

Monday, 14 September 2026

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LICENSING PANEL

You are summoned to a meeting of the Licensing Panel which will be held in Committee Room 1, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB on **Tuesday, 22 September 2026 at 10.00 am.**



Phil Martin
Chief Executive

To: Members of the Licensing Panel

Councillors: Sandra Cosier, David Jackson, Tim Sumner and Jack Treloar

Reserve member –Councillor Sandra Cosier

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

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

AGENDA

1. **Apologies for Absence**
To receive any apologies for absence.
2. **Declarations of Interest**
To receive any declarations of interest from Members of the committee on any items to be considered at the meeting.
3. **Minutes of the Previous Meeting (Pages 3 - 18)**
To approve the minutes of the meetings held on 21 July 2026 and 30 July 2026.
4. **Application for a New Premises Licence The Fox Inn, Middle Barton, Chipping Norton (Pages 19 - 36)**

Purpose:

To determine an application for a new premises license made by Tony O'Sullivan for the premises located at The Fox Inn, Middle Barton, Chipping Norton.

Recommendations:

That the Licensing Panel is asked, in light of the representation 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 to specify a person in the licence as the premises supervisor.
- refuse the application in whole or in part where it is necessary to promote the licensing objectives

(END)

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Licensing Panel**

Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB
at 11.00 am on **Thursday, 30 July 2026**

PRESENT

Councillors: Mark Walker, Sandra Simpson and Jack Treloar

Officers: Lorna McShane (Planning Solicitor), Laura Nieve (Paralegal), Andrea Thomas (ERS Officer, Professional Services), Ana Prelici (Senior Democratic Services Officer) and Matthew Taylor (Democratic Services Officer)

Other Councillors in attendance: None

31 Apologies for Absence

There were no apologies for absence.

32 Declarations of Interest

No declarations of interest were received.

33 Minutes of the Previous Meeting

The agenda had been published before the meeting of 21 July 2026. The minutes of 21 July 2026 and 30 July 2026 would be considered at the next licensing panel meeting.

34 I1am - Application for a new Premises Licence - The Double Red, Clanfield Limited for the premises located at The Duchess, Bampton Road, Clanfield.

The Chair, Councillor Mark Walker, welcomed everyone to the hearing and introduced the Panel in attendance, which consisted of Councillors Sandra Simpson and Jack Treloar.

The Chair, asked for the Officers in attendance to introduce themselves Andrea Thomas introduced herself as the Licensing Officer, Lorna McShane introduced herself as the Legal Officer, Ana Prelici introduced herself as the Senior Democratic Services Officer.

Others in attendance introduced themselves. Neil McCain, Solicitor representing the Applicant, Adam Smith, Assistant General Manager of the Double Red Duke, Councillor Alaric Smith, District Councillor for Bampton and Clanfield and Sally Owen a resident of Clanfield.

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 Chair reminded all parties that they should only highlight issues that related to the Licensing Objectives, these were:

- The prevention of crime and disorder;
- Public Safety;
- The prevention of public nuisance
- The protection of children from harm

The Councils Licensing Officer presented the application and highlighted the following points:

- The application was for a new premises licence and was made by the Double Red Clanfield Ltd, for a premises located at a property known as The Duchess. The application was for the hours applied for sale of alcohol (on and off sales) and late-night refreshment.
- Sale of alcohol, opening Hours and off sales Monday to Sunday 24hrs for residents and bona fide guests.
- The matter was before the Licensing Panel due to representation from local residents and two ward members the detail of which could be seen in Annex C of the agenda pack.

The Licensing Officer brought the members attention to the licensing policy details that stated that the licensing authority would only apply terms and conditions to licences to promote one or more of the licensing objectives and were relevant to the application. The Panel would seek to balance community benefits against concerns of adverse impacts in making their decision.

The Panel were 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 to specify a person in the licence as the premises supervisor
- Refuse the application in whole or in part where it was necessary in order to promote the licensing objectives

The Licensing Officer advised that the West Oxfordshire District Council Statement of Licensing 2021 – 2025 was reviewed and updated every 5 years. This was in the process of being reviewed and until the publication the current policy remained in place to guide the process in this case.

The Applicant's Solicitor summarised the Applicant's case and made the following points:

- A meeting with the objector and the applicants representative had taken place. Following this meeting, two formal changes to the application had been made. Firstly, the removal of the late-night refreshment after 11:00pm. Secondly, the condition that limited bona fide guests had been narrowed to one per resident. This was felt to be a reasonable concession.
- The objectors requests around conditions on subjective noise constraints were not deemed enforceable and so had not been included.
- The photo on page. 34 of the Committee papers demonstrated thick existing foliage outside the objectors property and landscaping was not proposed on this and as such this sound buffer would remain.
- The Duchess already had permission to be used as hotel accommodation, and this was therefore not the decision to be made at this meeting.
- The application did not limit the consumption of alcohol brought by guests themselves on the property.
- The application was made as the premises was an up market offer. The licence was applied for to support the business revenue. Alcohol provision on site was preferable to it being delivered from the pub and made the process more enforceable.
- Reasons why the property would not become a party house causing public nuisance were explained. The cost of rooms and type of market means this would not be expected from the clientele the business was looking to attract. It is not in the interest of the business to have other residents disturbed by people staying at The Duchess. In addition there would always be a member of staff on call, and a number which members of the public and local residents could call to report issues.
- It was noted that the license could be reviewed by the objector, other residents, the Licensing Authority or Environmental Health and could be repealed if there was an issue. The police could also be contacted.

