

# Licensing Panel Report



Listening Learning Leading

Report of Head of Legal and Democratic Services

Author: Alastair Dearling

Tel: 01491 823245

e-mail:alastair.dearling@southoxon.gov.uk

Date of meeting: 8 October 2009

Time of meeting: 10:00am

AGENDA ITEM NO

## Purpose of Meeting:

1. To consider the relevant representations received in respect of an application for a review for premises licence number 7054 The White Lotus Sports Bar, 16-18 Hart Street, Henley on Thames under the Licensing Act 2003.

## Introduction

2. The Licensing Act 2003 permits an Interested Party or Responsible Authority to apply to the Licensing Authority for a review of a Premises Licence on a ground relating to the licensing objectives.
3. The standard procedure for the review hearing is attached as **Appendix A**.

## Section 17 Crime and Disorder Act 1998

4. Section 17 states: "Without prejudice to any other obligation imposed upon it, it shall be the duty of each Authority to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that it reasonably can, to prevent crime and disorder in its area."

## Background

5. On 28 April 2008 a new premises application came before the licensing panel regarding the White Lotus Sports Bar 16-18 Hart Street, Henley on Thames. The applicant Tellyking Limited applied for a new premises licence on the building to permit certain forms of regulated entertainment and the sale of alcohol. The building over the last 20 years or so has historically held a number of different licences to permit the sale of alcohol and entertainment. The previous premises licence, number 4188 held by a Mr Cobb, was reviewed by the councils Environmental Protection back on 23 July 2007 on the grounds of noise. The application for review did not come before the licensing panel as both parties agreed noise conditions, but before the conditions were implemented the licence was surrendered by the licence holder.

A new application for the premises was then submitted by Tellyking Limited. The new application was met with objections from Thames Valley Police, local residents and Environmental Health and as such the application came before the licensing panel. It should be noted that the applicant, Environmental Protection and Thames Valley Police had a meeting before this panel to discuss conditions and a number of these conditions were agreed before the panel, these conditions were then attached to the premises by the panel and the licence was granted. A copy of the current licence, including conditions attached after the review hearing on 10 February, can be found in **Appendix B**.

On 14 November 2008 South Oxfordshire District Council Environmental Protection submitted a review for the White Lotus Sports Bar on the grounds of public nuisance (noise), The review of the premises took place on 9 January 2009 and was adjourned until 10 February 2009. The Licensing Panel decision notice and outcome of a subsequent appeal regarding the review, along with the committee papers for the previous review, can be found in **Appendix C**. The Panel's actions in regard to the premises licence were to give a formal warning to the licence holder regarding breach of conditions and impose four more noise related conditions to the premises licence. The formal warning from the Panel stated:

*“The conditions attached to the premises licence are sufficient to meet the licensing objective of prevention of public nuisance, prevention of crime and disorder, promotion of public safety and protection of children from harm. The Panel again reminds the licence holder that compliance with licensing conditions and hours attached to this premises licence is not optional. Compliance with all conditions and permitted hours is mandatory at all times. It is not permissible to continue any licensed activity past 03:00hrs. It is not permissible to breach the condition numbered 23 on the issued licence 7054 at any time. (Condition 23 reads: Noise emanating from the premises as a result of regulated entertainment shall not be clearly audible at the boundary of any adjacent residential property)*

*The Panel reminds Mr King that the licence does not permit live music or dancing.*

*The Panel expects that Mr King, as the premises licence holder, will fully comply with all conditions and hours on his licence, including noise conditions, at all times.*

*Breaches of the licence conditions carry serious penalties:*

- *A person found guilty of breaching licensing conditions is liable on summary of conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.*
- *Review of the premises licence with penalties up to and including revocation of the licence.”*

6. Since the review, the premises licence has had some minor changes, the first being the change of company name from Tellyking Limited to Orper of Henley UK Ltd, it should be noted this was only a change of company name and not

change of ownership, this made on 10 July 2009. Also the Designated Premises Supervisor of the premises was changed from a Mr Dariusz Dawidowicz, 33 Gravel Hill, Henley on Thames to a Ms Paula Santos. The change was made after a site visit on 6 August 2009 by Thames Valley Police, Environmental Protection and Licensing highlighted that no Designated Premises Supervisor was present at the premises. It was confirmed by the licence holder that the Designated Premises Supervisor had left two weeks prior to the visit and at the time of the visit the head of security of the premises was unaware of the actual Designated Premises Supervisor.

7. The licensing authority received a request for review of the premises by Thames Valley Police on 21 August 2009 and this review is supported by Environmental Protection team and local residents and businesses. The review paper work from the police can found in **Appendix D**. Prior to the submission of this review, Thames Valley Police and Environmental Protection have had correspondence with the premises holder regarding a number of ongoing issues regarding the premises and on 10 July 2009 the Licensing Officer, Alastair Dearling, met the premises licence holder (Mr King) at the council offices to assist the license holder to change the company name on the premises licence. At this meeting Mr Dearling reminded that the premise licence holder that he must comply with all conditions and recommended the premises holder read through all the licence conditions one by one to make sure conditions are adhered too. Also at this meeting Mr Dearling provided Designated Premises Supervisor variation application forms at the request of Mr King.

## Premises Licence

8. Details of the current Premises Licence are summarised below. A copy of the current Premises Licence is attached at **Appendix B**. Also included upon this licence are the details of all of the current conditions imposed upon the premises.

