

Agenda

For a meeting of



Listening Learning Leading

Licensing Acts Panel

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A meeting of the Licensing Panel will be held on Monday 22 May 2023 at 11.00 am in Meeting Room 1, Abbey House, Abbey Close, Abingdon, OX14 3JE

to consider the following matter:
the relevant representations received in connection with an application for:
The Green Room, 48 Market Place, Henley-on-Thames, RG9 2AG
under the Licensing Act 2003.

The report of the Head of Legal and Democratic, information submitted by the licence holder, and copies of the relevant representations are attached to this notice and are available to view on the [council's website](#).

Any three members of the of the council's Licensing Acts Committee can form the Licensing Panel. The membership of the Licensing Acts Committee will be confirmed at Full Council on 18 May 2023.

Alternative formats of this publication are available on request. These include large print, Braille, audio, email and easy read. For this or any other special requirements (such as access facilities) please contact the officer named on this agenda. Please give as much notice as possible before the meeting.

**Patrick Arran
Head of Legal and Democratic**

1. Election of a chair

To elect a chair for this hearing.

2 Declarations of interest

To receive declarations of disclosable pecuniary interests, other registerable interests and non-registrable interests or any conflicts of interest in respect of items on the agenda for this meeting.

3 Procedure for the meeting (Pages 4 - 8)

To note the procedure for the meeting (attached).

4 Application for a Premises License - The Green Room, Henley-on-Thames (Pages 9 - 57)

To consider the report of the Head of Legal and Democratic.

SOUTH OXFORDSHIRE DISTRICT COUNCIL

LICENSING ACT 2003

LICENSING ACTS PANEL – PROTOCOL AND PROCEDURE

1.0 **Introduction**

- 1.1 This protocol and procedure has been adopted by the council's Licensing Acts Committee in order to ensure that all meetings are carried out in accordance with the law and all parties receive a fair hearing.
- 1.2 For the purposes of this protocol and procedure the following terms have the meanings assigned to them:-
- (a) "the Act" means the Licensing Act 2003.
 - (b) "the parties" means all persons to whom a notice of hearing has been given.
 - (c) "the regulations" means the Licensing Act 2003 (Hearings) Regulations 2005 as amended.
 - (d) "exempt information" means those categories of information set out in Schedule 12A to the Local Government Act 1972 as amended.
- 1.3 This document has been prepared having regard to the statutory provisions contained in the Act, the Regulations, the Guidance issued by the Home Office under section 182 of the Act (latest version issued April 2018) and the Council's Licencing Policy.

2.0 **The licensing objectives and statement of policy**

- 2.1 The Act sets out four licensing objectives which are fundamental to the decision making of the panel. The licensing objectives are follows:-
- (a) The prevention of crime and disorder.
 - (b) Public safety.
 - (c) The prevention of public nuisance.
 - (d) The protection of children from harm.
- 2.2 Any application or licensing matter which comes before a panel will be treated on its own merits having regard to the following issues:-
- (a) The promotion of the four licensing objectives.
 - (b) The council's statement of licensing policy.
 - (c) The most recent guidance issued under section 182 of the Act
 - (d) The merits of the application and the representations received from the parties.

3.0 Before the hearing

- 3.1 The council has a duty to hold a hearing within a timescale specified in the regulations. In most cases the timescale is 20 working days calculated from the end of the relevant representation period. However, there are other cases where the timescale is shorter ranging from between 5 and 10 working days depending on the nature of the case in question. The council will ensure adequate notice is given to the parties involved.
- 3.2 The council will send all parties a notice of hearing giving details of the date, time and venue for the panel meeting. This notice will normally be sent giving at least 10 working days' notice of the hearing, although in some cases a shorter notice period is required.
- 3.3 The council will email the notice to any of the parties who have provided an email address for contact.
- 3.4 The notice of hearing will be sent out to relevant individuals and an agenda containing the report will be sent separately which shall set out the details of the case.

4.0 The panel

- 4.1 The membership of the panel has been determined as set out in the decision of the Licensing Acts Committee.
- 4.2 Members will only be permitted to take part in determining a case if they have been present throughout the whole hearing and have no conflict of interest in the matter.
- 4.3 The quorum is 3 members who shall determine any issue by a simple majority of votes.

5.0 Hearing - general principles

- 5.1 The parties have the right to attend the hearing and to be assisted or represented by any person (whether legally qualified or not) such as a relative, friend, their solicitor or counsel.
- 5.2 Each party will be entitled to address the members of the panel at the hearing and question any other party if given permission to do so by the panel. They will also be able to provide further information in support of their case on any points upon which the council has sought further clarification or explanation.
- 5.3 Each party will have the opportunity to make their representations and present their evidence. During the presentation of each case, each party category is allocated fifteen minutes to make their case. The time allocation can be altered at the chair's discretion according to the circumstances of each individual panel meeting. Any person who has not submitted a representation is not permitted to speak at the meeting unless they have notified the council in the notice of hearing document sent out 10 working days before the hearing that they are representing or assisting someone who has made a representation.
- 5.4 There is a presumption that any hearing will take place in public so that the sub-committee's decisions can be made in an accountable and transparent way, but on occasions it may be necessary to exclude the public and members of the press if the

sub-committee considers that it is in the public interest to do so. Members will consider that matter having regard to any exempt information which may need to be disclosed by any of the parties during the hearing.

- 5.5 If any party does not attend or are not represented at the hearing then the panel may take the following action:
- (a) When a party informs the council that they do not intend to attend or be represented at the hearing the panel will proceed in their absence unless it is in the public interest to adjourn the hearing to a new date. For example, if the council is informed a person cannot attend due to unforeseen personal circumstances such as illness, then the panel may adjourn the hearing to a new date.
 - (b) If any party fails to inform the council whether they intend to attend or be represented at a hearing then it is likely the panel will proceed in their absence unless there are exceptional circumstances making it necessary in the public interest to adjourn the hearing to a new date.
 - (c) Where the hearing proceeds in the absence of any party the panel will consider their representations or documentation contained in the agenda.
- 5.6 If for any reason the hearing is adjourned to a new date the council will notify all parties of the new date, time and place of the adjourned hearing as soon as practicable.
- 5.7 Further submissions produced at the meeting by persons who have made a representation or from the applicant, will only be considered by the panel with the agreement of all the parties present at the hearing.
- 5.8 The chair has the right to exclude any parties disrupting the hearing but will allow any excluded party to submit any information in writing which they would have given to the panel had they not been required to leave.
- 5.9 The panel will be assisted and advised by one of the council's solicitors or legal advisers and a democratic services officer will also be present to assist the members in providing a record of proceedings.
- 5.10 The licensing officer from the council will also be at the hearing to present a report and to offer advice, clarification and expertise based upon their professional knowledge of the application but without making any recommendations.
- 6.0 **Hearing procedure**
- 6.1 Election of chair - the panel will elect a chair for the hearing (if not previously appointed) in the presence of the parties.
- 6.2 Welcome and introductions - the chair will open the meeting, introducing the members of the panel and officers to the parties and then invite the parties or their respective representatives to introduce themselves.