Responding to questions from the Panel the applicant's Solicitor clarified the following:

- The meeting with the Mrs Owen and Councillor Smith had been held on Tuesday 28 July 2026. Issues were still present but he felt that that these issues had been narrowed by concessions following the meeting.
- At present there were no mini bars in the hotel, but these were an option for the future.
- At present there was no restriction on people bringing their own alcohol to the premises.
- The kitchen provision would contain light bites and snacks and included an informal lounge area. This did not include food to be heated up by guests or any cooking facilities; guests would not cook their own meals.

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- The application for late night refreshment to 5am had been removed. The 24-hour licence for drinks was required as the business could not prevent residents taking drinks on arrival.
- Bona fide guests would be recognisable to staff as the property was small. Key card access to The Duchess would also be required. In addition there would be no open bar in the property and finally there were two other premises to get drinks. The applicant therefore did not feel that there would be the appetite for additional people to access the property.
- The normal staffing levels were explained to be considered sufficient. The levels would be increased with this accommodation and increases at The Masons Arms. There would always be a member of staff available, and staffing would be commensurate with a boutique offering. The increase in staffing levels would make the enforcement of the condition for drinks not being consumed in the garden after 11pm achievable.
- To assist the consideration of the application the Applicant described the locations of the various adjacent premises and the Licensing Officer shared a map which showed the proximity to the objector's house and this was explored by the Panel. The Applicants representative also shared the plan submitted with the planning application which showed the proposed landscaping for The Duchess. The garden had been designed to be able to sit with drinks until a reasonable hour.
- A couple sharing a room could have a bona fide guest each.
- The proposed mini bars were for ease of operation and were for residents who arrive late. It was more likely that residents would visit the nearby pub than drink from this.

Responding to a question of clarity from the objectors the applicant's representative clarified that a continental breakfast was proposed to be offered on site. Cooked breakfast would be available at the applicant's other site The Double Red Duke. The Chair noted that this was not licensing issue.

Sally Owen spoke in objection to the application which raised the following points:

- The window of her lounge was very close to the boundary of The Duchess.
- Shrubbery on the boundary gave the impression that The Duchess was an isolated property however there were many properties in close proximity.
- The proposed orangery would have six doors which would allow noise to escape and was in direct line with her lounge and bedroom window.
- A recent example of a gathering during a period of hot weather had seen activity at 4:00am.
- Restrictions were for no drinks outside after 11pm and this could not be regulated. Even if glasses remain inside people can still be outside.
- There was ample provision for alcohol at The Double Red Duke and Masons Arms. Residents near to these pubs had already experienced noise from these establishments.

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- Application is for drinks on arrival and drinks at request with no time restrictions. This was a stepping stone application that could result in something much bigger.
- The definition of a Bone Fide guest was too vague.
- Disruption and noise could only be addressed after the event.

Councillor Alaric Smith, Ward member for Bampton and Clanfield, spoke in objection to the application which raised the following points:

- The property was a former residential dwelling and was very close to other residential dwellings.
- The change of use granted with the planning application was on the basis that it would provide more letting rooms for The Double Red Duke
- Any excessive noise would constitute public nuisance, the prevention of which was one of the four licencing objectives.
- The proposed license through night posed serious questions over how nuisance could be avoided and had not been addressed sufficiently in the application.
- Condition 1 was impossible to define and police and would require a permanent member of staff.
- It was suggested that what constituted a nuisance in Clanfield required a clearer definition. It should be noted that ambient noise level is low in Clanfield. Such a definition would help with questions of enforceability. If it was not possible to specify this then the licence should be refused.
- The application did not contain adequate safeguards.

Responding to questions of clarity from the panel the objectors clarified:

- It was not felt that the increased staffing proposed would address concerns around noise pollution as it would be difficult for the property to accommodate forty people without the clientele spilling out onto the garden creating noise. Councillor Treloar noted however that a refusal of this application did not change the capacity of the property. The objectors acknowledged this point but responded that the supply of alcohol would exacerbate the noise concern.
- The owners' intentions for this site may change at later date and therefore mitigation should be a consideration for deliberation of this licence. It was speculated that the venue may become a wedding venue in future however the Chair explained this was not an admissible point. The applicant's representative confirmed that The Double Red Duke did hold wedding receptions but did not intend to expand this to The Duchess. The Licencing Officer noted such events would need a further application.