<p>Details of Premises Licence 7054</p>	<p>(a) To allow <b>alcohol sales</b>, both on and off the premises from 10.00hrs till 03:00hrs Monday till Sunday. The premises must close half an hour after the latest time for the sale of alcohol</p> <p>(b) <b>Music Facilities</b> 10:00hrs till 03:00hrs Monday till Sunday</p> <p>(c) <b>Recorded Music</b> 10:00hrs till 03:00hrs Monday till Sunday</p> <p>(d) <b>Late Night Refreshment</b> 10:00hrs till 03:00hrs Monday till Sunday</p> <p>(e) <b>Film Exhibition</b> 10:00hrs till 03:00hrs Monday till Sunday</p>														
	<p><b>Non Standard Timings for the Licensable activities Authorised by the licence</b></p> <table border="1"> <thead> <tr> <th data-bbox="359 1209 702 1243"><b>Activity</b></th> <th data-bbox="702 1209 1436 1243"><b>Details</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="359 1243 702 1276"><b>Alcohol sales</b></td> <td data-bbox="702 1243 1436 1276">From the start of permitted hours on New Years Eve to the close of permitted hours on</td> </tr> <tr> <td data-bbox="359 1276 702 1310"><b>Music Facilities</b></td> <td data-bbox="702 1276 1436 1310">New Years Day.</td> </tr> <tr> <td data-bbox="359 1310 702 1344"><b>Recorded Music</b></td> <td data-bbox="702 1310 1436 1344"></td> </tr> <tr> <td data-bbox="359 1344 702 1377"><b>Late Night Refreshment</b></td> <td data-bbox="702 1344 1436 1377">To Extend the hours for permitted activities until</td> </tr> <tr> <td data-bbox="359 1377 702 1411"><b>Film Exhibition</b></td> <td data-bbox="702 1377 1436 1411">05:00hrs and opening hours until 05:30 during the</td> </tr> <tr> <td data-bbox="359 1411 702 1444"></td> <td data-bbox="702 1411 1436 1444">week of Henley Regatta</td> </tr> </tbody> </table>	<b>Activity</b>	<b>Details</b>	<b>Alcohol sales</b>	From the start of permitted hours on New Years Eve to the close of permitted hours on	<b>Music Facilities</b>	New Years Day.	<b>Recorded Music</b>		<b>Late Night Refreshment</b>	To Extend the hours for permitted activities until	<b>Film Exhibition</b>	05:00hrs and opening hours until 05:30 during the		week of Henley Regatta
<b>Activity</b>	<b>Details</b>														
<b>Alcohol sales</b>	From the start of permitted hours on New Years Eve to the close of permitted hours on														
<b>Music Facilities</b>	New Years Day.														
<b>Recorded Music</b>															
<b>Late Night Refreshment</b>	To Extend the hours for permitted activities until														
<b>Film Exhibition</b>	05:00hrs and opening hours until 05:30 during the														
	week of Henley Regatta														
	<p><b>Designated Premises Supervisor:</b> Ms Paula Santos</p> <p><b>Premise Licence Holder:</b> Orper of Henley UK Ltd , 1 Andromeda House, Cavelleva Park, Aldermaston, Reading, Berkshire. RG7 8AP</p>														

9. The following information appears on the application for the review of the premises licence which was received by the licensing authority on 21 August 2009. A copy of the application for review is attached at **Appendix D**.

Type of application:	Review of Premises Licence
Applicant / Address	Thames Valley Police, St Aldates, Oxford. Ox1 1SZ
Which of the four licensing objectives does the application for review relate to?	The prevention of crime and disorder, Public safety, and protection of children from harm.
What are the grounds for the review?	Thames Valley Police are seeking review of this license due to concerns over the premises not meeting the four licensing objectives.  Thames Valley Police report and evidence in relation to calling a review can be found in <b>Appendix C</b> .

### Promotion of Licensing Objectives

10. The operating schedule is attached to the premises licence in **Appendix B** and shows how the premises will address and abide by the licensing objectives.

### Background

11. The following background information is known about this premise.

Previous licences held:	Premises Licence
Current convictions:	None
Details of licence reviews:	One review has already taken place on premises licence number 7054 held by Orper, by Environmental Protection on the grounds of public nuisance.  (It should also be noted that a previous premises licence, licence number 4188 held by a Mr Cobb, was reviewed by the councils Environmental Protection back on 23 July 2007 on the grounds also of noise)

## Relevant Representations

12. Relevant representations from responsible authorities have been made in respect of the review application. These are attached in **Appendix E** and a summary of the responses are as follows:

Fire & Rescue Service:	No comment.
Environmental Protection Health and Safety	No comment
Environmental Protection Noise Team	Environmental Health wish to support the review undertaken by the police on the grounds of public nuisance.
Trading Standards:	No comment.
Child Protection:	No comment
Planning:	No Comment

## Interested Parties

13. Eight interested parties have made representing on the grounds of public nuisance, crime and disorder and protection from children from harm, these can be found in **Appendix E** . It should be noted that one representation has the name and address deleted in accordance with Section 9.18 of Licensing Act 2003 Guidance.

## 14. Legal Implications

15. Under Schedule 5 of the Licensing Act 2003 the applicant for the review, the premises licence holder or a person who made a relevant representation may appeal to the Magistrates Court against the decision of the Licensing Panel.

## Policy Considerations

16. In determining the review application the panel must give appropriate weight to:

- a. Representations received from Responsible Authorities;
- b. Relevant Representations made by Interested Parties;
- c. The Secretary of State's Guidance;
- d. The Statement of Licensing Policy;
- e. The steps necessary to promote the Licensing Objectives

17. The Licensing Officer considers the following policies specifically relating to the review process and taken from the Statement of Licensing Policy should be taken into consideration by the Licensing Panel.