- 6.3 Outlining the procedure – the chair will then outline the nature of the application, the decisions to be taken and the procedure to be followed. If there are any preliminary issues made in any of the party response forms, those issues will be addressed and determined at this stage.
- 6.4 Licensing officer's report – the hearing will begin with a presentation by the council's licensing officer who will outline the application, any relevant representations received and deal with all policy and statutory guidance matters by reference to their report. members of the panel may then ask any relevant questions of the licensing officer.
- 6.5 The parties' cases – the chair will invite the respective parties to present their cases in the following order:
- (a) the applicant (in a grant or variation application this would be the proposed licence holder or current licence holder. In a review, it could be the responsible authority or member of the public)
 - (b) each responsible authority who have made representations (in a review (a) and (b) would be reversed as the responsible authority would be the applicant)
 - (c) any other person who has made a representation
- and on each occasion the cases will be dealt with in the following way:
- (a) the relevant party shall address the panel and present any witnesses
 - (b) members can then ask relevant questions
 - (c) the other relevant parties involved in the application can then ask relevant questions (the licensing officer who presented the report may also ask relevant questions but these would only generally be points of clarification)
 - (d) Cross examination is not permitted. The meeting takes the form of a discussion.
- 6.6 Final submissions/summary – each party will be given the opportunity by the chair to summarise their respective cases if they wish. Final submission shall be made in the following order:
- (a) any other person who has made a representation
 - (b) each responsible authority
 - (c) the applicant or licence holder depending on type of application (a grant application would be the applicant, a variation would be the licence holder. A review would be the person or responsible authority who called the review)
- 6.7 Chair's final comments – the chair will invite the parties to state they have had a fair opportunity to put their respective cases. The panel will deal with any issues arising prior to retiring to make their decision.

7.0 After the hearing

- 7.1 At the end of the hearing, the panel will retire or ask everyone apart from its legal adviser and democratic services officer to leave the room while the panel considers its decision. The panel may call upon its solicitor or legal adviser, and the democratic services officer, if it needs legal or procedural advice.
- 7.2 If the panel wishes to clarify any point which arose during the hearing, it will recall all parties even if only one is asked for further explanation.
- 7.3 When the panel has made its decision, members will return to the room or invite the parties back into the room and the chair will report the decision of the panel to those present.
- 7.4 The chair will also inform them that a written decision notice explaining the reasons behind their decision will be sent to all parties.

8.0 Record of proceedings

- 8.1 The democratic services officer shall prepare a record of the panel's proceedings which shall be signed by the chair of the panel.
- 8.2 The record of the proceedings shall be retained by the council for a period of at least 6 years from the date of determination or the disposal of any appeal.

Updated October 2021

Licensing Acts Panel



Report of Head of Legal and Democratic
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To: Licensing Acts Panel
DATE: 22 May 2023

REPORT NO:

Application for a premises licence for The Green Room, 48 Market Place, Henley-on-Thames, RG9 2AG

Recommendation

That the panel consider the application for a premises licence and the relevant representations and decide whether to a) grant the licence as applied for, b) grant the licence after modifying any conditions to such extent as the authority considers appropriate for the promotion of the licensing objectives, c) exclude from the scope of the licence any of the licensable activities to which the application relates, d) refuse to specify a person in the licence as the premises supervisor or e) reject the application.

Purpose of Report

- 1 To present the facts and relevant representations received in respect of an application for a premises licence for The Green Room, 48 Market Place, Henley-on-Thames, to the Licensing Acts Panel in order that it can determine the application under Section 18 of the Licensing Act 2003.

Strategic Objectives

- 2 The relevant strategic objectives are 'Openness and accountability' and 'Improved economic and community wellbeing'.

Background

- 3.1 The Licensing Act 2003 ('the Act') established a single integrated scheme for licensing premises which are used for the supply of alcohol, regulated

entertainment, late night refreshment or permission to carry on some or all of these activities. In the Act these activities are referred to collectively as the 'licensable activities'.

3.2 A Licensing Authority must carry out its function under the Act with a view to promoting the four licensing objectives. The licensing objectives are:

- prevention of crime and disorder
- public safety
- prevention of public nuisance
- protection of children from harm.

In carrying out its functions, the Licensing Authority must also have regard to its statement of licensing policy and any guidance issued by the Secretary of State (section 182 guidance).

3.3 Licences will normally be granted by the licensing officer under delegated powers but in the event of relevant representations being received regarding the grant of a premises licence, and where these representations cannot be resolved through any mediation process, the application is referred to the Licensing Acts Panel to be determined.

3.4 On 22 March 2023 an application for the grant of a new premises licence was submitted by Green Room Enterprises Ltd for The Green Room, 48 Market Place, Henley-on-Thames, RG9 2AG. A copy of the form is attached at **Appendix A**. The application is for licensable activities, as follows:

Licensable Activity	Proposed Days and Times
Live music	Monday to Sunday 0900 - 0100
Recorded music	Monday to Sunday 0800 - 0100
Activities similar to music & dance	Monday to Sunday 0900 - 0100
Late night refreshment	Monday to Sunday 2300 - 0030
Supply of alcohol	Monday to Sunday 1100 - 0030
Hours premises are open to the public	Monday to Sunday 0800 - 0100

3.5 A representation has been received from Environmental Protection in respect of this application, which can be found at **Appendix B**.

3.6 The Environmental Protection Officer has recommended that the terminal hour of all licensable activities is amended to 23:00. Alternatively, if the panel do not determine to amend the licensable activity hours, the following conditions are recommended to be added to the licence:

1. 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 Housing and Environment. The scheme must be fully implemented to the satisfaction of the Head of Housing and Environment prior to any regulated entertainment.

2. The management of these premises shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to undue disturbance, amounting to a nuisance, to local residents or businesses.
3. The management shall ensure that no open glassware or other drinking vessels belonging to the premises are taken outside.
4. During any live music, recorded music and regulated entertainment, or in any case after 21:00, all external doors (including lobby doors) and windows to the premises shall remain closed, other than for access and egress.
5. All refuse and bottles shall be disposed of in bins quietly so as not to disturb local residents. There shall be no disposal of glass bottles outside between 21:00 hours and 08:00 hours.