The applicant's representative then summarised as follows:

- There had been no representations from other residents in regard to the application.
- There had been no representation from Environmental Health.
- The property was previously a family dwelling and as such no control could have been had over noise in that case.
- A breach of a licencing condition was a criminal offence.
- The representative urged the objector to contact him if there were any issues.
- Any further changes to another purpose would require a further application and involve the opportunity for representation.
- The definition of Bone Fide guests had been given to the Council and was a well-used definition in the trade. It was not likely that every occupant would have a guest and as such it was not likely forty people would be in the property at one time.
- The application could not be compared to other locations as it is what not a public bar.
- The noise nuisance condition had been used successfully in other applications and was enforceable.
- Examples given by the objectors of a successful prosecution was an example of the system working.

The Panel retired to determine the application.

The Panel returned at 12.20 and advised that they had considered all the documents relating to the application and taken into account what had been said during the hearing. They had listened carefully to the applicant and considered that local residents' comments and concerns. The Panel stated that they had also considered the Licensing Officer's presentation and the Council's licensing policy and statutory guidance.

The Panel accepted the submission of the Applicant and granted the application for a new premises licence as per the operating schedule. The Panel concluded that the Council has the power to review the licence should any issues arise in the terms of operations.

Resolved that the application be granted for a

1. New Premises Licence located at The Duchess, Bampton Road, Clanfield, Sale of alcohol (on and off sales) and late night refreshment. Sale of alcohol, opening Hours and off sales Monday to Sunday 24hrs for residents and bona fide guests. Late night refreshment 2300hrs to 0500hrs for residents and bona fide guests, 24hrs for residents and bona fide guests.
2. With the addition restricted to one guest per resident.

2pm - Application for a new Premises Licence - Budgens Store, Wincott Square, Woodstock

introduced the Panel in attendance which consisted of Councillors Jack Treloar and Sandra Simpson.

The Chair asked for the Officers in attendance to introduce themselves, Andrea Thomas introduced herself as the Licensing Officer, Lorna McShane as Councils Solicitor and Ana Prelici as Senior Democratic Services Officer.

The Chair asked those who wished to speak that were in attendance to introduce themselves.

Naga Rajesh, Licensing Consultant, (online) attended on behalf of the Applicant along with Applicant Jeyasothy Jeyaalan (online).

Christina Parry-Jones, Nina Becket, Bryn Parry-Jones, Karen Gibson, Karen Visser (online) and Sharone Parnes introduced themselves as objectors to the application. Mr Parnes advised that he was a Town Councillor in Woodstock however he was speaking as a resident at the hearing.

The Chair outlined the process the hearing would follow and explained that the Panel would be advised by the Council's Legal Adviser. The Chair noted that parties could not cross examine the other party, however questions could be asked through him as Chair.

The Councils Licensing Officer presented the application and highlighted the following points:

- The application was for a new premises licence and was submitted by Shun Retail Store Limited trading as Budgens.
- The premises was located at Wincott Square, Woodstock.
- The application was in front of the Panel due to representations objecting to the application that had been submitted by local residents and Woodstock Town Council. There was one representation of support.
- The applicant had made an amendment to the application. The trading and licensing hours proposed had been changed to 06:00 to 21:00 seven days a week.
- If the licence was granted the conditions in the operating schedule would form part of the license.
- The Licensing Policy stated that the Licensing Authority would only apply terms and conditions to licences to promote one or more of the Licensing Objectives. Conditions should be relevant, necessary, proportionate and reasonable and should avoid duplication of other legal requirements on the operator of the premises.
- The Authority should seek to balance the needs of the local community and commercial operations.
- The options open to the Committee could be seen in the recommendations section of the Officer Report.
- The Statement of Licensing Policy issued by The Council was being reviewed and therefore the current Policy would guide the process of the Panel.

The Applicant's representative summarised the Applicant's case and made the following points:

- The applicant had several years' experience in the licencing trade.
- The applicant had invested his life savings into the business and therefore would not wish to jeopardise this investment by undermining the Licencing Objectives.
- The premises had planning permission to operate as a retail business for the hours in the licence application and would rely on the local community and not on passing trade. Therefore, there was no intention to upset local residents as the business would be reliant on them
- The application had included a number of measures to promote Licensing Objectives that included staff training, CCTV systems, 31 days recording and incident record books.
- Staff would be trained to prevent nuisance behaviour.
- When the objections had been received these were taken seriously and had resulted in the reduction of hours to reflect the concerns,
- There had been no objections received from Responsible Authorities. Under the Licencing Act 2003 the Licencing Authority should look to the Police as the main source of advice on crime and disorder and the Police were not objecting.
- Such premises should be free to sell alcohol off premises at any time under the Licencing Act 2003, unless there was a good reason to restrict hours under the Licencing Objectives.
- There was no evidence to support the claims of the objectors.
- Alcohol sales would be a small proportion of sales as the premises was principally a convenience store.
- The premises licence could be reviewed to ensure compliance with objectives.

Responding to questions from the Panel the applicant's representative explained that the application was to open at 6:00 am to capture early morning trade. The opening and alcohol licence hours were proposed to match to avoid operational difficulty and potential breaches. Sales of alcohol in the morning were not expected to be significant. The applicant had little control over the waste collection times. Members queried the applicant's experience of resident feedback on operational hours and anti-social behaviour at a second site he was associated with in North Leigh. The applicant advised that residents had welcomed the early opening, not necessarily for alcohol purchases, but the hours had enabled shopping prior to work. The applicant had received no complaints from local residents or Local Authorities with regard to anti-social behaviour at that location.

