday 1200hrs to 2230hrs	
	Christmas Day 1200hrs to 1500hrs and 1900hrs to 2230hrs	

**The opening hours of the premises**

Monday to Saturday	10:00 - 00:00
Sunday	12:00 - 22:30
<b>Non Standard Timings</b>	Standard 36 hours deregulation for New Years Eve and New Years Day

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**  
On

## Part 2

**Name, (registered) address, telephone number and email (where relevant) of holder(s) of premises licence**

The Bull At Burford Limited  
105 High Street  
Burford  
Oxfordshire  
OX18 4RG

Email address david.crank@dwf.law

**Registered number of holder, for example company number, charity number (where applicable)**

02409561

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Mr Jonathan Paul Harry Boyce  
Highway Hotel  
117 High Street  
Burford  
Oxfordshire  
OX18 4RG

Telephone No.

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Personal Licence No.: 22/01175/PERA

Licensing Authority: Cheltenham Borough Council

**Signature of Issuing Officer:**



**Group Manager  
Licensing and Business Support**

**Date of Determination:** 15th September 2022

**Date of Issue:** 13th October 2022

**(See Annexes and Plans attached for conditions relating to this Licence)**

**Issuing Authority  
West Oxfordshire District Council, Woodgreen, Witney, Oxon OX28 1PB**

## **Annex 1 – Mandatory conditions**

1. No retail sale or supply of alcohol may be made under this licence:
  - a. at a time when there is no designated premises supervisor in respect of the premises licence, or
  - b. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every retail sale or supply of alcohol under this must be made or authorised by a person who holds a personal licence.

## **Annex 2 – Conditions consistent with the Operating Schedule**

The Company operates a strict proof of age policy and does not sell alcohol for consumption off the process. The alcohol is not served to any resident whom the Company believes has consumed enough already and likely to cause a nuisance.

The Highway has a current and constantly updated fire certificate.

## **Annex 3 – Conditions attached after a hearing by the licensing authority**

## **Annex 4 – Plans**

AS SUBMITTED WITH THE APPLICATION

# LICENSING ACT 2003

## PART B – PREMISES LICENCE SUMMARY



**Premises Licence Number**

W/22/01044/PRMT

### Premises Details

**Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code**

117 High Street  
Burford  
Oxfordshire  
OX18 4RG

**Telephone number**

**Where the licence is time limited the dates**

Not applicable

**Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities**

Supply by Retail of Alcohol	Monday to Saturday	10:00 - 00:00
Supply by Retail of Alcohol	Sunday	12:00 - 22:30

**Non Standard Timings**

Supply of alcohol  
Good Friday 1200hrs to 2230hrs  
Christmas Day 1200hrs to 1500hrs and 1900hrs to 2230hrs