<b>Policy RE 1: Reviews (1)</b>
---------------------------------

Generally, unless the Authority regard the issue as serious, a review will only be conducted where there has been a failure to address matters previously raised.
---

<b>Policy RE 2: Reviews (2)</b>
---------------------------------

Where a request for a review is made, the Authority will expect the person making the Representation to declare the nature of their interest and provide specific evidence to demonstrate why a review is necessary.
--

<b>Policy RE 3: Reviews (3)</b>
---------------------------------

The Authority will not review licences simply because Representations may have failed on previous occasions or under other legislation.
---

<b>Policy RE 4: Reviews (4)</b>
---------------------------------

If a request for a review is received from an Interested Party or Responsible Authority, the Authority will decide whether a reasonable interval has elapsed since a previous review, if any, has taken place. It will generally not expect to hold a review into a licence on Representations from an interested person more than annually, unless there has been a significant change in the use of the premises or there are exceptional circumstances.
--

## Licensing Officer's Observation

18. A plan showing the location of the premises is attached at **Appendix F.**
19. This report provides information submitted by the applicant for the review. The Panel is obliged to determine this application with a view to promoting the Licensing Objectives which are:
- The Prevention of Crime and Disorder
  - Public Safety
  - The Prevention of Public Nuisance
  - The Protection of Children From Harm
20. In making its decision, the Panel is obliged to have regard to the relevant provisions of the Act, Guidance and Policy.
21. The Panel must also have regard to the application, all the relevant representations made and the evidence it hears. Members of the Panel when considering the application must confine themselves to considering only those aspects of the application in respect of which relevant representations have been made.
22. The Panel may take such of the following steps as it considers necessary for the promotion of the licensing Objectives:
- i. Take no further action
  - ii. Issue a formal warning
  - iii. Modify the conditions of the licence, by altering or omitting or adding to them
  - iv. Exclude a licensable activity from the scope of the licence
  - v. Remove the Designated Premises Supervisor
  - vi. Suspend the licence for a period not exceeding three months
  - vii. Revoke the licence
- (iii and iv may be specified for a limited period not exceeding three months).



## PROCEDURE FOR REVIEW HEARINGS BEFORE THE LICENSING PANEL

### INTRODUCTION

1. Where parties intend to produce documents in support of their case they shall send a copy of these documents to all parties not less than five working days prior to the date of the hearing. Alternatively, parties shall supply the Council's Licensing Officer with sufficient copies of those documents, not less than seven working days prior to the date of the hearing, with instructions to the Licensing Officer to send them to the other parties.
2. By reason of the confidential nature of some types of case heard by the Licensing Panel the public and press may be excluded from all or part of the proceedings.
3. Parties will have the right to be accompanied at the hearing by a representative, who may present the case on behalf of that party.
4. At the commencement of the hearing, the parties will present to the Licensing Panel the names of any witnesses to be called and a brief description of the point(s) on which that person may be able to assist the Licensing Panel. The Licensing Panel shall then determine whether those witnesses may be called.

### LICENSING OFFICER

5. **The licensing officer** will present the circumstances of the case.
6. **The applicant for the review** may ask questions of the Licensing Officer.
7. **Responsible authorities** may then ask questions.
8. **Interested parties** may then ask questions.
9. **The premises licence holder** may then ask questions.
10. **Licensing panel members** may ask questions of the Licensing Officer.

## **APPLICANT FOR THE REVIEW**

11. **The applicant for the review** will present their reasons for calling the licence in for review, as supported by documentary evidence and may call witnesses, if permitted to do so by the licensing panel.
12. **The licensing officer** may then ask questions of the applicant and any witnesses.
13. **responsible authorities** may then ask questions.
14. **interested parties** may then ask questions.
15. **The premises licence holder** may then ask questions.
16. **Licensing panel members** may ask questions of the applicant and any witnesses.

## **RESPONSIBLE AUTHORITY**

17. **The responsible authority** will present details of their representation on the review application which may be supported by documentary evidence and witnesses may be called.
18. **The applicant** for review may then ask questions of the Responsible Authority and any witnesses called.
19. **The licensing officer** may then ask questions.
20. **Interested parties** may then ask questions.
21. **The premises licence holder** may then ask questions.
22. **Licensing panel members** may then ask questions of the Responsible Authority and any witnesses called.

This procedure will be repeated where more than one Responsible Authority attends the hearing.

## **INTERESTED PARTY**

23. **The Interested party** must begin by stating whether they support the review application or object to it. They will then present details of their representations which may be supported by documentary evidence and witnesses may be called, if permitted to do so by the Licensing Panel.
24. **The applicant** for review may then ask questions of the Interested Party and any witnesses called.
25. **The licensing officer** may then ask questions.

26. **Responsible authorities** may then ask questions.
27. **The premises licence holder** may then ask questions.
28. **The licensing panel members** may then ask questions of the Interested Party and any witnesses called.

This procedure will be repeated where more than one Interested Party attends the hearing.

## **THE PREMISES LICENCE HOLDER**

29. **The Premises Licence Holder** may present submissions to the Licensing Panel on the review application, this may be supported by documentary evidence and witnesses may be called, if permitted to do so by the Licensing Panel.
30. **The applicant** for review may then ask questions of the Premises Licence Holder and any witnesses called.
31. **The Licensing Officer** may then ask questions.
32. **Responsible Authorities** may then ask questions.
33. **Interested Parties** may then ask questions.
34. **The Licensing Panel members** may then ask questions of the Premises Licence Holder and any witnesses called.

## **SUMMING UP**

35. The Licensing Officer, the applicant for the review, Responsible Authorities, Interested Parties and the Premises Licence Holder will then have the opportunity to sum up their cases if they so wish.
36. All parties and their witnesses will then be requested to withdraw from the meeting whilst the Licensing Panel deliberates in private. In the event of uncertainty on any of the evidence, all parties will be recalled regardless of the fact that the point in question may relate only to the evidence of one of the parties.
37. When the Licensing Panel has completed its deliberations all parties will be recalled to the meeting and the Chairman will announce the Licensing Panel's decision and the reasons for that decision.