Responding to questions of clarity from the objectors the applicant's representative clarified that deliveries were intended to take place around mid-day. He reiterated that waste collection was not in his control however, as this was commercial waste collection, he did not anticipate collection being early in the morning. The applicant's experience of running other sites was clarified and the applicant highlighted that he was also a Personal License Holder and qualified in the trade.

Five members of the public spoke in objection to the application which raised the following points:

- There was an absence of site-specific safeguards in relation to an alcohol licence. The generic measures proposed to safeguard would apply to any licence but did not address the specifics of the location.
- The location was a residential square in a compact environment and not necessarily comparable to North Leigh or Woodstock High Street.
- The duration of the licence proposed was exceptional for the location.
- The location had a nearby nursery, two playgrounds and the secondary school field in close proximity. It was also on the school walking routes.
- The applicant had not explained why the alcohol license should be available at the time of school runs.
- The hours and operating schedule were disproportionate for this premises.
- Conditions that may be helpful could be applied such as: single can only sales; more isolation of displays of alcohol; a limit on the percentage of alcohol; litter patrols; provision of a contact number for residents for issues out of hours; conditions that no external alcohol advertising should be allowed outside of the shop; incident logs made clearly available. It was suggested that such conditions would promote the Licensing Objectives.
- From 5:30am parking places would be used by staff and customers which would disturb nearby residents.
- Sleep deprivation directly affected mental and physical wellbeing. There was estimated to be sixty residents close to the site who would be directly affected by the noise.
- There had already been examples of anti-social behaviour and littering in the estate which had been reported to police. At present the incidents were the exception however it was foreseeable that the sale of alcohol could invite more.
- The cost of drinking in an establishment was expensive and therefore sales in a convenience store were more appealing.
- The proposed changes in hours was welcome.
- Woodstock Town Council had raised concerns, and this had been received by the Officer and noted by the Panel.
- Residents were entitled to peaceful enjoyment of their homes at 6:00am and the licence would prevent this.
- More could be done by the applicant to prevent nuisance which was a principal concern.
- Litter bins should be provided by the store.
- There was an issue with a lack of parking at the location. This could result in cars pulling up at unsociable hours which would disturb the residents locally. Therefore, the breadth of hours was excessive.
- The delivery lorries could be large which would result in dangers to residents and children. Further to this, the shop had resident's flats above and a small car park for those residents to the rear. The units were initially proposed to be small but were now

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to be extended and there were concerns that lorries would be larger and could block residents.

- The estate road was now a through road. This had increased traffic which was a concern. Some residents had found the road dangerous as there was no pedestrian crossing.
- There was only one Community Police Officer for the area to deal with anti-social behaviour.

The Licencing Officer clarified that the application was under the Licensing Act and matters such as traffic and planning were not for consideration by the Panel.

The Panel asked the objectors, given Thames Valley Police had raised no objections, what evidence there was for the claim that the licence would increase anti-social behaviour. The objectors responded that the bins were often full. It was proposed that the Police were constrained and this may influence their response. Officers advised that the Police had responded with “no objection” and were happy with the conditions detailed on the application, it was therefore incorrect to suggest that they had not responded. Objectors also noted that they regularly pick up alcohol related litter and this is reported to police. There was a bench with no lighting that had been the location of anti-social incidents which had been noted by residents.

The Panel explored the concerns around the hours in more detail. Objectors suggested that they felt 7:00am would be a more appropriate opening time.

The applicant’s representative then summarised as follows:

- The business was for the local community and was reliant on them. It was not the applicant’s intention to upset them as his trade would be reliant on them.
- There had been no objections from any Responsible Authorities.
- The premises did have planning permission to operate between 6 am and 9 pm, and therefore the consideration was for the alcohol licence and hours only.
- There was no evidence to support the objectors’ assertions that the licencing objectives would be undermined by the application.
- Any conditions applied to the licence should be proportionate and appropriate to support the Licencing Objectives.
- The Local Authority had the power to review the licence at any point should concerns be raised.
- It was not appropriate or proportionate to refuse the application on the basis of assumptions.

The Panel retired to determine the application.

The Panel returned and advised that they had considered all the case papers and had taken into account what had been said during the hearing.

The Panel granted the licence as per the schedules.

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In summarising the Chair noted that the Panel welcomed the reduction in hours to 21:00 and supported the steps taken by the applicant in section 18 of the application. The Panel encouraged ongoing community relations and dialogue between the applicant and residents. The Panel noted that some of the concerns were not related to the licencing application. Finally, it was reiterated that the licence could be reviewed at any time.

The Meeting closed at Time Not Specified

CHAIR

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WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
Licensing Panel

Held in the Committee Room 1, Council Offices, Woodgreen, Witney, Oxfordshire OX28
1NB at 10.00 am on **Tuesday, 21 July 2026**

PRESENT

Councillors: Mark Walker, David Jackson and Tim Sumner

Officers: Lorna McShane (Planning Solicitor), Andrea Thomas (ERS Officer, Professional Services), Andrew Brown (Head of Democratic and Electoral Services) and Anne Learmonth (Democratic Services Officer)

Other Councillors in attendance: None

27 Apologies for Absence

There were no apologies for absence.

