



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	LICENSING PANEL – TUESDAY 21ST JULY 2026
Subject	APPLICATION FOR A NEW PREMISES LICENCE – I&A RESTAURANTS LTD MCDONALDS FOR THE PREMISES LOCATED AT DUCKLINGTON LANE IN WITNEY.
Wards affected	Witney
Accountable member	N/A
Accountable officer	Andrea Thomas – Licensing Officer Email: andrea.thomas@westoxon.gov.uk
Summary/Purpose	To determine an application for a new premises licence made by I&A Restaurants Ltd T/A McDonald's
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 in order 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.

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 New Premises Licence.
- 1.2** The Application was received on the 26th May 2026. The Applicant is I&A Restaurants Ltd T/A McDonalds, for a premises licence to be located at McDonalds, Ducklington Lane, Witney
- 1.3** A copy of the application can be found in **Annex A**.
- 1.4** Hours applied for Late Night Refreshment

	Late Night Refreshment	Opening Hours
Monday to Sunday	2300hrs to 0500hrs	24hrs Restricted to drive through orders and deliveries between 2300hrs - 0500hrs

2. SITE DESCRIPTION

- 2.1** A copy of the plan 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 and Technical Pollution Services WODC.
- 3.2** Cllr McCarroll and Witney Town Council have submitted representations which can be found in **Annex C**.

Representations from local residents

- 3.3** There have been 11 representations from local residents. These are listed at **Annex C**.

Views of the Licensing Authority

- 3.4** Of the concerns raised, which we consider are not relevant in the representations, are:
- Matters to do with traffic, including road safety:
 - Matters involving parking
 - Matters relating to other premises
 - Matters concerning food smells and light pollution

The Licensing Authority does not consider these concerns for the following reasons.

Traffic and parking concerns cannot be taken into consideration under the Licensing Act 2003 and would be dealt with under Planning Legislation. Planning and Licensing are two separate

jurisdictions, and it is up to the business operator to ensure that they adhere to both and have requirements in place.

Matters regarding other premises cannot be taken into account when determining this application under the Licensing Act 2003

Food smells and light pollution are again dealt with under other planning and environmental legislation.

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 December 2023.

(END)