3.7 A total of 17 representations have been received from other persons, see **Appendices C to S**. The representations raise concerns as follows:

- Music and customer noise from the premises will cause disturbance to local residents
- The hours proposed in the application are excessive and extend too late in the evening
- Customers stood outside the premises (e.g. smokers) will be a source of nuisance and a public safety issue. Because there is not external area within the curtilage of the premises, there is nowhere to stand but on the pavement.
- The size of the premises is unsuitable for the activities proposed
- Potential for an increase in anti-social behaviour

3.8 It is noted that some of the comments contained within the representations cannot be considered relevant under the Licensing Act 2003. For a comment to be considered relevant, it must relate to the activities that have been applied for, and one or more of the licensing objectives set out at 3.2 above. Points that cannot generally be considered relevant are that there are sufficient alternative licensed premises already available within the town centre, problem parking and that granting the licence will set a precedent for other future applications.

3.9 It should be noted that the applicant is able to make use of the Live Music Act 2012 and the Legislative Reform (Entertainment Licensing) Order 2014 exemptions. This means that no licence is required to play live and recorded music in a premises licensed for the sale of alcohol between the hours of 08:00-23:00 where attendance is limited to 500 persons. Any conditions which relate to live music and recorded music will also not have effect between these hours unless these are added by a panel as a result of a review of the premises licence at a later stage.

- 3.10 A map showing the location of the premises is attached at **Appendix T**. This map indicates the approximate residential location of any other persons who have made representations as indicated in the above paragraph(s).

Policy and guidance

- 4.1 The relevant sections of the council's statement of licensing policy are as follows:

3.8 The Licensing Authority deals with the issue of licensing hours on the individual merits of each application and will consider the measures proposed to deal with the potential for nuisance and/or public disorder. However, when issuing a licence with hours extending beyond 11pm, higher standards of control need to be included in operating schedules in order to promote the licensing objectives, especially for premises, which are situated in, or near, residential areas or in areas where crime and/or anti-social behaviour is an issue.

3.11 Conditions attached to various authorisations will be focused on matters which are within the control of licence holders, and will focus primarily on the direct impact of any activities taking place at those premises on those living, working, or otherwise engaged, in the area concerned.

3.13 Conditions shall be appropriate and proportionate to achieve the promotion of the licensing objectives, and shall be tailored to suit the circumstances and premises. Conditions will not be attached where adequate legislative control exists.

5.1 The public safety objective is concerned with the physical safety of anyone using or adjacent to licensed premises. Applicants should carefully consider how they intend to promote the public safety objective in their operating schedule.

5.2 Where applicants consider that the public safety objective could be compromised by their intended activities, they are encouraged to contact the relevant council's Food and Safety team and/or the fire authority as the most relevant responsible authorities for guidance. Other organisations such as the Safety Advisory Group (SAG) will be able to offer advice. Contact details for these authorities/groups are available from the Licensing Authority.

5.20 The following should also be considered:

- Disabled access and evacuation
- Emergency procedures
- Special risks such as lasers or fireworks

6.1 Public nuisance is a broad concept, which concerns how the activity of one person (or business) affects the amenity of other persons living and working in the area of the licensed premises, for example, how noise from playing music interferes with another person's right to sleep, or adverse impacts from light or odour.

6.2 The Act requires, and the Licensing Authority expects, applicants to demonstrate within their operating schedule how they intend to prevent public nuisance arising. This will be of particular importance where there are residential properties in the vicinity of the licensed premises.

6.3 When appropriate on application or review the Licensing Authority will consider the adequacy of proposed measures to remove or effectively manage the potential for public nuisance, anti-social behaviour and other crime which may impact on the promotion of the licensing objectives.

6.4 When an operating schedule does not sufficiently address the prevention of public nuisance the Licensing Authority will consider all reasonable conditions suggested by responsible authorities in any relevant representation to prevent public nuisance. In some locations it may be appropriate and proportionate to limit opening hours, the times of licensable activities or the types of licensable activities taking place.

6.11 Noise can come either directly or indirectly from licensed premises. Direct noise, such as that from entertainment activity, will be under the premises' direct control. Indirect noise, such as that from vehicles and customers coming to and from the premises may not be under direct control, but the premises can strongly influence it. Both types of noise will be of more significance in areas with residential accommodation and will usually, but not exclusively, be of greater importance between 11pm and 7am. However it must be noted that noise and disturbance can also cause public nuisance outside these times. The operating schedule should identify the control measures that will be taken to minimise the impact of both types of noise on neighbouring residents and businesses.

6.13 Noise and disturbance from people outside can cause public nuisance even when those people are not behaving badly. The operating schedule should identify the control measures that will be taken to minimise the impact of use of outside areas. This may include noise and disturbance from customers on the premises and customers in outdoor areas such as terraces, beer gardens and smoking areas. It will also include noise, disturbance and obstruction from customers in the vicinity of the premises including customers congregating outside premises to smoke or drink, customers arriving, leaving or queuing outside premises.

6.15 Amendments to the Act have removed the requirement for licensing of a wide range of entertainment between the hours of 8am and 11pm. This does not reduce the risk of noise nuisance occurring. The risk increases when the entertainment takes place in the open air or within a marquee. Steps should be taken to prevent noise and vibration from entertainment causing nuisance. This may include noise from music, human voices and other forms of entertainment whether amplified or not. Consideration should also be given to ensure noise is not audible at sensitive locations such as dwellings, hospitals, hotels and other business premises. Any noise should also not cause unreasonable disturbance to the wider public, such as passers-by and people using public facilities. The Environmental Protection team are responsible for dealing with noise complaints arising from unregulated entertainment

9.7 The licensing panel will determine each case on its individual merits whilst having regard to the legislation, the Secretary of State's guidance and this policy. Where the licensing panel determines that it is appropriate and proportionate to attach conditions to a licence or certificate it will ensure that those conditions are focused on the direct impact of the activities taking place at the premises concerned. Such conditions will be proportionate to the activity to be controlled and will only be imposed in the interests of promoting the licensing objectives.

4.2 The relevant sections of the Secretary of State's guidance issued under section 182 of the Licensing Act 2003 are as follows:

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

1.16 Licensing conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. They should be proportionate, justifiable and be capable of being met.

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

8.41 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

8.42 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants' proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact assessment), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management

and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

8.45 The majority of information which applicants will require should be available in the licensing policy statement in the area. Other publicly available sources which may be of use to applicants include:

- the Crime Mapping website;
- Neighbourhood Statistics websites;
- websites or publications by local responsible authorities;
- websites or publications by local voluntary schemes and initiatives; and
- on-line mapping tools.