28 Declarations of Interest

Councillor David Jackson declared that his son worked for McDonald's restaurant in Lemington but he was not predetermined.

29 Minutes of the Previous Meeting

This was the first meeting of the Civic year, there were no minutes to sign.

30 Application for a new Premises Licence - I&A Restaurants Ltd T/A McDonalds for the premises located at Ducklington Lane in Witney

The Chair, Councillor Mark Walker welcomed everyone to the hearing and introduced the Panel in attendance which consisted of Councillors David Jackson and Tim Sumner.

The Chair asked for the Officers in attendance to introduce themselves, Andrea Thomas introduced herself as the Licensing Officer, Lorna McShane introduced herself as the Legal Officer, Laura Nieve (Paralegal), Anne Learmonth, Democratic Services Officer introduced herself and the Democratic Services Officers, Andrew Brown, Head of Democratic Services and Elections, Matt Taylor, Democratic Services Officer and Maria Harper, Democratic Services Assistant.

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 Chair reminded all parties to highlight only issues that relate to the Licensing Objectives should be considered that being:

- The prevention of crime and disorder;
- Public Safety;
- The prevention of public nuisance;
- The protection of children from harm.

The Chair announced that the Panel were in attendance to consider an application for a new premises licence application made by Mr Mark Loughed, Operations Supervisor and Mr

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Alistair Smith, Operations Manager, in regard to McDonald's restaurant, Ducklington Lane, Witney.

The Licensing Officer outlined the application for a new premises licence made by A&I Restaurants Ltd trading as McDonalds. The application was for a new premises licence for the sale of late-night refreshments for the site in Witney. The opening hours were for 24 hours and restricted to drive through orders and deliveries between 2300 hours and 0500 hours, Monday to Sunday.

The matter was before the Licensing Panel due to representations from local residents, in Annexe C of the agenda pack.

The Licensing Officer brought the members attention to the licensing policy details that stated that the licencing authority will only apply terms and conditions to licences to promote 1 or more of the licensing objectives and are relevant to the application.

The Panel were 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 to specify a person in the licence as the premises supervisor.
- Refuse the application in whole or in part where it is necessary in order to promote the licensing objectives.

The Licensing Officer advised that the West Oxfordshire District Council Statement of Licensing 2021 – 2025 was reviewed and updated every 5 years. This was in the process of being reviewed and until the publication the current policy remained in place.

The Chair then invited Mr Smith and Mr Loughheed to address the Panel.

Mr Smith gave an overview of the application which proposed the controlled overnight operation for the drive-through part of the business and delivery couriers for the hours of 23.00 – 05.00. Mr Smith acknowledged the concerns of local residents but explained that the restaurant would not be open during the proposed hours to pedestrian customers. The application met the licensing objectives. No objections had been received from the responsible authorities. The restaurant's operating schedule had safeguards that included on site CCTV and courier controls in place to minimise public nuisances. Mr Smith asked the panel to respectively grant the application for the new premises licence.

The Chair invited questions from the Panel, which raised the following points:

- The Panel asked what was meant by Manager Supervision. Mr Smith explained that the shift managers had training to support and look after all staff members with regards to various customers and how they respond to the staff. The training covered both day and night shifts.
- The Panel asked for clarification regarding Courier Control. Mr Smith explained that over the past few years McDonalds had introduced home deliveries using 3 different courier companies. The couriers were not employed by McDonalds. For deliveries they used a mixture of cars, motorbikes and e-bikes. Mr Smith emphasised the importance of maintaining a good relationship with the companies providing the couriers and negative behaviour was not tolerated.

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- The Panel asked why the application for 24 hours was made. The applicants explained that there was a good business case for longer opening hours for drive through and delivery. It would serve customers who work night shifts, or later hours, there was an app customers could use and with the location of the restaurant being near to the A40 it was convenient for customers who were looking for a stop off. The geographical area covered quite a distance including Carterton.
- The Panel asked about the numbers of customers throughout the week. Mr Smith explained that during the weekday's numbers were lower than Thursday to Saturday. On average it was expected that there would be 30 to 40 customers an hour at busier times. It was expected that the business will grow.
- The Panel asked if between midnight and 6am there would be an increased number of vehicles and activity in the area. Mr Smith explained that there would be no dine in customers and cars on the site during the week would be at a minimum. It was expected that the business during these hours would be slow to build up but management would monitor the situation as business increased.
- The Panel asked what measures would be taken to address any disturbance or public nuisance. Mr Smith explained that historically during the day there had been some problems during the hours of 3.30 – 5pm however there had been training for managers to deal with teenage customers. These problems had been resolved. The customers who attend the restaurant at the later hours 23.00-05.00, will be in cars for the drive though only. The restaurant part of the business will not be open at these times.
- The Panel asked what engagement with the local community had been done. Mr Smith confirmed that the local community had been listened to over matters such as litter and any other concerns that had been raised. There was a litter patrol and as the application was for the drive through only there would not be any customers on the premises. For safety reasons no pedestrian customers were served at the drive through area.