**The opening hours of the premises**

Monday to Saturday 10:00 - 00:00

Sunday 12:00 - 22:30

**Non Standard Timings**

Standard 36 hours deregulation for New Years Eve and New Years Day

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**  
On

## Part 2

**Name, (registered) address of holder(s) of premises licence**

The Bull At Burford Limited  
105 High Street  
Burford  
Oxfordshire  
OX18 4RG

**Registered number of holder, for example company number, charity number (where applicable)**

02409561

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol**

Mr Jonathan Paul Harry Boyce

**State whether access to the premises by children is restricted or prohibited**

1 Children are only allowed in the building when accompanied by a parent or responsible adult.

**Signature of Issuing Officer:**



**Group Manager  
Licensing and Business Support**

**Date of Determination:**

**15th September 2022**

**Date of Issue:**

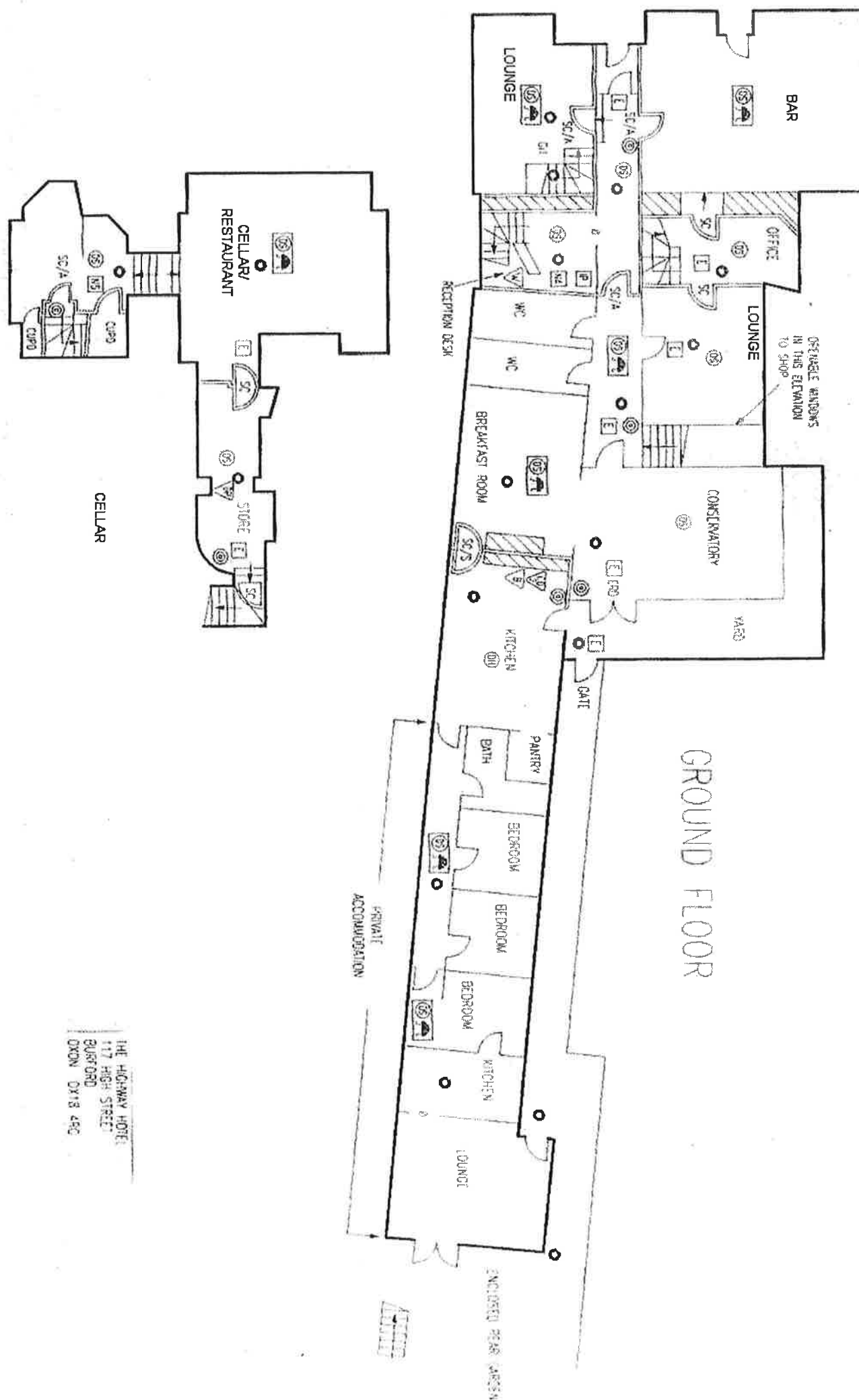
**13th October 2022**

**Issuing Authority**

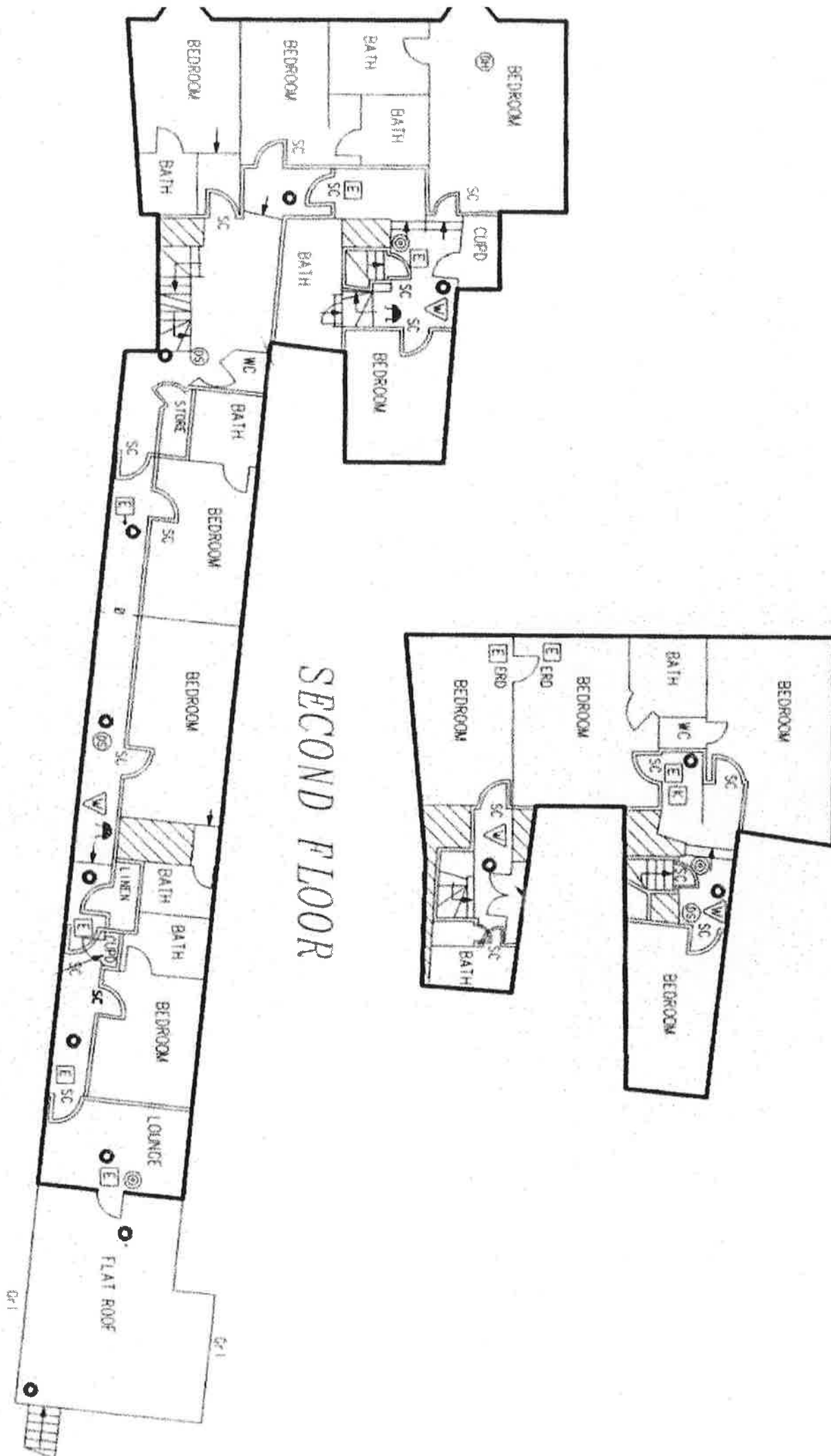
**West Oxfordshire District Council, Woodgreen, Witney, Oxon OX28 1PB**

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THE HIGHWAY HOTEL  
117 HIGH STREET  
BURNFORD  
OXON OX18 4EG



**Burford Town Council****The Highway Inn Variation of Premises Licence Application**

Burford Town Council object to the variation of premises licence on the following grounds due to public nuisance

Burford is an historic town with many listed buildings, and the town centre is a mixture of shops, Inns, Hotels and residential properties all closely packed together. The Highway is in this area.

