



WEST OXFORDSHIRE
DISTRICT COUNCIL

WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	LICENSING PANEL – 10 th DECEMBER 2021
Report Number	Agenda Item 3
Subject	APPLICATION FOR A VARIATION TO A PREMISES LICENCE
Wards affected	Carterton South
Accountable member	Cabinet Member for Environment, Councillor MacRae Norman.macrae@westoxon.gov.uk
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 Mr. Chris Jones for the Siege of Orleans in Carterton, Oxfordshire
Annexes	Annex A – Copy of application Annex B – Plan and location of the premises Annex C – Copy of Thames Valley Police (TVP) conditions Annex D – Copy of Technical Pollution Services (TPS) conditions Annex E – Copy of response from Oxfordshire Fire and Rescue Annex F – Copy of objections from local residents Annex G – Applicant’s response to objections Annex H – Hearing Procedures
Recommendation/s	That the Licensing Sub-Committee is asked, in the light of the representations received, to consider the application and determine whether to:- <ul style="list-style-type: none">• grant the application as requested;• grant the application subject to such conditions that are necessary to promote the licensing objectives;• refuse the application in whole or in part where it is necessary in order to promote the licensing objectives.
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 Member and the 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.
- 1.2. An application for a Variation to a Premises Licence was received on the 15th October 2021. The applicant is Mr. Chris Jones for the Siege of Orleans in Carterton, Oxfordshire.
- 1.3. The Licensing Authority is satisfied that the application was duly made, the correct notification process was followed and the application was appropriately advertised. The advertisement appeared in the ‘Witney Gazette’ on the 27th October 2021 and a Site Notice advertising the application was placed in the window of the premises for 28 days.
- 1.4. The application seeks a Variation to a Premises Licence for the use of an upstairs area along with an extension of hours for sale of alcohol and regulated entertainment as follows:
 - Supply be retail of alcohol on and off the premises between the hours of Sunday to Thursday 1100hrs to midnight
Friday and Saturday 1100hrs to 0100hrs
 - Live and recorded music inside the premises between the hours of Sunday to Thursday 2300hrs to midnight
Friday and Saturday 2300hrs to 0100hrs

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

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

2. SITE DESCRIPTION

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

3. REPRESENTATIONS

3.1. Responsible Authorities under the Licensing Act 2003

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

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

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

No other Responsible Authorities have made any representations.

3.2. Local Ward Member and Town Council

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

3.3. Other Persons (Residential)

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

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

4. FINANCIAL IMPLICATIONS

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

5. LEGAL IMPLICATIONS

- 5.1. There is a right of appeal to the Magistrates' Court within 21 days of the Council's decision should the Council refuse the application or against the Conditions opposed on the Licence.

6. PROCEDURES

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

7. BACKGROUND PAPERS

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