The Panel retired to determine the application.

The Panel returned and advised that they had considered all the documents relating to the application and taken into account what had been said during the hearing. They had listened carefully to the applicant and considered the local residents' comments and concerns. The Panel stated that they had also considered the Licensing Officer's presentation and the Council's licensing policy and statutory guidance.

The Panel accepted the submission of the Applicant and granted the application for a new premises licence as per the operating schedule. The Panel advised that the Council had the power to review the licence should any issues arise in the terms of operations.

Resolved that the application be granted for a

- I. New Premises Licence located at McDonalds, Ducklington Lane, Witney, Monday to Sunday; late night refreshments from 23.00 to 05.00 hours, and restricted drive through and deliveries between 23.00 to 05.00 hours.

The Meeting closed at 10.48am

CHAIR

 WEST OXFORDSHIRE DISTRICT COUNCIL	WEST OXFORDSHIRE DISTRICT COUNCIL
Name and date of Committee	LICENSING PANEL – THURSDAY 22 SEPTEMBER 2026
Subject	APPLICATION TO VARY A PREMISES LICENCE – THE FOX INN, 27 ENSTONE ROAD, MIDDLE BARTON, CHIPPING NORTON, OXON OX7 7BL
Wards affected	Steeple Barton
Accountable member	Licensing Panel
Accountable officer	Naomi Hunt – Career Grade Licensing Officer Email: naomi.hunt@publicagroup.uk
Summary/Purpose	To determine a variation application to a premises licence made by Tony O'Sullivan W/26/00779/PRMV
Annexes	Annex A - Application Form Annex B – Plans and location Annex C – Representations
Recommendation(s)	That the Licensing Panel is asked, in light of the representation 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 to specify a person in the licence as the premises supervisor. • refuse the application in whole or in part where it is necessary to promote the licensing objectives
Corporate priorities	Ensure that services delivered by the Council are delivered to the highest standard
Key Decision	NO
Exempt	NO

Consultees/ Consultation	A 28 day consultation has been undertaken with all Responsible Authorities, Ward Members, and Town Council and advertised in accordance with the Licensing Act 2003.
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I. 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 New Premises Licence.
- 1.2** The Application was received on the 28th July 2026. The Applicant is Tony O'Sullivan, for a variation to the premises licence located at Fox Inn, 27 Enstone Road, Middle Barton, Chipping Norton, Oxfordshire, OX7 7BL
- 1.3** A copy of the application can be found in **Annex A**.
- 1.4** This variation is to improve customer service by allowing staff to take orders directly from customers seated in the garden and courtyard. The increased staff presence in these areas will also strengthen supervision, complement the existing CCTV coverage, enhance security, and further promote the licensing objective.

2. SITE DESCRIPTION

- 2.1** A copy of the plans of the premises and its location can be found in **Annex B**.

3. REPRESENTATIONS

Responsible Authorities under the Licensing Act 2003

- 3.1** The following Responsible Authorities submitted no objection to the application: Oxfordshire Fire Service, Planning Services WODC, Thames Valley Police, Technical Pollution Services WODC, Oxfordshire Safeguarding Team and The Local Health Body (NHS)

Representations from residents

- 3.2** There has been one objection representation from a local resident and four representations in support from residents. These representations are set out in **Annex C**.

Views of the Licensing Authority

- 3.3** Planning and Licensing are two separate jurisdictions, and the business operator should ensure that they adhere to both and have requirements in place. The Licensing Panel should not consider matters regarding planning requirements for this application.

4. NATIONAL GUIDANCE

- 4.1** The Secretary of State's Guidance requires Licensing Authorities, following receipt of relevant representations, to make judgements about what constitutes a public nuisance and what is necessary, in terms of Conditions attached to a specific Premises Licence, to prevent it.
- 4.2** 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.

5. FINANCIAL IMPLICATIONS

- 5.1** 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.

6. LEGAL IMPLICATIONS

- 6.1** There is a right of appeal to the magistrates' court within 21 days of the Council's decision, should the Council refuse the Application or against the conditions imposed on the Licence.

7. BACKGROUND PAPERS

- 7.1** West Oxfordshire District Council's Statement of Licensing Policy – 2021
- 7.2** Home Office S.182 Statutory Guidance published February 2026.

(END)

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* 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 This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

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

Applicant Details

* First name

* 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:

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

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

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name	THE FOX
* Street	27 ENSTONE ROAD
District	MIDDLE BARTON
* City or town	CHIPPING NORTON
County or administrative area	WEST OXON
* Postcode	OX7 7BL
* Country	United Kingdom

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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	W/26/00600/PRMMV
---------------------------	------------------

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	THE FOX
Street	27 ENSTONE ROAD
District	MIDDLE BARTON
City or town	CHIPPING NORTON
County or administrative area	WEST OXON
Postcode	OX7 7BL
Country	United Kingdom

Premises Contact Details

Telephone number	
Non-domestic rateable value of premises (£)	190

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VARIATION

Continued from previous page...