Taking into consideration the comments of the many residents, who attended our planning meeting, we ask you to take into account the following observations.

1. Noise levels broadcast must not fall outside the regulations defined in the revised 1999 WHO Guidelines for Community Noise. These are a recommendation of 30 dBA in the evening and 55 dBA daytime. The WHO ask that a general peak of 45 dBA should be avoided. WHO recommended levels must be adopted and adhered to.
2. It should be noted that properties close to The Highway Inn are, due to their age and listed status, only fitted with single glazing therefore not benefitting from the noise reducing properties of double glazing.
3. Due to the proximity of several neighbours, we would like to confirm that the music licence is for inside areas only; we request that the outside area to be vacated by 11 p.m. and that the kitchen extraction fans be switched off at 10 p.m.
4. That only downlighting is used outside to keep light pollution to a minimum.
5. That Annex 2 is retained to include "The alcohol is not served to any resident whom the Company believes has consumed enough already and likely to cause a nuisance."

**2. Hugo Ashton**

[The Highway Inn Licensing Application, 117 High Street Burford, OX18 4RG](#)

I am a resident of Burford, residing at The Lodge, Pytts Lane, Burford and I am District Councillor for Burford Ward. I am writing to object to elements of this application on the grounds that, if granted, the permitted activities are highly likely to cause a public nuisance. My objections and requests reflect my own views and those of residents of the adjacent properties and an Elder representing the attendees of the Quaker Meeting House in Pytts Lane who have petitioned me directly.

**Aspects of the application relating to internal activities**

I raise no objection in general to the elements of the license application relating to activities within the buildings on The Highway Inn's premises.

However, there is a real concern by near neighbours, which I share, that the 24-hour provision of refreshments and food will require kitchens to be kept open and operating and will mean that the neighbourhood will be disturbed at all hours by the noise and odours that inevitably arise from the kitchen's extractor fans.

I would ask that a condition be applied that would prevent this happening, rather than relying on the reporting of a public nuisance after the event. This could be by specifying a cut-off time, or the installation of equipment with appropriate odour filters and low-noise fans.

#### Aspects of the application relating to external activities

The aspects of the licensing application which relate to the external parts of the Highway's premises must be considered in the context of it being surrounded by residential properties with gardens or courtyards which either abut or are very close to its outdoor areas. Many of the neighbouring buildings are listed and are not permitted to install acoustic double glazing. From its medieval origins, Burford's commercial activities have been embedded in the town and one of its special features is the hugger-mugger interaction of pubs, hotels, shops and residences.

The current and historic usage of the Highway's garden has been limited to use by the owners or the hotel staff and has not been open to guests. Neighbours are very concerned that this could change and cause a significant public nuisance. Moreover, I note that the hotel is located in the Cotswold AONB which places a particular emphasis on the tranquillity of the environment where natural sounds are predominant

The applicant states 'The premises would still operate as they have historically, the variation is simply to clarify the position in relation to what has been a long-standing use of the premise.' This implies that the garden will remain private, but resident neighbours would be reassured if this could be formalised through a condition similar to that currently in place at The Bull, namely "Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises".

If this current practice is not formalised in a condition, please impose other conditions to minimise public nuisance that:

- any outside seating area be closed daily at 22:00hrs
- the garden should only be lit with downlighters and these to be switched off once the gardens are closed
- use of the garden area for weddings and functions where regulated entertainment is being provisioned shall not be held on consecutive weekends
- a quiet environment is preserved on Sunday mornings (for the Quaker meetings that take place then).

Please note that these comments do not apply to activities in the courtyard of the hotel

## **Representations from Local Residents - The Highway Inn, Burford**

### **I. Carolyn Walton**

I live in [REDACTED], Burford, and have done so for over 25 years, my parents living in my house before that.

My bedroom window looks down over Swan Lane towards Witney Street. We hear noise (if any) from the back gardens of the High Street and Witney Street easily in the summer months.

I object to aspects of this licensing application on the grounds of:

- (i) public nuisance,
- (ii) noise pollution,
- (iii) light pollution,
- (iv) potential anti-social activities and
- (v) unpleasant odours

### **Introduction**

Burford. Burford is a small medieval market town, busy during the day, but very, very quiet at night. People live and visit here to enjoy the beauty and tranquillity, peace and quiet of a small Cotswolds town set in a designated Area of Outstanding Natural Beauty in the Windrush Valley. They do not come or live here for an exciting night time experience, save to relish the peace of the night, hear the night bird life and observe the stars.

The Highway Inn has been a pub, a pub/restaurant with rooms, and, whilst the downstairs was a needlework shop, a Bed and Breakfast for many years. It is set in the heart of the town and flanked by residents' homes, courtyards and gardens. The owners and managers of the Highway have met the needs of visitors and locals to Burford without extended licensing requested in this application or the use of the garden at the back. The accommodation at the back has always been used by the owners or staff of the Highway.

My fear and that of other close neighbours is that the requested extension of the hours with permission to serve food and drink means the kitchens with all their concomitant use of noisy and smelly equipment and machinery – in particular extractor fans – will create nuisances for the neighbours and their guests. The provision of 24 hour food and drink should be limited to that which can be produced without the use of smelly cooking and extractor fans – sandwiches and other cold food perhaps?

As long as I have lived or partially lived in Burford (30 years) the garden has been used privately, solely by the owners or the staff occupant of the garden cottage. This garden abuts the gardens and courtyards of full time Burford residents. Should the use of this garden be opened up to guests, the fear is that this will create noise nuisance and light pollution which will inevitably disturb those neighbours.