**APPENDIX B**

**Premises Licence 7054 and a copy of hearing decision notice.**

**White Lotus Sports Bar, 16-18 Hart Street, Henley on Thames, Oxon. RG9 2AU.**

<b>PREMISES LICENCE LICENSING ACT 2003</b>	
<b>Premises licence number</b>	<b>7054</b>

<b>Premises details</b> White Lotus Sport Bar 1618 Hart Street, HENLEYONTHAMES, Oxon, RG9 2AU	<b>Telephone Number</b> 01491 571716 (White Lotus)
--	--

<b>Name, (registered) address of holder of premises licence</b> Mr Tellyking UK Limited 1 Andromeda House Calleva Park Aldermaston Reading Berkshire RG7 8AP
--

<b>Name address and telephone number of designated premises supervisor, where the premises licence authorises the supply of alcohol:-</b> Ms Paula Santos
--

<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol</b> Licence Ref : 1282                      Authority : South Oxfordshire District Council
---

<b>Opening Hours of the Premises</b>																								
<table><thead><tr><th><b>Day</b></th><th><b>Start</b></th><th><b>End</b></th></tr></thead><tbody><tr><td>Monday</td><td>08:00</td><td>03:30</td></tr><tr><td>Tuesday</td><td>08:00</td><td>03:30</td></tr><tr><td>Wednesday</td><td>08:00</td><td>03:30</td></tr><tr><td>Thursday</td><td>08:00</td><td>03:30</td></tr><tr><td>Friday</td><td>08:00</td><td>03:30</td></tr><tr><td>Saturday</td><td>08:00</td><td>03:30</td></tr><tr><td>Sunday</td><td>08:00</td><td>03:30</td></tr></tbody></table>	<b>Day</b>	<b>Start</b>	<b>End</b>	Monday	08:00	03:30	Tuesday	08:00	03:30	Wednesday	08:00	03:30	Thursday	08:00	03:30	Friday	08:00	03:30	Saturday	08:00	03:30	Sunday	08:00	03:30
<b>Day</b>	<b>Start</b>	<b>End</b>																						
Monday	08:00	03:30																						
Tuesday	08:00	03:30																						
Wednesday	08:00	03:30																						
Thursday	08:00	03:30																						
Friday	08:00	03:30																						
Saturday	08:00	03:30																						
Sunday	08:00	03:30																						
<b>Signed:</b> _____																								
<b>Clare Kingston, Head of Environmental Services</b>																								
<b>Dated: 12th May 2008</b>																								

**Licensable activities authorised by the licence**

<b>Activity</b>	<b>Details</b>
Film Exhibition	Indoor & Outdoor.
Recorded Music	Indoor & Outdoor.
Dance Performance	Indoor.
Music Facilities	Indoor.
Dancing Facilities	Indoor.
Late Night Refreshment	Indoor.
Alcohol On and Off	Indoor & Outdoor.

**The times the licence authorises the carrying out of licensable activities**

<b>Activity</b>	<b>Day(s)</b>	<b>Start</b>	<b>End</b>
Film Exhibition	Mon Tue Wed Thu Fri Sat Sun	08:00	03:00
Recorded Music	Mon Tue Wed Thu Fri Sat Sun	08:00	03:00
Dance Performance	x	x	x
Music Facilities	Mon Tue Wed Thu Fri Sat Sun	08:00	03:00
Dancing Facilities	x	x	x
Late Night Refreshment	Mon Tue Wed Thu Fri Sat Sun	23:00	03:00
Alcohol On and Off	Mon Tue Wed Thu Fri Sat Sun	10:00	03:00

**Seasonal Variation for licensable activities authorised by the licence**

<b>Activity</b>	<b>Details</b>
Film Exhibition	From the start of permitted hours on New Year's Eve to the close of permitted hours on New Year's Day.
Recorded Music	From the start of permitted hours on New Year's Eve to the close of permitted hours on New Year's Day.
Dance Performance	From the start of permitted hours on New Year's Eve to the close of permitted hours on New Year's Day.
Music Facilities	From the start of permitted hours on New Year's Eve to the close of permitted hours on New Year's Day.
Dancing Facilities	From the start of permitted hours on New Year's Eve to the close of permitted hours on New Year's Day.
Late Night Refreshment	From the start of permitted hours on New Year's Eve to the close of permitted hours on New Year's Day.
Alcohol On and Off	From the start of permitted hours on New Year's Eve to the close of permitted hours on New Year's Day.
Opening Hours	From the start of permitted hours on New Year's Eve to the close of permitted hours on New Year's Day.

**Non Standard Timings for the Licensable activities authorised by the licence**

<b>Activity</b>	<b>Details</b>
Film Exhibition	To extend the hours for permitted activities until 05:00 hours and the opening hours until 05:30 during the week of Henley Regatta.
Recorded Music	To extend the hours for permitted activities until 05:00 hours and the opening hours until 05:30 during the week of Henley Regatta.
Dance Performance	To extend the hours for permitted activities until 05:00 hours and the opening hours until 05:30 during the week of Henley Regatta.
Music Facilities	To extend the hours for permitted activities until 05:00 hours and the opening hours until 05:30 during the week of Henley Regatta.
Dancing Facilities	To extend the hours for permitted activities until 05:00 hours and the opening hours until 05:30 during the week of Henley Regatta.
Late Night Refreshment	To extend the hours for permitted activities until 05:00 hours and the opening hours until 05:30 during the week of Henley Regatta.
Alcohol On and Off	To extend the hours for permitted activities until 05:00 hours and the opening hours until 05:30 during the week of Henley Regatta.
Opening Hours	To extend the hours for permitted activities until 05:00 hours and the opening hours until 05:30 during the week of Henley Regatta.