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 seeks to vary the premises licence to permit staff to take food and drink orders from customers seated in the garden and courtyard areas. The purpose of this variation is to enhance customer service and improve the overall customer experience by enabling table service in these external areas. Staff will take orders directly from customers, reducing the need for customers to leave their tables and queue inside the premises. This change will allow the premises to operate more efficiently while maintaining responsible management of the outdoor areas. All alcohol sales will continue to be made in accordance with the Licensing Act 2003 and the conditions attached to the premises licence. Staff will remain trained in responsible alcohol retailing, age verification, and the prevention of crime and disorder. The proposed variation is not intended to increase the capacity of the premises or extend the licensed hours. It is solely to facilitate improved customer service by allowing orders to be taken and served to customers using the garden and courtyard seating areas.

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

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

☐ Yes ☒ No

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

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<i>Continued from previous page...</i>
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
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

Continued from previous page...

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

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SUPPLY OF ALCOHOL

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

☐ Yes
☒ No

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ADULT ENTERTAINMENT

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

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

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

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...

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.

☒ I have enclosed the premises licence

☐ I have enclosed the relevant part of the premises licence

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

Continued from previous page...

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.

This variation is sought solely to improve customer service by allowing staff to take orders directly from customers seated in the garden and courtyard. The increased staff presence in these areas will also strengthen supervision, complement the existing CCTV coverage, enhance security, and further promote the licensing objective

b) The prevention of crime and disorder

The proposed variation will result in staff being regularly present in the garden and courtyard throughout trading hours. This continuous staff presence will provide additional supervision of customers, enabling any issues to be identified and addressed promptly. The presence of staff, alongside the existing CCTV system, will enhance security by providing additional oversight and acting as a visible deterrent to crime and disorder. All staff are trained in the responsible sale of alcohol, including age verification and the refusal of service where appropriate

c) Public safety

Table service within the garden and courtyard will reduce customer movement between the external areas and the bar, helping to minimise congestion and improve the safe management of the premises. Staff will continue to monitor the outdoor areas to ensure they remain safe and well managed.

d) The prevention of public nuisance

The variation will not increase the number of customers using the outdoor areas or extend the permitted operating hours. Staff presence in the garden and courtyard will enable more effective supervision of customers, helping to manage noise levels and ensure that patrons leave the premises in a considerate manner.

e) The protection of children from harm

Existing age verification procedures, including the Challenge 25 policy, will remain in place. Staff taking orders and serving alcohol in the outdoor areas will continue to follow all licensing requirements to prevent underage sale

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

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PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

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

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



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

Continued from previous page...