The application states that “ The premises would still operate as they have historically, the variation is simply to clarify the position in relation to what has been a long-standing use of the premise.” Does this mean that the garden will remain private?

Since the application is “simply to clarify the position”, please can the clarification be carried through to explicit conditions that ensure the “long standing use” is maintained by having the restriction such as currently exists for the Bull- ie: The premises would still operate as they have historically, the variation is simply to clarify the position in relation to what has been a long-standing use of the premise.’ This implies that the garden will remain private, but resident neighbours would be reassured if this could be formalised through a condition similar to that currently in place at The Bull, namely “Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises”.

If this current practice is not formalised in a condition, please impose other conditions to minimise public nuisance that:

- any outside seating area be closed daily by 10 pm at the latest
- the garden should only be lit with soft down lighters and these to be switched off once the gardens are closed
- use of the garden area for weddings and functions where regulated entertainment is being provisioned only be allowed on a few (maximum 6) weekends annually.

## **2. George Hart**

Burford has been my home for twelve years and so I know it well.( Lucy - Burford is your now home or whatever suits to establish some connection ).

Burford and the surrounding area is famous as an area of outstanding natural beauty..

The criterion under s82 of the CROW for an AONB includes “ relative tranquillity, where natural sounds, such as streams or birdsong predominate “

But I am very concerned about the damage that will be done to that tranquillity and the loss of background nature as a result of the outside music and lighting proposed for the Bull with further noise and smells from the proposed late night refreshments.

I believe the noise, light and smells from the Bull Hotel will have a very damaging affect on local nature.

Light and noise are proven to be damaging to humans and wildlife. People suffer with anxiety, mental health issues, inability to sleep, stress and much more.

Wildlife cannot function in the noise and the light and are badly affected, which causes loss of wildlife species.

This is well established by major research bodies and the effect of both light and noise where none has been before will be a major public nuisance and a tragedy for the “ tranquillity “ of Burford. And the quiet of Burford will be badly affected for its residents as a whole and for the individual properties nearby.

Burford is famously quiet. Particularly as soon as the high street traffic finishes and the back streets grow silent. All the residential areas with their gardens are havens of peace, birds and insects. This will be changed by outside light and music late into the night and with

increased public access to the hotels at all times, causing noise and disturbance. An unjustifiable Public Nuisance.

There is also a proposal to have weddings which with the two hotels will mean a possible wedding every weekend for that part of Burford.

This intensity of activity, noise and light at the two hotels, will appear magnified as the two hotels are so close to each other, four properties apart only.

The noise and disturbance will change the character of quiet residential and naturally beautiful Burford.

Both are a public nuisance.

Both must be restricted to stop the damage they will do to the people and environment of the town.

There must be a town friendly limit on late hours of music and other hotel noise. 23.00 hours is too long and too late for a town to wait for peace for their night's sleep.

Equally outside light must be reduced from 22.00.

Nature must have a chance.

Without peace and dark to our evenings, we will all be affected to our detriment.

**I object to the changes proposed by the variation to the licences of these two hotels.**

**The original terms of the licences should stay for both hotels.**

### **3. Dr K W Gray CBE**

I am a resident of Burford. Burford is very small town with a High Street that is a totally intermixed medieval mixture of houses, retail and hotels. Burford High Street has the highest percentage of and High Street in the UK, 93% and thus needs special protection.

I am writing to object to elements of this application on the grounds that, if granted, the permitted activities are highly likely to cause a public nuisance particularly to nearby domestic properties

#### **Aspects of the application relating to external activities**

The aspects of the licensing application which relate to the external parts of the Highway's premises must be considered in the context of it being surrounded by residential properties with gardens or courtyards which either abut or are very close to its outdoor areas. Many of the neighbouring buildings are listed and are not permitted to install double glazing windows.

The current and historic usage of the Highway's garden has been limited to use by the owners or the hotel staff and has not been open to guests. I am very concerned that this could change and cause a significant public nuisance.

The applicant states 'The premises would still operate as they have historically, the variation is simply to clarify the position in relation to what has been a long-standing use of the premise.' This implies that the garden will remain private, but this should be formalised through a condition similar to that currently in place at The Bull, namely "Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises".

If this practice at the Bull is not formalised in a condition, please impose conditions to minimise public nuisance that:

- Any outside seating area be closed daily at 22:00hrs
- The garden should only be lit with down lighters and these to be switched off once the gardens are closed
- Use of the garden area for weddings and functions where regulated entertainment is being provisioned shall not be held on consecutive weekends
- A quiet environment is preserved on Sunday mornings for the nearby Quaker Meeting House

#### **Aspects of the application relating to internal activities**

I raise no objection to the elements of the license application relating to activities within the buildings on The Highway Inn's premises except for one issue, extractor fans.

However the 24-hour provision of refreshments and food will require kitchens to be kept operating and thus the noise and odours will inevitably arise from the kitchen's extractor fans. These fans should have filters to absorb the smell and have a low noise level. I note Westminster Council have this covered and WODC should follow suit. This should be a condition and not wait for the public nuisance reporting method

#### **4. Manfred and Gabi Schotten**

The Highway Inn Licensing Application, 117 High Street, Burford

We are working and living [REDACTED]

The rear to the houses fronting the High Street, residential and gardens, are very quiet and tranquil.

We are objecting to the use of the garden behind the Highway Inn on the grounds of creating a considerable public nuisance.

1. There are real concerns, not only by us but all the near neighbours regarding the use of the back garden, which has not been used as a pub/Hotel garden since we have lived here, which is 40 years and, before that.

The applicant states The premises would operate as they have historically, the variation is simply to clarify the position in relation to what has been a long-standing use of the premises.

This implies that the garden will remain private – Can that be formalised to what is in place now.