**Registered number of company or charity if applicable**

6412355

Note	
1	Conditions attached to this licence numbered 1-37 are listed in Annex 1, 2, and 3
2	A plan of the premises attached to this licence is shown in Annex 4
3	The Operating Schedule of the premises is shown in Annex 5

**Annex 1 – Mandatory conditions**

1.	No supply of alcohol may be made under the Premises 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 supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
3.	<p>Where a programme includes a film in the 12A, 15 or 18 category no person appearing to be under the age of 12 (and unaccompanied in that case), 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms -</p> <p><b>PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.</b></p> <p>Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.</p> <p>This condition does not apply to members of staff under the relevant age while on duty provided that the prior written consent of the person's parents or legal guardian has first been obtained.</p>



**Annex 2 – Conditions attached by the licensing authority after negotiation**

None

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

<b>Mandatory Conditions</b>	
4.	A minimum of 2 Door Supervisors, all individually registered with the Security Industry Authority, shall be on the premises on any days the site is open for any licensable activity after midnight on week nights (starting at 22.00) and 23.00 on weekends (starting at 21.00)
<b>Crime and Disorder Conditions</b>	
5.	All staff shall be suitably trained for their job function for the premise. The training shall be written into a programme, ongoing and under constant review, and must be available to a relevant Responsible Authority when called upon.
6.	Structured training shall be delivered to all staff covering the need to be aware of the signs and consequences of drinks spiking. There shall be a training package in place for all staff and this shall include a policy for dealing with both the victim and the offender. This policy shall be approved in writing by Thames Valley Police and shall be reviewed annually by the Licence Holder.
7.	No persons under 18 shall be admitted to, or allowed to remain on the premises between 21:00hrs and 06:00hrs.
8.	No person shall be admitted to the premises less than one hour before cessation of the last licensable activity.
9.	Persons shall be prevented from leaving the premises with alcohol supplied in open containers.
10.	All staff shall be aware of the law regarding the refusal of service to any person who is drunk or is underage, and shall be aware of how to seek identification from anyone who appears to be underage.
11.	<p>A Premises Daily Register shall be kept at the premise. This register will be maintained and kept for a minimum of 12 months. This register should record the name of the person responsible for the premise on each given day. The Premises Daily Register shall record all calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made and any actions taken to deal with the call. The Premises Daily Register will be readily available for inspection by an Authorised Person throughout the trading hours of the premise. The Premises Daily Register will also record all incidents in relation to the use of any force by staff or Door Supervisors in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed, and details of the staff involved.</p> <p>The register shall also record any incidences of a member of the public being refused service on ground so intoxication and/or age. Not only will it record the date, time and member of staff that refused but will include a brief physical description of the person involved to allow ease of identification on CCTV.</p>

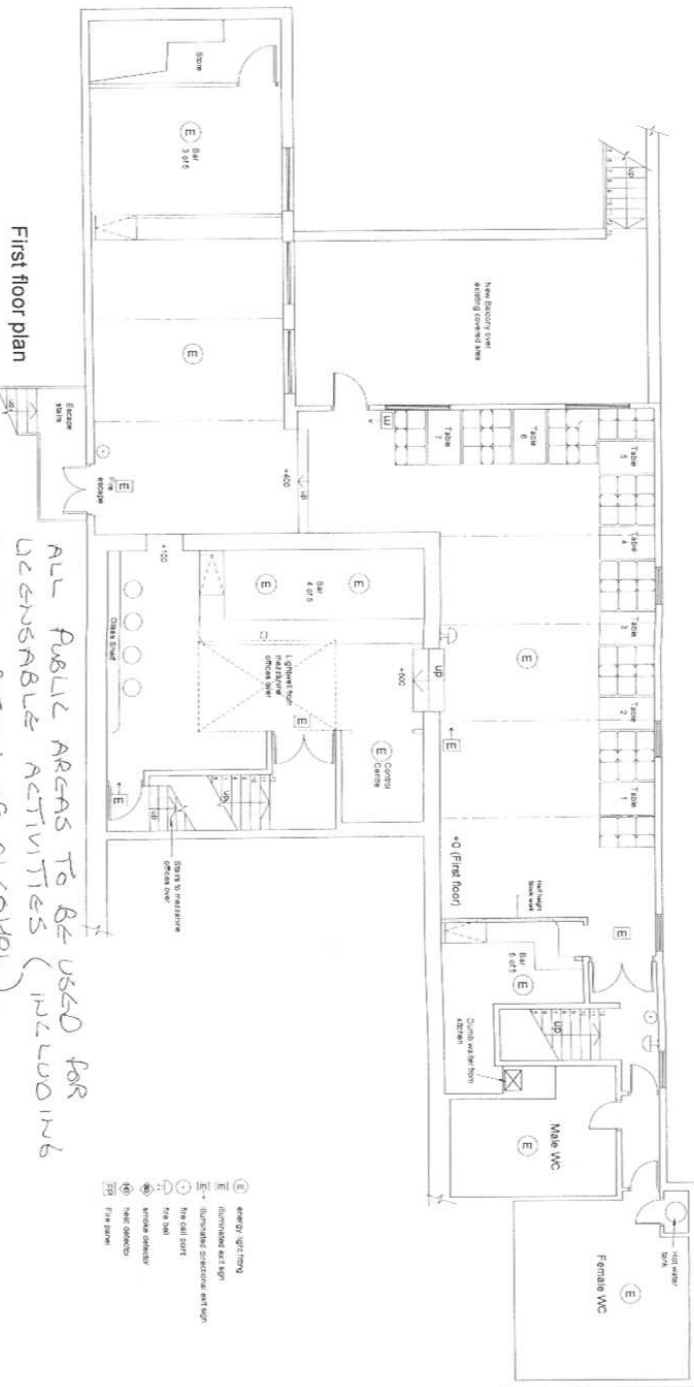
12.	All Door Supervisors shall enter their full details in the Premises Daily Register at the commencement of work. This shall record their full name, home address and contact telephone number, the Door Supervisor's SIA registration number and the time they commenced and concluded working. If the Door Supervisor was supplied by an agency, details of that agency will also be recorded including the name of the agency, the registered business address and a contact telephone number.
13.	The premises shall be cleared of customers and closed 30 minutes after the conclusion of the last licensed activity.
14.	The Licence Holder or Designated Premises Supervisor shall become a member of the Pubwatch scheme and a representative shall attend Pubwatch meetings.
15.	The Licence Holder shall implement a written responsible drinking policy to be agreed in writing with Thames Valley Police.
16.	No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.
17.	All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 18 years and who is seeking access to the premises or is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport or, photographic driving licence.
18.	Prominent clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale, advising customers that they may be asked to produce evidence of their age.
19.	A CCTV system shall be installed or the existing system maintained. The system will incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard.'
20.	To obtain a clear head and shoulders image of every person entering the premises on the CCTV system, persons entering the premises should be asked to remove headwear, unless worn as part of religious observance.
21.	The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. For premises using a video recording system, the cassette tape shall be used on no more than 12 occasions to maintain the quality of the recorded image.
22.	The Licence Holder shall implement a written Drugs Policy. This shall detail the strategies to minimise the use and supply of illegal drugs within the premises. The Drugs Policy shall include a structured training programme covering the issues relevant to the misuse of drugs in relation to licensed premises, which will be delivered to all staff. This Policy shall be approved in writing by Thames Valley Police.