8.46 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

8.47 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

8.48 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.

8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the consideration given to the licensing objectives and any measures that are proposed to promote them.

9.12 Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore

consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing

9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.

10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention and be appropriate and proportionate for the promotion of the licensing objectives

10.8 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

4.3 The licensing panel may also wish to view relevant case law as follows:

East Lindsey District Council v Abu Hanif (2016) High Court stated case reaffirms the prospective nature of the Licensing Act and how licensing authorities and courts should approach the promotion of the licensing objectives. It reaffirms that they require a "prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence."

R (on application of Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court and Others (2011) EWCA Civ 312 also states how licensing authorities should approach licensing decision making:

"They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact."

Sourced from: <https://www.gov.uk/government/publications/alcohol-licensing-using-case-law/alcohol-licensing-using-case-law>

Options

- 5.1 In determining the application the authority must give weight to:
- representations received from responsible authorities
 - relevant representations received from other persons
 - the Secretary of State's guidance issued under Section 182 of the Licensing Act 2003
 - the council's statement of licensing policy and
 - the steps appropriate to promote the licensing objectives
- 5.2 In view of the above, the panel is requested to consider the application for a premises licence and decide whether to:
- (a) grant the licence as applied for
 - (b) grant the licence after modifying any conditions to such extent as the authority considers appropriate for the promotion of the licensing objectives
 - (c) exclude from the scope of the licence any of the licensable activities to which the application relates
 - (d) refuse to specify a person in the licence as the premises supervisor, and/or
 - (e) reject the application.

Financial Implications

- 6 Should the applicant or any other person wish to appeal against a decision of the council, they may do so to the magistrates' court. The council would incur costs should this occur, although the court may decide to award costs if the council's decision was upheld.

Legal Implications

- 7.1 The Human Rights Act 1998 requires public bodies to ensure everything they do is compatible with Convention Rights and makes it unlawful for a public authority to act incompatibly with those rights. When determining whether to grant the application the panel will be aware of human rights considerations, specifically Part 1, Article 6, the right to a fair trial, Part 2 and Article 8 the right to respect for private and family life for those making representations.
- 7.2 The hearing of all applications is subject to the principles of natural justice.
- 7.3 Section 17 of the Crime and Disorder Act 1998 states, 'without prejudice to any other obligation imposed on it, it shall be the duty of each authority to exercise its various functions with due regard to the likely effect of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area'.

- 7.4 Under Schedule 5, Part 1 of the Licensing Act 2003, any person aggrieved by the decision in respect of the application may appeal to a Magistrates' Court within 21 days of the date of the decision.

Conclusion

- 8 This report provides information submitted by the applicant, responsible authorities and other persons. The panel should determine this application with a view to promoting the four licensing objectives. It must, having had regard to all the relevant representations and the evidence it hears, determine the application using the options outlined in section 5 of this report.

Background Papers

- Appendix A – application form and plan
- Appendix B – representation Environmental Protection
- Appendix C – representation Molina
- Appendix D – representation Dicker
- Appendix E – representation Trudeau
- Appendix F – representation Shaw
- Appendix G – representation Pattie
- Appendix H – representation Shlewet
- Appendix I – representation Greenhalgh et al.
- Appendix J – representation Hall
- Appendix K – representation Burness
- Appendix L – representation Wheatley
- Appendix M – representation James
- Appendix N – representation Baines
- Appendix O – representation Bareham
- Appendix P – representation Caminada
- Appendix Q – representation Bradley
- Appendix R – representation Greenwood
- Appendix S – The Henley Society
- Appendix T – location plan

Appendix A

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We GREEN ROOM ENTERPRISES LTD

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description 48 MARKET PLACE			
Post town	HENLEY ON THAMES	Postcode	RG9 2AG
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£18,000	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales | <input type="checkbox"/> | please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes if you are
Nationality BRITISH					
Current residential address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service) the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information).					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes if you are
Nationality					
Current residential address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service) the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information).					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Green Room Enterprises Ltd
Address The Bam 11a Queen Catherine Road, Steeple Claydon, Buckingham, England, MK18 2PZ
Registered number (where applicable) 14704224
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any) 07495326637
E-mail address (optional) BEN@8RAY.GROUP

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	0	04 20 23

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

THE PREMISIS IS A SMALL EX- PUB LOCATED IN HENLEY ON THAMES TOWN CENTER.

THERE ARE 3 FLOORS, BASEMENT – OFFICE SPACE, GROUND FLOOR- CAFÉ & SEATING, TOP FLOOR – FLATS (NOT ACCESS TO US).

WE WILL BE USING THE PREMISIS AS A SHARED OFFICE SPACE WITH FOOD, DRINKS, MUSIC IN A CAFÉ LOUNGE SETTING. THE BAR OPTIONS WILL BE MINIMAL AS NOT THE CORE BUSINESS BUT WE WOULD LIKE ALCOHOL OPTIONS AVAILABLE TO OUR CUSTOMERS.

FOOD OPTIONS WILL BE QUICK SERVICE, WITH TEAS, COFFEE, SOFT DRINKS WITH A SMALL SELECTION ON ALCOHOL OPTIONS AVAILABLE TO OUR CUSTOMERS.

MUSIC OPTIONS WILL BE PRE-RECORDED BACKGROUND MUSIC AND LIVE OPTIONS A FEW TIMES A WEEK.

OCCASIONALLY SPORT WILL BE SHOWN ON TV SCREENS INSIDE THE PROPERTY.

THE PROPERTY HAS NO OUTSIDE DINING SPACE THAT CAN BE USED BY THE PUBLIC.

THERE IS PARKING AVAILABLE TO CUSTOMERS TO THE SIDE OF THE PROPERTY OR IN TOWN WITH A 5 MINUTE WALK TO OUR SITE.