= Entertainment is to be held inside only and no music or speakers shall be provided to outside areas of the premises.

2. The serving of refreshments and food 24/7 inside and outside, which requires the use of the kitchen that will therefore create noise and kitchen smells as the extractor fan will have to be switched on.



This is not reasonable. Voices, smells and music do carry a long way and we, for example are only 2 gardens away.

Other neighbours are directly next to the Highway back garden.

I hope you will consider our objections on the grounds of public nuisance.

## **5. Susan Ashton**

### **The Highway Inn Licensing Application, 117 High Street Burford, OX18 4RG**

I am a resident of Burford, residing at [REDACTED], and part-owner of the garden on the corner of Swan Lane and Pytts Lane which abuts the east end of the Highway Inn's garden. I am writing to object to this application on the grounds that, if it leads to guest entertainment and activity in the Highway's garden, it will cause a public nuisance.

I was born and brought in the premises immediately adjacent to the Highway, and from at least the 1950's, the Highway's garden has only been used by the owners or the hotel staff and has not been open to guests. I am very concerned that this could change and impact the quiet enjoyment of my garden.

I note that the applicant states 'The premises would still operate as they have historically, the variation is simply to clarify the position in relation to what has been a long-standing use of the premise.' This implies that the garden will remain private, but it would be reassuring if this could be formalised through a condition similar to that currently in place at The Bull, namely "Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises".

## **6. Reg and Dorrit Marshall**

We write with regard to the application to vary the Premises Licence at the Highway Inn as listed above.

We are extremely concerned that any change to the existing permissions will lead to unacceptable noise levels, especially externally and that the changes to the licence will result in clients at the premises spilling into the street, both during the licenced hours and beyond. Smokers often congregate outside licenced premises in the town, and often cause a nuisance late at night.

Burford is a small town, beautifully quiet in the evenings when there is little traffic and the day tourists have left. It would be such a pity if extending the licence at The Highway impacted negatively on the town and its quaint character.

We ask you take our above comments into account when considering the application.

## **7. Bill Risebero DipArch DipTP MA RIBA**

Dear Ms Thomas **LICENSING ACT 2003 Application for Variation of Premises**

**Licence: Highway Inn, Burford** Cllr Ashton has kindly informed us of the proposals for the Highway Inn. We have not been consulted on them by the Applicant. As we will be affected by them, I have the following comments:

1. **Site boundaries.** The Application does not include a site plan showing which external spaces are affected by the proposals. Two spaces at the rear of the building raise questions. These are the courtyard and the garden.

1. **Highway Courtyard** (please see attached plan). This is already in use as an eating/drinking area. It shares a party wall with a residential property to the north, which overlooks it. The Application states that 'the premises would still operate as they have historically'. In that case will the Applicant agree to confine all outside public hospitality/entertainment to this courtyard?

2. **Garden behind Highway** (see plan). The garden is domestic, and demonstrably has been for at least 55 years. There is no evidence of any historic use as a public venue. I realise that you are not concerned with 'planning' matters, but I would suggest that to change it would be a material change of use. A change would raise other planning issues too, including conservation, historic buildings, nature conservation and local amenity.

3. **Noise levels.** At the moment the rear gardens (including that of the Application premises) bounded by the High Street, Swan Lane, Pytts Lane and Castles Yard are residential in character. The buildings on the High Street protect the area from noise, giving it an ambient noise level which I estimate to be between 20 and 40 dBA. Use of the garden by the public as hospitality/entertainment could generate an SPL of 80-90 dBA, very intrusive in a residential area.

4. **Anti-social hours.** There are a number of properties sharing a boundary with the application site. Four dwellings have adjoining gardens. Fifteen or more dwellings, plus the Quaker meeting house, are between a distance of 5m and 45m from the site. Many have bedrooms which face towards it, needing an SPL of 20 dBA or less to be tolerable. At most, attenuation will reduce a dBA level of (say) 85 to one of about 52 dBA. This is clearly unacceptable.

5. **Light pollution.** If the site is lit after dark this will worsen the problem of disturbance, creating light pollution in an area which at present is dark at night. Noise and light pollution will badly affect both people's amenity and the existence of wildlife in the area. 6. **Safety and Security.** Public access to what is at present a private garden area raises the question of security, especially at night. Fire safety, including from wildfire, and means of escape are also an increasingly important issues and need to be considered. 7. **Commercial uses.** I recognise that the planning of Burford Town centre needs to strike a balance between commercial and residential uses. But an increase in commercial value should not be achieved by degrading residential value. Residential accommodation facing the High Street of course has a noise problem and this is to be expected. But it makes the quiet enjoyment of the rear gardens and houses all the more important. The proper place for noisy uses is on the High Street frontage, not among the private gardens at the rear.

**8. Safety and nuisance.** To license the garden for hospitality/entertainment would be to increase noise, disturbance, light pollution, insecurity and danger, to the considerable detriment of the surrounding residential environment. This would compromise **public safety** and amount to a **public nuisance**.

**9. Licence decision.** It will be clear from the above that I think developing the Highway garden area would be wrong in principle. I also think that it would be impossible adequately to mitigate the effects on the surrounding gardens and houses.

(a) I would ask you therefore to agree a condition that all outdoor hospitality/entertainment be confined to the existing courtyard.

(b) I would also ask you to make it clear that the licence does not permit use of the domestic garden behind the Highway for public hospitality/entertainment.