## The Prevention of Public Nuisance

23. Noise emanating from the premises as a result of regulated entertainment shall not be clearly audible at the boundary of any adjacent residential property.
24. No regulated entertainment shall take place in the premises until an acoustic survey has been carried out by an independent person, who is qualified to be at least an associate member of the Institute of Acoustics and a scheme for soundproofing these areas has been submitted to and approved by the Head of Environmental Services. The scheme must be fully implemented to the satisfaction of the Head of Environmental Services prior to any regulated entertainment taking place within the premises.
25. A sound limiting device shall be fitted to the amplification system and shall be located in a separate lockable cabinet which is remote from the volume control set at (a level determined by the Head of Environmental Services). The operational panel of the noise limiter shall then be secured to the satisfaction of an authorised officer. The keys securing the noise limiter cabinet shall be held by the premises licence holder only, and shall not be accessible by any other person. Access to the limiter shall be restricted to prevent tampering. No alteration or modification to any existing sound system(s) should be effected without prior agreement of the Head of Environmental Services. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
26. At least twice during each occasion when regulated entertainment takes place, the premises licence holder shall ensure that assessments are undertaken of noise emanating from the premises as a result of regulated entertainment. The assessment shall be made at the rear of the club premises. If the assessment indicates that noise from the club premises is likely to be audible at the boundary of any adjacent residential premises, then immediate action must be taken to reduce the noise level and a further check conducted to ensure that levels have been sufficiently reduced. A written record shall be kept of each assessment and of any remedial action taken. Records of such checks shall be made available to authorised officers of the Licensing Authority for inspection at any reasonable time.
27. A means of recording low frequency noise, defined as below 20Hertz, shall be put in place and a written record shall be kept of each assessment and of any remedial action taken. Records of such checks shall be made available to authorised officers of the Licensing Authority for inspection at any reasonable time.
28. During operating hours, the licensee or a nominated representative shall be available to receive and respond to nuisance-related complaints. A contact number shall be readily available to residents upon request.

29. No drinks are to be taken into the open air areas of the premises between the hours of 18:00 and 08:00 and no regulated entertainment is permitted on the lower decked area between 18:00 and 08:00 hours, although members of the public may be permitted to smoke in the lower courtyard during the remaining opening hours.
30. All external doors / windows must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place.
31. No speakers, other than those integral to the courtyard television may be used outside. The courtyard television speakers shall not be used until it has been demonstrated by the acoustic survey described in condition 6 above, that noise emanating from them will not give rise to disturbance to any nearby residential properties. Any recommendations and provisions provided in the acoustic report to achieve this requirement are implemented to the satisfaction of the Head of Environmental Services.
32. Prominent, clear notices shall be displayed at all exits / in the beer garden requesting that customers respect the needs of local residents and leave the premises and the area quietly.
33. The placing of refuse (such as bottles) into receptacles outside the premises shall only take place between the hours of 08.00 and 20.00.
34. The Premises Licence is granted for the area shown on the plans submitted to the Licensing Officer up to the gated entrance located at the pavement of Hart Street.
35. The Licence Holder shall implement a written queue management policy. All queuing outside the premises shall be managed in such a way that prevents noisy or rowdy behaviour and therefore minimises disturbance or nuisance to neighbours. The policy shall be approved in writing by the Licensing Authority.
36. The Licence Holder shall implement a written dispersal policy, to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours, both residential and business, and to make the minimum impact upon the neighbourhood in relation to potential nuisance, antisocial behaviour, crime and disorder. The policy shall be approved in writing by the Licensing Authority.
37. Implementation of the above conditions shall be carried out in agreement and consultation with the Head of Environmental Services.