MAX CAPACITY OF THE SITE STANDING WILL BE UNDER 200 PEOPLE.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?
(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2) Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed				<u>State any seasonal variations for performing plays</u> (please read guidance note 5)	
Thur					
Fri				<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)		
Day	Start	Finish			
Mon					
Tue					
Wed			State any seasonal variations for indoor sporting events (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	9:00AM	1:00AM	Please give further details here (please read guidance note 4) WE ARE LOOKING TO SHOWCASE LIVE MUSIC AND AUDITION NEW TALENT TO BECOME PART OF OUR ROSTER. BANDS WILL BE ABLE TO BE BOOKED IN THE DAYTIME AND EVENINGS AS A MUSIC OPTION FOR CUSTOMERS TO LISTEN TOO. THIS WILL BE USED TO NUTURE TALENT AND PROMOTE ACTS. 30 MINUTE COOLDOWN ON MUSIC PAST 12.30AM	Both	<input type="checkbox"/>
Tue	9:00AM	1:00AM			
Wed	9:00AM	1:00AM	State any seasonal variations for the performance of live music (please read guidance note 5) SOME OF THE LIVE MUSIC WILL BE AMPLIFIED. BUT IT WILL DEPEND ON WHAT ACTS WE WILL BE SHOWCASING AT THE TIME.		
Thur	9:00AM	1:00AM			
Fri	9:00AM	1:00AM	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) NONE		
Sat	9:00AM	1:00AM			
Sun	9:00AM	1:00AM			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	8:00AM	1:00AM	Please give further details here (please read guidance note 4) LOW LEVEL RECORDED MUSIC WILL BE PLAYED AS BACKGROUND NOISE TO CREATE AN ATMOSPHERE FOR OUR GUESTS.	Both	<input type="checkbox"/>
Tue	8:00AM	1:00AM			
Wed	8:00AM	1:00AM	State any seasonal variations for the playing of recorded music (please read guidance note 5) NA		
Thur	8:00AM	1:00AM			
Fri	8:00AM	1:00AM	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	8:00AM	1:00AM			
Sun	8:00AM	1:00AM			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing WE MAY PROMOTE OCCASIONAL EVENTS TO SHOWCASE LIVE ACTS, PROMOTE LOCAL TALENT AND BUILD ON OUR EVENTS STRATEGY FOR THE LOCAL AREA.		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	9:00AM	1:00AM		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	9:00AM	1:00AM	Please give further details here (please read guidance note 4) LIVE BANDS, DANCING, EVENTS WITH FOOD & DRINK 30 MINUTE COOLDOWN ON SUPPLY OF ALCOHOL FROM 12.30AM		
Wed	9:00AM	1:00AM			
Thur	9:00AM	1:00AM	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5) NONE		
Fri	9:00AM	1:00AM			
Sat	9:00AM	1:00AM	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6) NONE		
Sun	9:00AM	1:00AM			

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		
Day	Start	Finish		Indoors	<input checked="" type="checkbox"/>
Mon	11:00PM	12:30AM		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11:00PM	12:30AM	Please give further details here (please read guidance note 4) OCCASIONAL EVENTS WILL TAKE PLACE ONSITE (INSIDE) TO PROMOTE THE VENUE AND ITS TALENT. THESE EVENTS WILL BE PRE ARRANGED AND WILL INCLUDE FOOD, LIVE MUSIC AND LATE NIGHT REFRESHMENTS.		
Wed	11:00PM	12:30AM			
Thur	11:00PM	12:30AM	State any seasonal variations for the provision of late night refreshment (please read guidance note 5) NONE		
Fri	11:00PM	12:30AM			
Sat	11:00PM	12:30AM	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) NONE		
Sun	11:00PM	12:30AM			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) NONE		
Mon	11:00AM	12:30AM			
Tue	11:00AM	12:30AM			
Wed	11:00AM	12:30AM			
Thur	11:00AM	12:30AM			
Fri	11:00AM	12:30AM			
Sat	11:00AM	12:30AM			
Sun	11:00AM	12:30AM			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) NONE		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name RODNEY BENNETT	
Date of birth :	
Address .	
Postcode	.
Personal licence number (if known) 05/0489	
Issuing licensing authority (if known) HIGH WYCOMBE DISTRICT COUNCIL	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
 NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) NONE
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) NONE
Mon	8:00AM	1:00AM	
Tue	8:00AM	1:00AM	
Wed	8:00AM	1:00AM	
Thur	8:00AM	1:00AM	
Fri	8:00AM	1:00AM	
Sat	8:00AM	1:00AM	
Sun	8:00AM	1:00AM	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

A personal licence holder, or a nominated duty manager is to be present during licensable activities.

The licence holder shall actively engage with the local authority and/or police to resolve any issues that arise at the premises.

Our CCTV will be held for 31 days and made available to local authorities upon request.

We will operate a Challenge 25 policy at all times, keep a detailed refusal log and maintain a detailed incident log that is completed during every single shift.

We will always look to work closely with our local nominated Security Team CSE Solutions Ltd, we will deploy SIA trained security staff when our risk assessments deem necessary.

We will put up signs asking guests to leave quietly.

Opening hours will be 9:00-01:00 with closedown starting at 12:30am. Drinks purchased in our venue are to be consumed on our premises only.

All staff employed (whether paid or unpaid) in the sale of alcohol shall be trained in respect of the law relating to the sale of alcohol, proxy purchases, identification checking, the company's proof of age policy and the procedure on handling and recording refusals. Refresher training shall be carried out every six months. Such training sessions are to be documented and records shall be kept for a minimum of one year and be made available upon request to an authorised officer of the council, Trading Standards and Thames Valley Police.

b) The prevention of crime and disorder

CCTV in place and held for 31 days.

SIA trained security staff will prevent entry to anyone they deem drunk, and disorderly & they will have the right to search individuals before entering our premises to minimise risk.

The CCTV System will be checked for faults and any maintenance issues every 14 days. This will be logged in a separate CCTV Maintenance Logbook.

We will work and be active with the local Neighbourhood watch & Pub Watch groups.

c) Public safety

We have full Risk Assessments & Method Statements for all our activities within the venue.

Full staff training is provided by the Head of Operations, on Health & Safety, Fire Safety & First Aid.

A personal licence holder, or a nominated duty manager is to be present during licensable activities.

A refusal log, management log & incident log will be filled out every shift. This will be made available on request to an authorized person or police.

First point of contact will be just inside the venue and be done by a senior member of our trained front of house team; or by qualified SIA trained security staff when appropriate.

Hosts and our SIA trained security staff will also help to promote public safety, any instore pinch points and external, line management when required.

d) The prevention of public nuisance

The management of these premises shall devise and implement a written noise management policy, which shall be made available upon request to an authorised officer of the council, Environmental Health and Thames Valley Police.

During any regulated entertainment, or in any case after 10PM, all external doors (including lobby doors) and windows to the premises shall remain closed, other than for access and egress.

Prominent, clear and legible notices are to be displayed and maintained at all exits requesting customers to respect the needs of local residents and to leave the premises and area quietly. All reasonable steps shall be taken to ensure that people entering or leaving the premises do so in an orderly manner and do not in any way cause annoyance to residents and people passing by the premises.

Also we will have a 30 min cooling down period so guests can relax and leave quietly at the end of the day.

No glass bins will be emptied outside after 22:00.