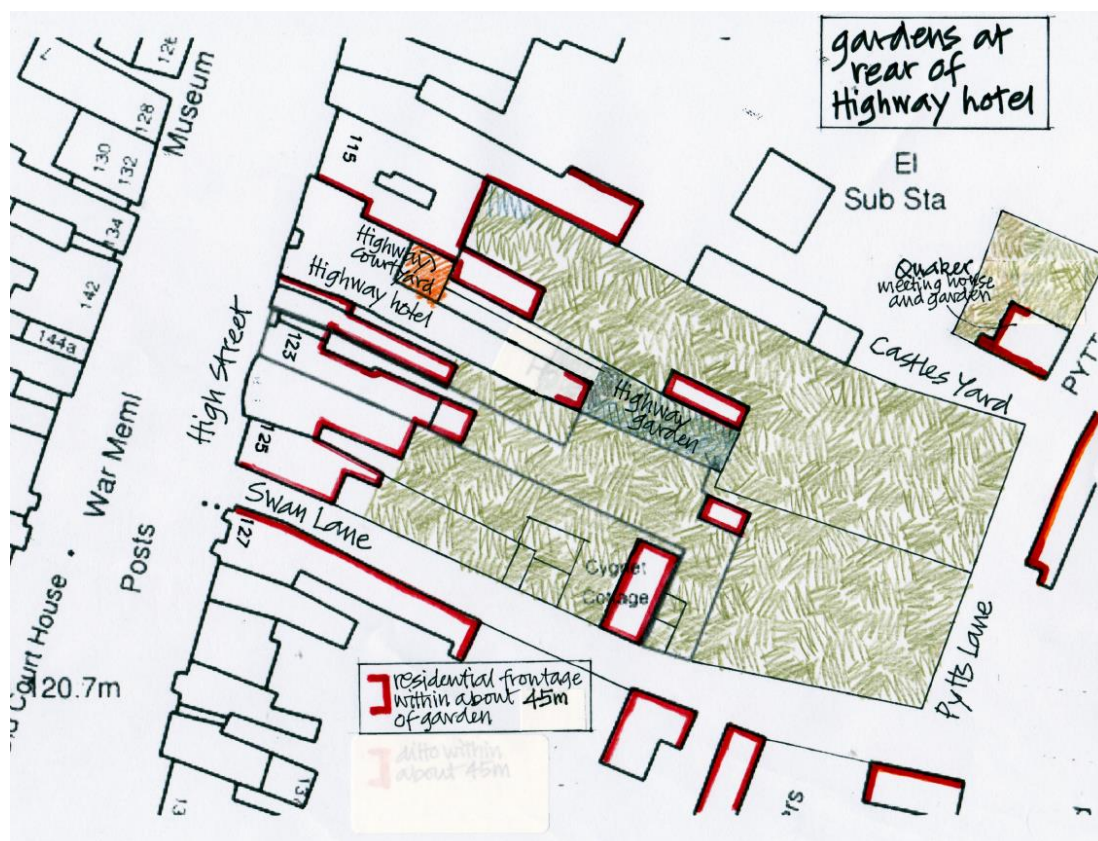
(c) Without prejudice to

(a), if for any reason you are minded to recommend use of the garden for hospitality/entertainment, then I would ask you to make the decision

(i) in the context of a considered planning view of the proposals and

(ii) on the basis of a proper local consultation on what is intended, proposed timings, noise levels and safety and security considerations.

(d) The aim should be to agree limited hours and dates, especially on Sundays, keep noise to agreed levels, dispense with music, keep lighting levels low, and deal with all problems of safety and security.



## 8. Jonathan Hart

### **HIGHWAY HOTEL, BURFORD - Application to vary premises licence**

I am a resident of Burford and live at [REDACTED] – immediately next to the Highway Hotel.

I note in the application for a variation of the premises licence that the proprietor is assuring you, and the residents of Burford that ***“the premises would still operate as they have historically, the variation is simply to clarify the position in relation to what has been a long standing use of the premises”***

I also note that the application is not specific with regard to the use of the term “outdoors” which implies that there has been historic (long standing) use of the garden (which presumably forms part of the premises), and not just the courtyard, for the trading of the hotel.

The only outside area used by the hotel for its guests to drink and dine is the stone courtyard immediately outside the back of the hotel and which extends to the corner of the building next door (which is a defined point). The courtyard is cut off from the hotel’s land beyond by a solid wooden fence, on which there is a sign informing guests that there is no entry beyond that point. The fact is the garden beyond the courtyard has never been used by the Highway Hotel for guests during the past 55 years at least and an immediate neighbour and other residents can confirm this. Indeed the garden is currently (and has been for many years) unkempt and overgrown, akin to a wildlife haven.

Thus, for the past 55 years, the Highway Hotel has operated successfully, while respecting the rights of the residents and local wildlife and the gardens immediately surrounding the hotel and those in the near vicinity have enjoyed a certain peace and tranquility.

It seems to me therefore, that if the variation to the licence is granted, the proprietor of the Highway Hotel will, in one stroke, have gained the tacit right **(a)** to extend the facilities of the hotel (winning and dining of guests) to the garden (presumably part of the term “outdoors”, referred to on the application) and not just the courtyard; and **(b)** to serve guests (whether or not resident at the Hotel) in the garden as well as the courtyard until midnight every night, except Sunday.

To accommodate guests in the garden, the hotel will insert outside lighting, position tables and chairs and naturally guests during the summer will gravitate to the garden to wine, dine, smoke and generally socialise. And as we know, alcohol can raise the noise levels.

Midnight is far too late for guests to be socialising outside in the garden and residents in the vicinity will have very disturbed nights as a result. This, as you will know, can cause anxiety, depression and stress as well as other mental issues. Light pollution is also a serious concern to health and a public nuisance as it also disrupts sleep, is intrusive to neighbours, and an increased amount of light at night lowers melatonin production, which results in sleep deprivation, fatigue, headaches, more stress and anxiety and other health problems. This will

potentially become a devastating public nuisance to all those residents who live nearby, including in Castles Yard, Pytts Lane and Swan Lane.