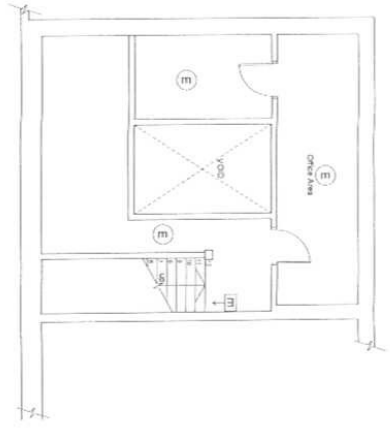
# Annex 4 – Plan(s)



First floor plan

ALL PUBLIC AREAS TO BE USED FOR  
USABLE ACTIVITIES (INCLUDING  
CONSUMPTION OF ALCOHOL).

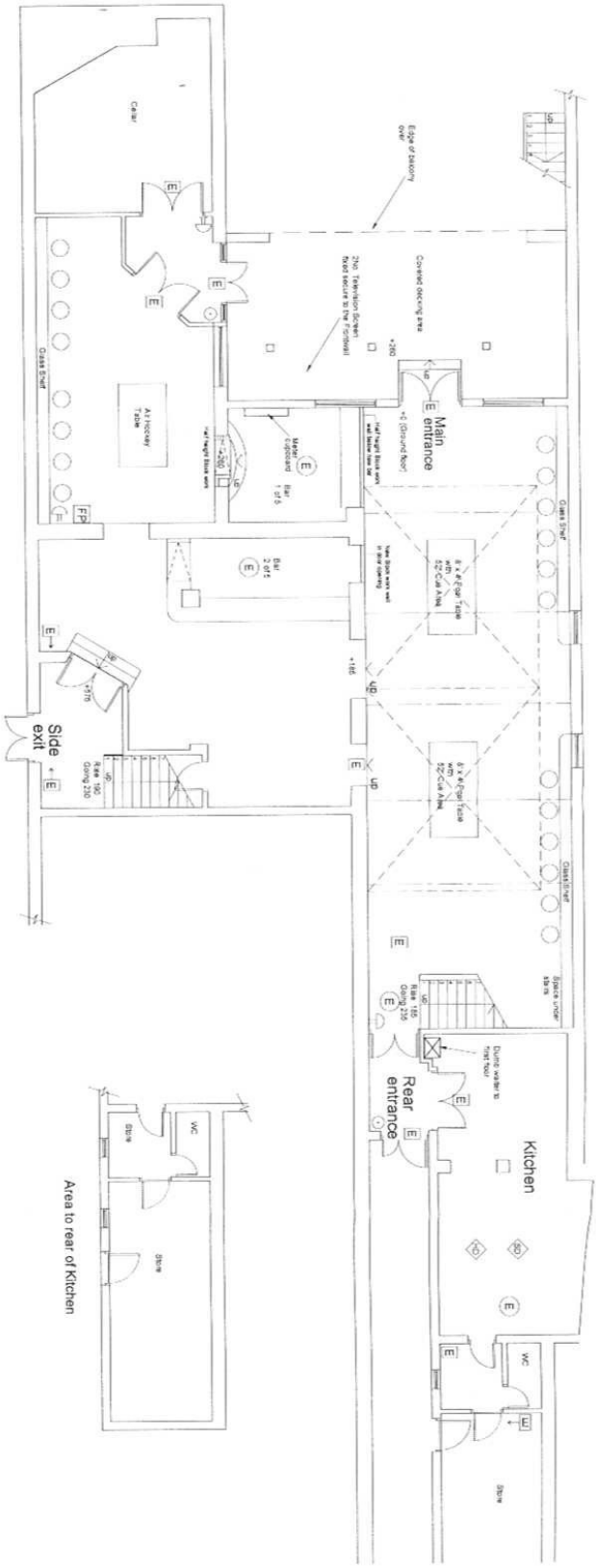
Second floor plan



Client	Dennis King
Architect	River Club Henry
Project	First Floor and Second Floor Emergency Lighting
Address	150 @ 11 & 100 @ 11
City	19750A
State	MD
Year	14/2018
Scale	1/8" = 1'-0"
Sheet	14/2018

DANIEL LELLIOTT KRAUZE  
ARCHITECTS  
150 @ 11 & 100 @ 11  
19750A  
14/2018

Ground floor plan  
 ALL INTERNAL PUBLIC AREAS TO BE USED FOR USABLE ACTIVITIES (INCLUDING CONSUMPTION OF ALCOHOL).  
 EXTERNAL TERRACED AREA TO BE USED FOR CONSUMPTION OF ALCOHOL AND VIEWING OF FILMS



- ⊙ energy light strip
- ⊕ illuminator exit sign
- ⊖ illuminated directional signage
- ⊙ fire exit post
- ⊙ fire exit
- ⊙ smoke detector
- ⊙ hand sanitizer
- ⊙ fire alarm

Area to rear of Kitchen

NO	DESCRIPTION	DATE
001	Design King	
002	River Chia Henry	
003	Ground	
004	Emergency lighting	
005	150 @ A1 & 110 @ A2	1/21/2023
006	140 @ A3	1/21/2023

**DANIEL LELIOTT KEANE**  
 ARCHITECT  
 14 BENTLEY AVENUE, WINDYBUSH, NSW 2150  
 PH: 02 9610 1234  
 WWW: DANIELLELIOTTKEANE.COM.AU  
 © DANIEL LELIOTT KEANE 2023

## **Annex 5 - Operating Schedule**

- A Operating procedures and policies, which include risk assessments, training of staff in all aspects of regulatory compliance and operating policies and measures for the avoidance of noise or other nuisance to neighbours, will apply.  
CCTV to be installed.  
Noise Limited to be installed.  
Operators to employ SIA Door Staff where necessary.
- B As above - no additional steps identified.
- C As above - no additional steps identified.
- D As above - no additional steps identified.
- E As above - no additional steps identified.