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

* Full name

TONY O'SULLIVAN

* Capacity

OWNER

* Date

28

/

07

/

2026

ddmmyyyy

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

THE FOX MB LTD

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

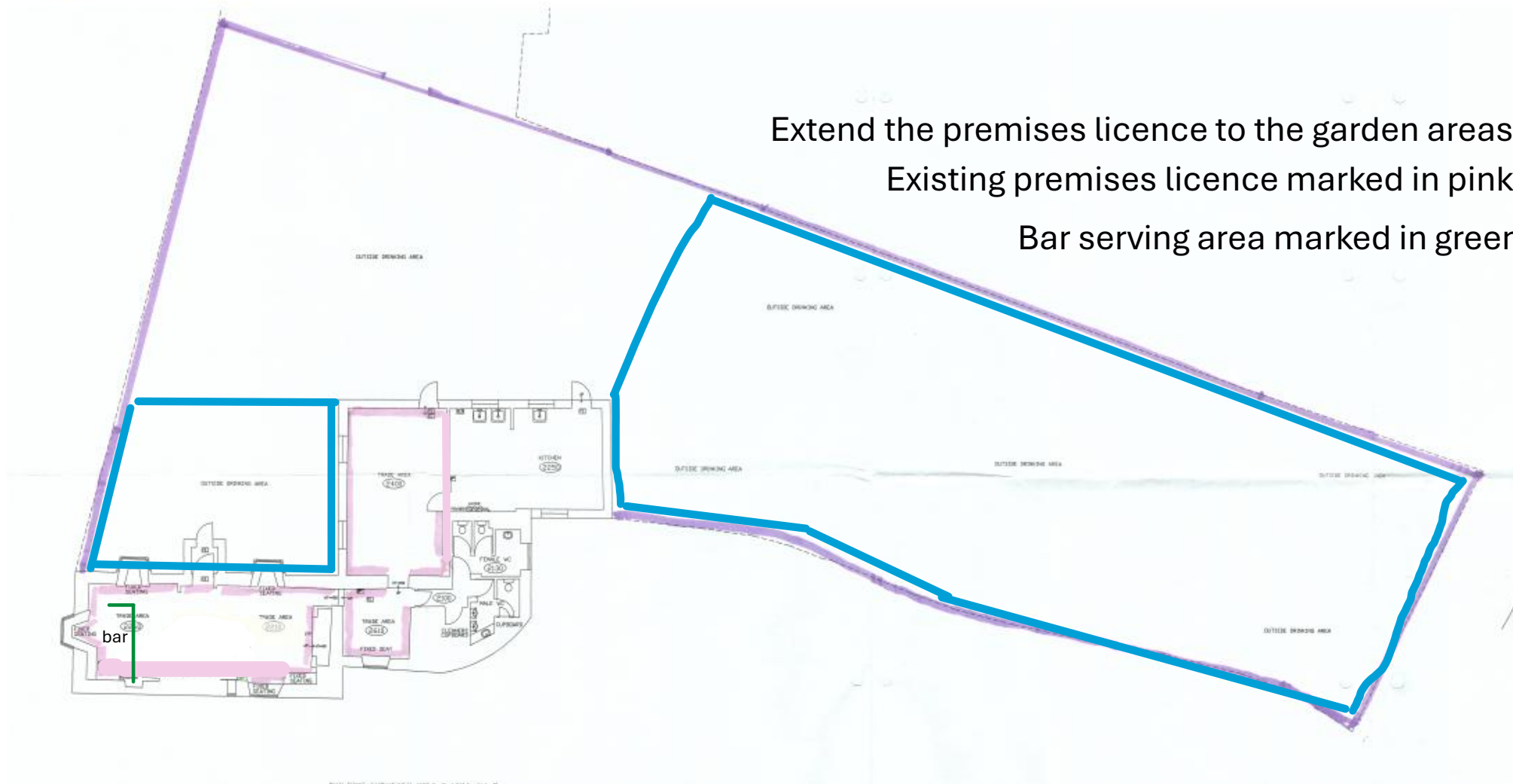
Date and time submitted

Approval deadline

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Is Digitally signed

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W/26/00779/PRMV – Fox Inn – Objection Representation

Resident Objection

F A Roisette

I wish to make a formal representation objecting to the proposed variation of the premises licence for The Fox, 27 Enstone Road, Middle Barton.

I live immediately adjacent to the premises and am directly affected by activity in the beer garden and outdoor areas. My representation is based on the licensing objective of the prevention of public nuisance.

Although the application is described as a minor operational change, allowing staff to take food and drink orders and process payments in the garden is likely to encourage customers to remain outside for longer, increase the use of the outdoor seating area and result in greater levels of conversation, laughter and general activity close to neighbouring homes.

This is not a theoretical concern. I already experience regular disturbance, particularly at weekends, from customers using the outdoor areas, organised events, music and classic car gatherings. The noise regularly affects my ability to enjoy my home and garden in peace. The proposed variation is likely to increase both the frequency and duration of this disturbance.

Middle Barton is a rural village where residents reasonably expect a quieter environment, particularly during the evening. Sound travels easily in this setting, and even normal conversations can become intrusive late at night. The cumulative effect of increased outdoor service will have a significant impact on nearby residents.

I am also concerned that increased evening activity and prolonged use of the outdoor areas will further reduce the tranquillity of the surrounding environment. While I appreciate that environmental matters are not, by themselves, licensing objectives, the resulting increase in noise and disturbance directly contributes to public nuisance for neighbouring residents.

I appreciate the importance of local pubs and I am not objecting to the business itself. My objection is specifically to a change that I believe will materially increase outdoor noise and disturbance.

For these reasons, I respectfully ask the Licensing Authority to refuse the application.

If the Authority is nevertheless minded to grant the variation, I respectfully request that conditions be imposed to minimise the impact on neighbouring residents, including:

No table service or outdoor ordering

Outdoor payments to cease

No amplified music in the outdoor areas.

Staff to actively monitor customer behaviour and ask noisy groups to move indoors.

Clear signage requesting customers to respect neighbouring residents and leave quietly.

The outdoor seating area to be cleared and closed at an appropriate evening hour.

I would be grateful if you could acknowledge receipt of this representation and confirm that it has been accepted as a valid representation for the purposes of the Licensing Act 2003. Please also keep me informed of any hearing date or further developments relating to this application.

Thank you for your consideration.

Representations in support

D A G Clarke

I write in support of The Fox's application to take drink orders from the garden and courtyard. The Fox pub is blessed with wonderful views of the Cotswold countryside from its garden, which is becoming a great dining venue. For staff to be able to take drinks orders along with food orders from the garden and courtyard would add to the likelihood of The Fox becoming a stand out dining destination in the region.

A Clarke

I would like to record my support for the application to vary the Premises Licence for The Fox, 27 Enstone Road, Middle Barton, Chipping Norton OX7 7BL. application to vary the Premises Licence for The Fox, 27 Enstone Road, Middle Barton, Chipping Norton OX7 7BL.

I was very surprised to discover that the current licence only allows orders and payment for drinks to be taken within the building itself. As the applicant states, the requested variation will contribute greatly to the customer experience and the efficient operation of the business.

C Fisher

I wish to support this application as it will enable the Fox Inn to serve customers more efficiently improving the customer experience. The success of the pub is important to village life.

S Fisher

I support this application as the village will benefit greatly from having a thriving pub. The proposed change in license will make the customer experience more pleasant and so encourage more people to visit to eat and drink. Thank you.

(End)