May I therefore respectfully suggest that, taking the applicant at its word - **the premises would still operate as they have historically** - that any variation to the licence for the outdoors **excludes** specifically the garden beyond the courtyard at the back of the hotel, because that part of the premises has not been used for the trade of the hotel for the past 55 years. Such a condition, if imposed, would I believe settle much angst among the residents of Burford.

## **9. Christine Risebero**

We live at [REDACTED] and our garden adjoins that of the Highway Inn. I would like to lodge my objection to the application to vary the premises licences for the two named hotels, particularly for the Highway Inn. My objection falls under the heading of Public Nuisance.

We have lived next to the Highway Inn for 7 years and have been allowed to enjoy the peace and quiet of all the residential gardens behind these Inns with the present licences in place. It may surprise you to learn how residential it is behind the very noisy High Street. We believe that any music played at the back of the Highway and in the courtyard during the day and late at night will cause a public nuisance for us all. The Bull is further down the hill, but music carries over long distances and the two Inns playing music at the same time would be intolerable. Increased numbers of arrivals, departures and diners will add to the noise, all speaking loudly over the music. Many of us are very distressed by this prospect, when we thought we were coming to live in a unique Medieval town. We find we could be living in the middle of a party culture. The public come to Burford to escape from the noise of the 24 hour economy of major cities and it is our unique Medieval heritage that many people come to enjoy.

Many of us have created wildlife gardens, and the ancient Friends Meeting House between The Bull and Highway on Pytts Lane has a garden registered with the Quiet Gardens movement where people can come and sit in peace and quiet contemplation.

You say in your recent communication that the Highway Inn is just asking for an increase in hours for what they were doing already. Music in the courtyard is completely new, as is outdoor dining at the front and back until midnight. You say they will ask people to leave quietly, but car doors and engines cannot be quiet and night-time voices, fuelled by alcohol, carry a long way.

I believe that this extension of licensing hours will cause much distress and a Public Nuisance.

## **10. Julia Hart**

I wish you and any other officer involved could visit the properties affected and see how quiet this the area is naturally.

The application is incorrect where it implies there has been historic use of the garden. The fact is the garden has never been used by the Highway Hotel for guests. A neighbour can confirm this for the last 55 years and others also.

So to go from a quiet garden like those surrounding it, to noise from 10.00 to 23.00 is a terrible, a devastating public nuisance to all those many people who live nearby, including in Castles Yard, Pytts Lane and Swan Lane.

Noise is recognised by the World Health Organisation as affecting mental health causing mood swings, anxiety, depression and stress. The WHO recognises that it can cause range of Short and long term threats to health, cardiovascular effects, poorer work and school performance. Light waves affect the circadian rhythm/biological clock and so our sleep/wake cycle, metabolism, immune system.

Children spend more time in bed and are more exposed to night noise. There is consistent evidence that noise exposure harms cognitive performance the elderly are very sensitive to noise.

23.00 is a long time past many people's bedtime and an announcement at 11.00 pm is not going to be quiet.

Light pollution is also a serious concern to health and a huge public nuisance as it disrupts sleep, is intrusive to neighbours, proven harmful to wildlife.

An increased amount of light at night lowers melatonin production, which results in sleep deprivation, fatigue, headaches, more stress and anxiety and other health problems.

All this risk to health from increased noise and light from late use of the garden and outside space.

This is all so serious as a public nuisance to all nearby residents and cannot be justified by such a late end to the outside use of the previously unused and quiet garden.

**We ask please that all the outside activity ends at 22.00.**

**It can continue inside but without causing a public nuisance with harm and disturbance to the neighbours that outside use would do.**

To protect the wildlife in gardens in Burford and to open the gardens to young people and help them enjoy and understand Nature in gardening, we have set up " Burford Wildlife Gardens ". It is already growing fast as an organisation and we are in contact with local schools for pupil visits and lessons.

In the face of terrible loss of wildlife over recent years, much important research has been done into the harm to wildlife from Noise and Light Pollution as well as loss of habitat.

I forward one of very many articles. All reports confirm substantial damage to insect and wildlife with species damage and loss of numbers. Human life depends absolutely upon insect life and pollinators.

It is also well proven that damage to mental health to humans comes with both noise and light pollution. These are a major and frightening form of Public Nuisance for the damage they do. As both noise and light are so destructive and this is so widely known now, please confirm you will condition

1. the lighting to a minimum of the standards and fittings approved by West Oxon District Council where Biodiversity is at risk, with no form of flood lighting and no "Light Trespass" permitted to reach the adjoining wildlife gardens.
2. These conditions should apply also to the Bull hotel given the nearness of the two properties to each other and the risk of a large area between the two being affected by noise and light.
2. The noise by requiring notices to be posted prominently on each boundary wall adjoining another property to require noise is kept to a minimum given with quiet near other properties at all times.
3. These conditions should apply also to the Bull Hotel given the nearness of the two properties to each other and the risk of a large area between and around the two being affected by a joint area of noise and light pollution.

**11. Diane Marchington**

West Oxon District Council

Dear Sir, Madam.

Licensing Act 2003.

Application for Variation of Premises License -  
Highway Inn, High Street, Burnford.

My house is next door to the Highway Inn and my garden wall is against their flat-roof extension and part of their garden. If the Highway Inn garden is to be open to Partying and/or dining and drinking with music and lighting it will be impossible for me to use my garden peacefully, owing to noise and light pollution.

I live alone and will be 82 next May, and up till now I have lived amicably with The Highway Inn for almost 12 years and hope to continue doing so.

For these reasons I object to this application.

Yours faithfully

Diane V. Marchington.

(MISS D.V. MARCHINGTON)





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## **I. Gordon Jolly**

I am writing to object to the Variations of Premises Licence W/22/01451/PRMV and W/22/01504/PRMV related to the Bull Hotel and Highway Inn in Burford.