If any large groups of our guests congregate outside our premises after we close, we will disperse them. Also to work with the security on procedures on how to allow people to leave the venue during the early hours.

Any speakers should face away from all entrances/exits to the Premises.

During operating hours, the DPS 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.

e) The protection of children from harm

Children are allowed inside the venue until 19:00.

We use Challenge 25 Policy within the venue & ask for ID on anyone we believe to be under 25. The only forms of acceptable IDs in our venue is photo card driving licenses, passports or proof of age cards bearing the PASS hologram.

A poster advising potential purchasers that Challenge 25/Think 25 is in operation and that suitable proof of age will be required for all purchasers who appear to be under 25.

- Checklist:** **Please tick to indicate agreement**
- I have made or enclosed payment of the fee.
 - I have enclosed the plan of the premises.
 - I have sent copies of this application and the plan to responsible authorities and others where applicable.
 - I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
 - I understand that I must now advertise my application.
 - I understand that if I do not comply with the above requirements my application will be rejected.
 - [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

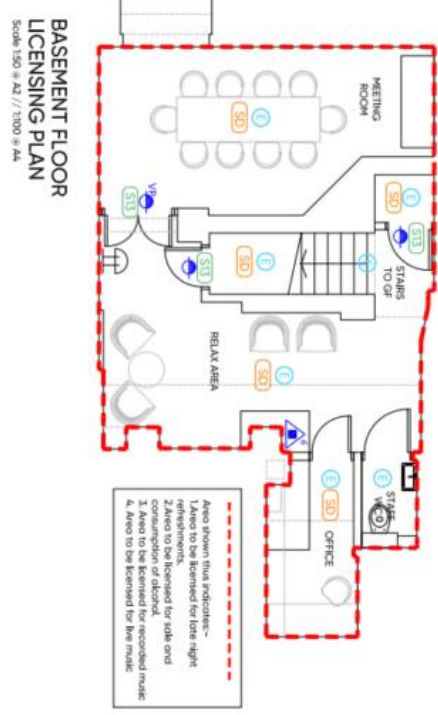
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	20/03/23
Capacity	Operations Director



Area shown thus indicates:
1. Areas to be licensed for late night refreshments.
2. Areas to be licensed for sale and consumption of alcohol.
3. Areas to be licensed for recorded music.
4. Areas to be licensed for live music.

Fire safety installation legend

- ▲ Dry Powder Extinguisher
- ▲ Wet Chemical Extinguisher
- ▲ Foam Extinguisher
- ▲ CO₂ Extinguisher
- ▲ Fire Blanket
- All fire extinguishers to have physical protection wall fire wall
- Fire alarm call point (BS 5839)
- Area covered by smoke detector (BS 5839)
- Area covered by heat detector (BS 5839)
- Area covered by void smoke detector (BS 5839)
- Sign - FIRE DOOR KEEP SHUT
- Sign - FIRE DOOR KEEP LOCKED
- Sign - FIRE DOOR KEEP LOCKED
- 75mm letters to both sides of door leaf

Fire safety equipment legend

- Sign - FIRE EXIT KEEP CLEAR
- 75mm letters to external face of door leafs
- Sign - Internally illuminated FIRE EXIT or graphic equivalent - 75mm high letters
- Area covered by alarm sounder (set high level to be signed on site)
- Area covered by visual and audible alarm sounder (set high level to be signed on site)
- Aisle covered by emergency luminaires
- Aisle covered by emergency luminaires provided to the Fire Authority
- Vision Panel
- FD035 - Fire Door
- FD045 - Fire Door
- The Alarm Panel



- Licensing - Fire Safety Requirements**
1. Doors 5 positions required to be fire resisting one to be in accordance with British Standard B.S. 476 Pt. 3.
 2. Fire resisting doors required to meet the passage of smoke of equivalent fire resistance to be achieved in accordance with B.S. 476 section 311, to be fitted with a smoke seal.
 3. The fire alarm system to comply with British Standard B.S. 5839.
 4. The emergency lighting installation to comply with British Standard BS46 Pt.1.
 5. Illuminated EXIT signs one to conform to British Standard B.S. 2560.
 6. Fire fighting equipment to conform to British Standard B.S. 5423.
 7. The safety related signs & notices one to conform to British Standard B.S. 5449 Pt.1.
 8. Wall & ceiling linings one to be class 1 surface spread of flame (as defined in British Standard B.S. 476 Pt. 1) in non-public areas & class 0 (as defined in the Building Regulations) in circulation spaces.
 9. Upholstered seating furniture should satisfy, as a minimum standard, ignition source). (Ignitave test) specified in British Standard B.S. 5852 Pt.1. Fire tests for furniture - Methods of test for ignitability by smokes 5852 Pt.2. Fire tests for furniture - Methods of test for ignitability of upholstered components for testing by flaming source. For which letter standard crib ignition source 5 is the minimum requirement.
 10. Any fabrics which have received a flame retardant treatment should be independent confirmation to the above standards should be provided from an accredited test organisation.
 11. Coronas & drapes one to satisfy type B, performance requirements of British Standard B.S. 5867 Pt.2.
 12. Artificial ledge & other decorative effects one to be fire retardant to the satisfaction of the Fire Authority.
 13. Trade floor covering should be tested to British Standard B.S. 4790 (Effects of small ignition source not metal cut method).
 14. Vertically hung textiles should conform to British Standard B.S. 5438.
- A copy of the laboratory test report from an accredited testing laboratory identifying compliance of the linting components with the above mentioned British Standards must be forwarded to the Authority before installation & confirmation that the furnishings specified in the certificate have been installed in the premises.

DATE DUE	
CONSTRUCTION ISSUE	
AMENDED	Comment
By	Date
1	

Designstudio
ARCHITECTS & INTERIORS

EIGHT RAY

Project: 48 Market Place
Hereby on Thomas
RG9

181 Licensing Plan
Proposed

Issue AD
Date: 25.01.23

Project Ref: 1167/102/

Appendix B – Environmental Protection

Premises Licence Application – LAPREM/20822/23



Memo

To: Licensing, The Applicant
Response Date: 19 April 2023
From: Environmental Protection
Ask For: Martin Morgan
Tel: 07801203526

RE: Premises Licence Application
AT: 48 Market Place, Henley on Thames, South Oxfordshire, RG9 2AG

Thank you for consulting this Service regarding the above application.

I have reviewed the application and would like to make representation against the application. I am concerned that due to the residential location, the residential flat above and close proximity of other residential properties, the measures outlined in section M (d) of the application may not be sufficient to prevent a public nuisance.

