

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 1.00 pm on **Thursday, 16 May 2024**

PRESENT

Councillors: David Jackson, Edward James, Andrew Lyon and Sandra Simpson (Reserve)

Officers: Helen Blundell as the Legal Officer (Interim Head of Legal), Andrea Thomas (Licensing Officer), Marianne Garrett (Senior Environmental Health Officer), April Paintain (Environmental Health Officer), Andrew Brown (Business Manager, Democratic Services), and Christine Elsasser (Democratic Services)

23 Apologies for Absence

There were no apologies for absence received.

24 Declarations of Interest

There were no declarations of interest received.

25 Minutes of Previous Meeting

The minutes of the previous were deferred to the Licensing Committee for agreement /approval.

26 Application for a new Premises Licence -The Bull Charlbury Ltd, The Bull Charlbury, Sheep Street, Charlbury

The Vice Chair Councillor David Jackson welcomed everyone to the hearing and introduced the Panel in attendance which consisted of Councillors Edward James and Andrew Lyons. Councillor Sandra Simpson was on hand as the reserve.

The Chair asked for the Officers in attendance to introduce themselves, Andrea Thomas introduced herself as the Licensing Officer, Marianne Garrett introduced herself as the Senior Environmental Health Officer, April Paintain introduced herself as the Environmental Health Officer, and Helen Blundell as the Legal Officer (Interim Head of Legal).

Following introductions, the Chair asked those who wished to speak that were in attendance to introduce themselves.

Will Robinson, Solicitor, on behalf of the Applicant along with James Gunner, Philip Winser and Dan Viney introduced themselves.

Mr Adam Leach introduced himself as an objector to the application and Mr Andy Pickard introduced himself as a supporter to the application.

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 Interim Democratic Services Officer).

The Applicant's representative summarised how they sought flexibility with the application and that various conditions had been agreed. They explained how they were willing to work with the local residents on various issues and concerns they had and they outlined other conditions that had been already agreed including a Noise Management Plan, no expansion of alcohol sale times, and assurances of limited events.

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It was explained that monitoring was a condition of the licence and therefore the staff would record and log all events to ensure they did not exceed the agreed limit of 15 events per calendar year.

Mr Leach spoke against the application and suggested that his concern was the noise from the music and that the efforts of reassurance were appreciated but not compelling. Furthermore, he felt that if a licence were to be granted there would need to be strict and enforceable limits on the volume of the music when it was played. He added that responsiveness to complaints needed to also be a condition.

Mr Pickard spoke in favour of the application and suggested that Chalbury was busier and more vibrant than it had ever been and that residents needed to embrace and enjoy the change. There were various camp sites and hotels that were thriving in the area and he felt that the pub management at the Bull, were professional and supportive of the community which was why he supported the application.

The Environmental Health Officer explained how complaints were dealt with and that residents could contact the Council directly if they had issues. This could be done in real time via the noise application which recorded noise and the time through a live submission. They reiterated that Licence Holders were held to account of their conditions, and they could be served notice if they abated the nuisance which was considered a serious breach.

The Applicant's representative thanked Mr Leach for his measured speech and constructive engagement. However, he explained there was no extension of the music into the garden and that the licence was simply having extra and new controls which were enforceable.

The Panel retired to determine the application.

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

The decision was as follows based on the 13 conditions and according to the redlines and noise management conditions issued. These were as follows on page 61 of the agenda pack:

1. This premises licence shall have no effect until a Noise Management Plan (the "Plan") for the premises has been submitted to (and approved in writing by) the Licensing Authority. A copy of the Plan shall be kept on the premise and be made available to an authorised officer on request. Any revisions to the Plan shall be submitted to (and approved in writing by) the Licensing Authority within 14 days of the revision. (As proposed by Environmental Protection.)
2. Use of the designated outdoor seating area is prohibited past 23:00 on any day. (As proposed by Environmental Protection.)
3. Any recorded music played through speakers positioned outside shall be relayed through a sound limiting device set at a level which will not give rise to nuisance to nearby residents. The level of the sound limiting device shall be determined by and to the satisfaction of an authorised Environmental Protection Officer. Only the Premises Licence Holder and the Designated Premises Supervisor shall have access to the sound limiting device.
4. In the outside area, live music (other than carol singing) may only take place between 15:00 and 20:00 on a Saturday or Sunday, and at all times at the level that does not cause nuisance to nearby residents. Carol singing may take place outside until 21:00 on any day of the week in December.
5. No deliveries to the Premises shall take place between 22:00 and 07:00.

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6. All staff shall be suitably trained for their job function in the operating standard for the premise. The training shall be under constant review. All Personal Licence Holders supervising the sale of alcohol shall hold a national recognised licensing qualification.
7. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
8. There will be no use of the outside areas after 23:00hrs.
9. There will be no regulated entertainment in any outside areas.
10. The Premises Licence Holder shall ensure that no nuisance is caused by noise emanating from the premises.
11. A telephone number for the manager at the premises shall be publicly available at all times the premises is open. The telephone number is to be made available to residents and businesses in the vicinity.
12. Prominent, clear notices shall be displayed at all exits and in the garden requesting customers to respect the needs of local residents and leave the premises and the area quietly.
13. This premises licence shall have no effect until premises licence W/23/00738/PRMDPS (or such other number subsequently issued for the premises) has been surrendered.

The Meeting closed at 2.07 pm

CHAIRMAN