My main objection relates to the likely public nuisance resulting from the application by the Bull Hotel to allow for the playing of recorded music outside of the premises. As a resident of nearby Witney Street, Burford the sound of this music would I believe be audible from my property, particularly at night. This would be disturbing to me and my family, as well as my neighbours. The current licence for the Bull Hotel has the condition that

*“Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises”*. This condition should be retained.

Alcohol consumed outside, especially on the High Street should not be not allowed after 23.00. Both premises are looking to have outside seating on the High Street where alcohol will be consumed and this together with the potential playing of recorded music (by the Bull Hotel) should not be permitted outside of generally accepted licensing hours. Again noise related to this could be a disturbing nuisance. Whilst realising that both premises are hotels, late night alcohol sales and consumption is appropriate for residents, but this should be limited to inside only.

The playing of recorded music outside would I believe set an unwelcome precedent within the town centre of Burford. The other numerous pubs and restaurants in the town would doubtless be seeking the same if this element of the licence variation for the Bull Hotel were to be granted. If this was sought for multiple premises then the potential noise nuisance would be greatly increased.

## **Nigel and Penny Baraclough**

### **Both Premises**

Parking is limited at the Bull and non-existent at the Highway meaning guests will inevitably park in nearby streets and will create noise from closing car doors, starting engines and driving away to the detriment of local residents.

## **2. Judith Meisenkothen**

I write in regard to the two above requests to alter the existing licenses.

My husband and I do object strongly to the request to allow RECORDED MUSIC to be played OUTSIDE these two premises. A significant number of properties on Burford High Street, including in the immediate area of the Old Bull and The Highway, are residential and it would be incredibly invasive and disturbing on them, and indeed on many other homes in the area, for music to be played outside, particularly at night and up to midnight. For example, we live in Sylvester Close, just off Witney Street, and know, to our cost, how disruptive outdoor music is whenever the Warwick Hall garden is rented out for an event – and this is about 400 yards away from our home and the events are only occasional and have to stop at 23.00. We can only imagine the impact on homes of music – 7 days a

week – from the two properties in question, sited as they are in the middle of a residential town where people have to get up early to go to work and children to school.

The precedent that allowing outside music such as that envisaged is huge and damaging. There are 7 other pubs and hotels in the town and if they all requested a similar extension to their licenses the whole atmosphere of our ancient town would be destroyed.

Thank you for your attention.

### **3. A J Hodgkison**

Re: 'Enhancement' of Burford into - Blackpool on Sea ! The endless traffic through the town subsides later in the day to provide some welcome peace for residents and visitors. Most people stay in the town to experience 'getting away from it all' in the Cotswolds, not to listen to somebody else's music etc. This is a totally inappropriate idea in a medieval town with nearby residents living near a 'Funfair'.

### **4. J Hodgkison**

Regarding the above licencing variation application.

I would object to the provision of outdoor recorded music at either venue.

Both properties lie within a developed area of residential housing, and other hotels where guests could be disturbed at night by outside music. Whilst indoor music is hopefully regulated by the householder's consideration for neighbours I regret that commercial interests can sometimes overpower the views of residents.

I am a Burford resident living a little further away from the town centre and am aware of the already but occasional late night music and fireworks disturbing households late at night. In addition I do not feel a town of Burford's size can comfortably accommodate the consumption of alcohol on outdoor premises later into the night.

With regard to the possibility of wedding parties, there are already two hotels catering for such which are situated further from 'denser' residential property. Is Burford to become the 'party venue' of West Oxfordshire. We do hope not.

I hope these views will be considered when reviewing the application.

### **5. Steven Barber**

Please register my objection to the application for extending noise hours inside and more especially outside the Bull and the Highway Inn.

This is not the sort of character I want in a Cotswold town and insults our heritage.

### **6. Oonagh Barber**

I wish to object to the change in licensing hours and proposed music to be played outside at the Bull and Highway Inns in Burford....

I feel this would detract from a Cotswold Village image that many tourists pay to visit.

Please keep me informed regarding these plans.

## **7. Sanchia Barlow**

I understand there is a planning application to develop The Bull and Highway Inn, located in Burford High Street, to include a licence to serve food and drink and play music both inside and outside for extended hours.

I am writing to register my strong objection to these plans to create noise outside the property as this will inevitably cause a public nuisance due to disturbance and noise pollution for nearby residents and for wildlife. This is a tightly packed residential area, valued as a peaceful and secure environment in which to live and work. The gardens in this area are mature and well cared for, supporting significant bird and insect life which needs quiet and safety to thrive. The introduction of a business bringing noise and movement from people and music outside at all hours of the day and night will inevitably have a serious negative impact on the special nature of central Burford. It will benefit no one apart from the business itself and will actively harm a human and natural environment we should be prioritising with thoughtful care and respect.

Please urge relevant decision makers to honestly consider whether they would be willing to accommodate this intrusion into their 'back yard', into their quiet lives and closely packed neighbourhoods. Furthermore many people now work from home and may be unable to do so if there is constant music or socialising in close proximity. The impact will be extensive and severe.

I hope this application will be given the very serious attention it deserves and that the wishes of local residents and environmental interests which we know are of paramount importance will take precedence over commercial interests.

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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](http://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](http://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](http://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](mailto:community.services@westoxon.gov.uk).

## SCHEDULES 1, 2 &amp; 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).	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).	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).	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). <i>(Five days notice by virtue of Regulation 6)</i>	<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).	(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. <i>(Five 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
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:**

Community Safety and Licensing  
West Oxfordshire District Council  
Woodgreen  
WITNEY  
Oxfordshire  
OX28 1NB

Telephone: (01993) 861636  
Email: [licensing@westoxon.gov.uk](mailto:licensing@westoxon.gov.uk)

Copies can also be downloaded on the Councils web site – [www.westoxon.gov.uk](http://www.westoxon.gov.uk).