The areas of concern are:

- Noise breakout from the building structure.
- Noise transmission throughout the building.
- Noise from people leaving the premises at the end of the night.
- Proposed hours of operation.

I believe that due to the semi residential location of the premises, the proposed mitigation measures and controls are not sufficient and that the licensing objective 'the prevention of public nuisance' will be undermined if the licence is granted as applied for and therefore, I wish to object to the grant of the licence. Should the authorised days/hours the premises is open to the public be amended to Monday to Saturday 08:00 to 23:00 and Sunday 08:00 to 22:00 then I will be happy for the licence to be granted without the need for a hearing.

If the authorised days/hours the premises is open to the public are not amended I would recommend that the conditions proposed below be added to their premises licence (should it be granted).

Proposed additional conditions:

1. 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 Housing and Environment. The scheme must be fully implemented to the

satisfaction of the Head of Housing and Environment prior to any regulated entertainment.

2. The management of these premises shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to undue disturbance, amounting to a nuisance, to local residents or businesses.
3. The management shall ensure that no open glassware or other drinking vessels belonging to the premises are taken outside.
4. During any live music, recorded music and regulated entertainment, or in any case after 21:00, all external doors (including lobby doors) and windows to the premises shall remain closed, other than for access and egress.
5. All refuse and bottles shall be disposed of in bins quietly so as not to disturb local residents. There shall be no disposal of glass bottles outside between 21:00 hours and 08:00 hours.

Kind regards

Martin Morqan

Environmental Protection Team|

Appendix C – representation Molina

From: Marilia Molina
Sent: 27 March 2023 09:55 AM
To: Licensing South <licensing@southoxon.gov.uk>
Subject: Premises license

Hi there

I live at flat Market Pl, Henley-On-Thames, England, RG9

In our property walls are very thin and we can hear all the noise, both from the flat above and from the previous coffee below. Even from the pub in the other corner!

I am aware that a new business is starting downstairs and they will have loud music till quite late! As it states on the premises license Noise is allowed till 1am Monday to Sunday!

I work every day and I get up very early in the morning. Therefore I go sleep early to be able to complete my activities. I do not have a night out life! How I am supposed to go sleep with disturbance everyday and be able to do my job?

My new neighbour upstairs have done a few meetings in her house with music and it has disturbed me - I have woken up around 11pm to ask to lower the volume.

I live in this place for months now, I know the landlord and I am very happy here I do not want to move however I am quite concerned with this new business downstairs and how loud that will be as they are allowed to have music on until 1am everyday.

We have a pub in the corner which is Hof's. Even being in the other corner, most of the nights we can hear EVERYTHING from my flat. People talking very loud and singing.

Therefore If there is lots of people chatting and loud music downstairs I know that this will be a disturbance.

Could I please ask this to be reviewed?
This is a residential area and we suffer with loud drunk people!
Please I kindly ask to change this as 1am is too late...

Looking forward to hear back from you
Best regards
Marilia

Appendix D – representation Dicker

From: Katy Dickie

Sent: 31 March 2023 06:27 PM

To: Licensing South <licensing@southoxon.gov.uk>

Subject: Notice of application by Green Room Enterprises Ltd - 48 Market Place, Henley-on-Thames, RG9 2AG

Dear Licensing Team,

We live at Market Place, Henley-on-Thames, RG9 and are writing to make representations against the application made by Green Room Enterprises Ltd for the premises 48 Market Place, Henley-on-Thames, RG9 2AG.

We have lived in our home at Market Place, RG9 since 2011. Previously the site (48 Market Place) was a licensed premises and the residential area we live in was disrupted by noise at unsociable hours and unsociable behaviour. When it was a licensed premises previously there was a larger area and garden. Nevertheless, customers of 48 Market Place still stood on the street which caused disturbance late at night and early morning.

The layout of the interior of 48 Market Place is small. Furthermore, it has residential properties both above and surrounding it. There is no outside space which can be used for smokers that will not disrupt residents. The small interior of the premises within a residential area makes it extremely unsuitable for late night live music, late night supply of alcohol and the provision of late night refreshments.

Reintroduction of late night supply of alcohol and introduction of late night live music will prevent us from being allowed to live in our home with quiet enjoyment.

We are deeply troubled by the prospect of this application being approved and the subsequent impact on the quality of our lives. We sincerely hope the fact that the premises are both surrounded by and below residential properties makes it obvious that this should not be approved.

Yours faithfully

Kathryn and Robert Dickie

Market Place, Henley-on-Thames, RG9 – telephone

Appendix E – representation Trudeau

From: Hilary Trudeau

Sent: 03 April 2023 03:22 PM

To: Licensing South <licensing@southoxon.gov.uk>

Cc: Philip Trudeau email

Subject: Objection to Premises Licence 48 Market Place Henley-on-Thames

Dear Sir/Madam

We live at Upper Market Place, Henley-on-Thames RG9 , and would like to object in the strongest possible terms to the application made by Green Room Enterprises Ltd for the premises 48 Upper Market Place, Henley-on-Thames, RG9 2AG, to be licensed for live music, alcohol and the serving of food until 1AM – 7 days a week.

Upper Market Place is almost exclusively residential, with old people and young families with children, one art gallery and a few commercial offices. In addition, West Street immediately behind the proposed licensed premises, is entirely residential.

There are two Public Houses nearby, The Row Barge and Hof's, both of which serve food and drink.

Our house is a family home opposite number 48, and it is currently in a very nice quiet area, with extremely limited parking.

Henley Town Council has been encouraging the residential nature and development of the town, with our own house recently having been a commercial restaurant now converted to a house.

Number 48 Market Place (the proposed new venue) has recently acquired planning permission for part-conversion from commercial to residential accommodation. The upstairs floors above the venue and adjacent accommodation to 48 Market Place are now 2 flats and a small cottage.

Such changes of commercial properties to residential has been encouraged by Henley Town Council, to reintroduce vitality and viability back into the town centre.

We believe that the now, much smaller, commercial premises at 48 Market Place are entirely unsuitable as a venue for the provision of late-night music, the sale of alcohol and late-night refreshments. There is no outside area for customers to stand to smoke other than in the street.

There will be a marked increase in traffic and parking problems due to people being dropped off and collected from outside the venue, with resultant increases in noise and anti-social behaviour.

Whilst loitering in Upper Market Place there may be damage or vandalism to our properties.

Upper Market Place is a residential area and is quiet and peaceful, and there are lots of other places in Henley where people can go for music, drinking and late-night food.

It would be inappropriate to open this late-night, live music venue in a quiet residential area, and it would severely affect our quality of life.