# **White Lotus Sports Bar: Licensing Panel Hearing 8 October 2009**

## **APPENDIX C**

**Previous application for review by Environmental Protection  
and Licensing Panel decision.**

**White Lotus Sports Bar, 16-18 Hart Street, Henley on Thames, Oxon, RG9 2AU.**

**This document contains the papers for the Licensing Panel hearings held on**

**9 January 2009 and 10 February 2009**

**Appendices within this set of documents refer to the Licensing Officers reports  
from 9 January and 10 February 2009**

# **White Lotus Sports Bar: Licensing Panel Hearing 8 October 2009**

## **APPENDIX D**

**Application for review by Thames Valley Police regarding**

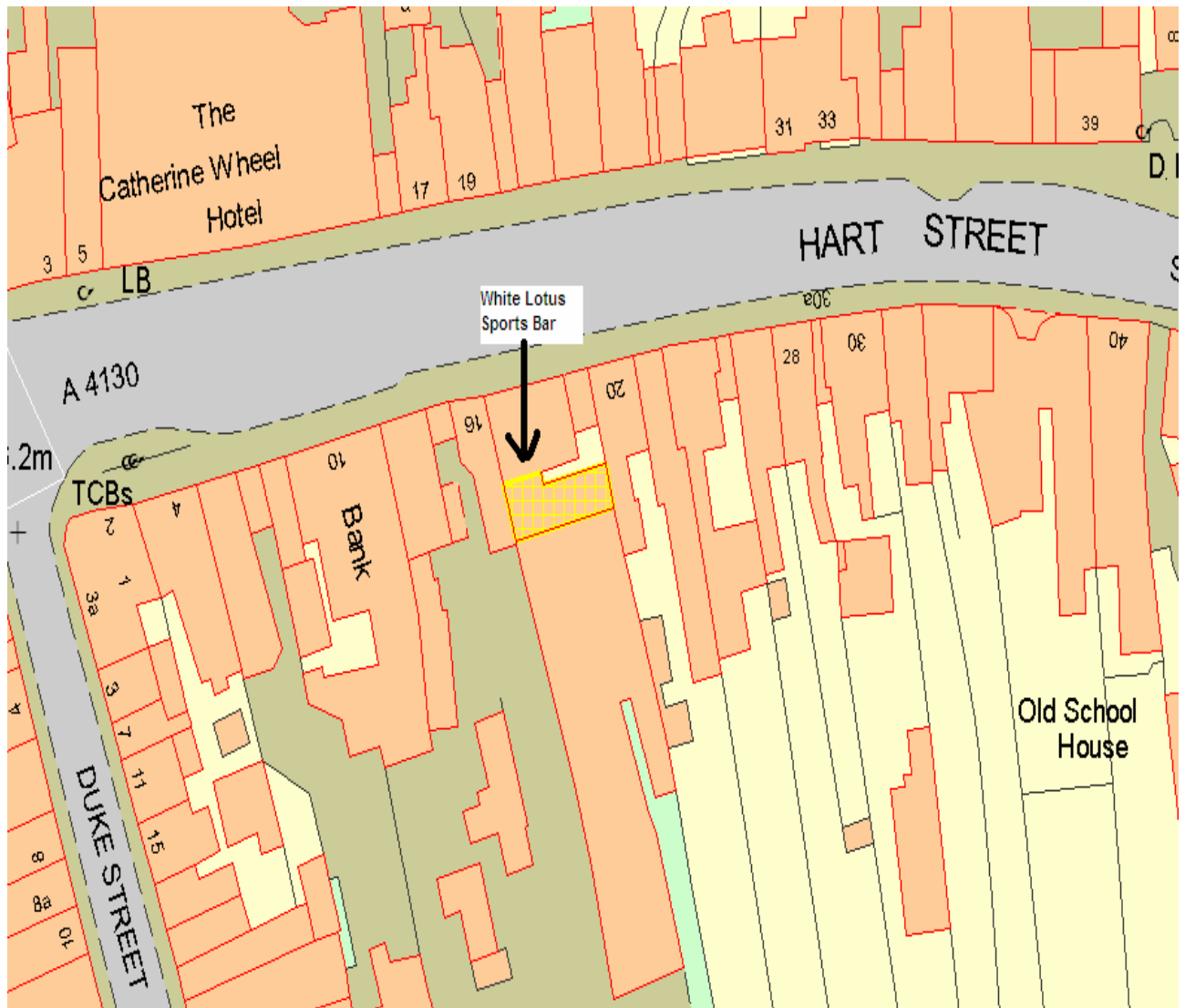
**White Lotus Sports Bar, 16-18 Hart Street, Henley on Thames, Oxon, RG9 2AU**

## **APPENDIX E**

### **Relevant representations from responsible authorities and Interested Parties**

**APPENDIX F**

**Site plan of area showing location of The White Lotus Sports Bar, 16-18 Hart Street, Henley on Thames, Oxon, RG9 2AU.**



## CONTENTS PAGE

Officer's report	1
Appendix A – Procedure for the hearing	9
Appendix B – Current premises licence	13
Appendix C – Documents for the previous review of premises licence on 9 January and 10 February 2009	Separate document
Appendix D – Review and supporting evidence from Thames Valley Police	Separate document
Appendix E – Relevant representations from responsible authorities	27
and interested parties	72
Appendix F – Site plan	84