Yours faithfully
P.A. and H. Trudeau

Appendix F – representation Shaw

From: louise shaw

Sent: 04 April 2023 18:21

To: Licensing South <licensing@southoxon.gov.uk>

Subject: Notice of application by Green Room Enterprises Ltd - 48 Market Place, Henley-on-Thames, RG9 2AG

Dear Licensing Team,

I live at Market Place, Henley-on-Thames, RG9 and am writing to make representations against the application made by Green Room Enterprises Ltd for the premises 48 Market Place, Henley-on-Thames, RG9 2AG.

I have lived in my home at Market Place, RG9 since 2009. Previously the site (48 Market Place) was a licensed premises and the residential area we live in was disrupted by loud music at unsociable hours. When it was a licensed premises previously there was a larger interior area and garden. Even with the garden available, customers of 48 Market Place still stood on the narrow street corner offering up antisocial behaviour causing disturbances late into the night and early morning.

The layout of the interior of 48 Market Place is now far smaller. Furthermore, it has residential properties both above and surrounding it. There is no outside space which can be used for smokers that will not disrupt residents. The small interior of the premises within a residential area makes it extremely unsuitable for late night live music, late night supply of alcohol and the provision of late night refreshments.

Reintroduction of late night supply of alcohol and introduction of late night live music will prevent me from being allowed to live in my home with quiet enjoyment.

I am deeply troubled by the prospect of this application being approved and the subsequent impact on the quality of our lives. I sincerely hope the fact that the premises are surrounded by residential properties makes it obvious that this should not be approved.

Yours faithfully

Louise Shaw

Market Place, Henley-on-Thames, RG9 - telephone

Appendix G – representation Pattie

From: Graham Pattie

Sent: 12 April 2023 05:51 PM

To: Licensing South <licensing@southoxon.gov.uk>

Subject: licensing application 48 Market Place Henley Rg9 2AG by Green room enterprises

Hello,

I would like to object to this application and in particular the lengthy licensing hours.

This pub is adjacent to residential properties which would suffer disproportionately from noise and anti-social behaviour late into the night, seven days a week. Late night activities will lead to crime and disorder in the form of anti-social behaviour.

Adjacent properties are listed and unable to fit double glazing which might reduce the noise.

This location is not in the commercial centre of Henley but on the fringe with a predominantly residential street on one side of the premises. The application is in effect for a late night bar/nightclub of sorts that would drag the late night drinkers and antisocial behaviour out of the centre of town and into the residential neighbourhood. As such it would constitute a public nuisance.

Best regards

Graham Pattie

west st

Henley-on-thames RG9

Appendix H – representation Shlewet

From: Anis Shlewet

Sent: 12 April 2023 06:18 PM

To: Licensing South <licensing@southoxon.gov.uk>

Subject: Application by GREEN ROOM ENTERPRISES LTD

To Whom It May Concern

I live on West Street with my partner and our three year old daughter. The premises above is opposite our house and granting a license for music until 1am, 7 days a week will be a disaster for us and every other resident on West Street and the surrounding area.

Granting this license will make our lives hell as well as every other resident in the surrounding area.

Sincerely,
A. Shlewet

Appendix I – representation Greenhalgh et al.

West Street
Henley-on-Thames
RG9 2AG

Tel: _____

The Licensing Team
South Oxfordshire District Council
Abbey House, Abbey Close
Abingdon, OX 3JE

Dear Licensing Dept,

Re: Application for a Premises Licence Green Room, 48 Market Place, Henley-on-Thames, RG9 2AG

As residents living near the proposed "Green Room" we are submitting this objection to the proposed licence application by Green Room Enterprises Ltd, specifically the provision of live and/or recorded music, seven days a week until 1am, and serving alcohol and refreshments until 12.30am each night. We object on the following grounds:

1.) We are concerned about the noise which will be generated by the live or recorded music. We already suffer noise and disruption from music evenings at the adjacent pub Hof's (see attached map), typically on Saturday evenings. This is because the front door to the premises is always left open. We see no reason why this would not happen at the Green Room, and with summer approaching, especially as we are unaware of any air conditioning or noise reducing measures having been installed.

Although during the pandemic we have become used to quieter spaces, we are not averse to live music and indeed we (at West Street) purchased our property in full knowledge that the premises in question at that time was a popular, public house, (but one run by a competent landlord), not in effect a proposed night club. Hence residents in the immediate vicinity, and there are many, would be obliged to listen to music, whether they want to or not, quite likely in competition between the Green Room and Hof's. The granting of a licence would only, potentially make the situation worse, indeed it could become a nightly event. The attached plan shows the location of the two premises – the Green Room marked in green, with our property (marked in red) some 20 yards away. We are a listed property, situated in a conservation area and cannot, nor do we wish to, install double glazing.

2.) Anti-social behaviour. This is rarely adequately defined but the experience at Hof's, Magoos and other drinking establishments reflect that often people stand outside having loud discussions, with zero consideration for residents. A 12.30 am late night use licence would only exacerbate this problem with drinkers likely congregating there

having left places with earlier closing times. There are no readily available public order offences data as regards drunk & disorderly behaviour. As reported recently in the Financial Times¹, it is often not reported because "... the public don't have confidence anything will be done". It tends to manifest itself in vomit on the streets (as reported by BIFFA operatives) public urination (as I have witnessed) and broken bottles and the like. The last publicity was a reference to a fight outside the Magoos night Club in Hart Street on 12 December 2022. Henley no longer has a police station so there is no deterrent to such behaviour, other than during the annual Regatta.

3.) As a member of the Henley Residents Group and Henley Society, I recognise the important role which pubs and other licensed premises play in our community. However, I believe that Henley is well served in this regard by the other pubs, Club, wine bars in the Town. Awarding another premises licence would surely dilute the available spend at these other responsible premises and given the ravages on inflation would create an additional burden on them. It is noticeable that some pubs (eg Hofs) no longer open every day. Henley is already served by the nightclub Magoos in Hart Street, and accommodates those wishing to drink into the morning hours. Even Magoos is not open seven days a week and it is not surrounded by the density of residents as found in West Street, Gravel Hill and Market Place.

A final, yet highly relevant point is that in seeking a seven-day, 1.30 am licence the proposed licensee shows a total disdain for local residents and frankly it is disrespectful. We believe this raises severe concerns as to the licensee's concern for local residents, many of whom I'm sure he would presume were past their nightclub days (or nights). Consequently, we, the below-signed, believe this application by Green Room Enterprises Ltd, should be refused.

Yours faithfully

Sterl Greenhalgh, West Street,

_____ Helen & Ron Simms, West Street

_____ Tim & Edna Large, _____, West Street

_____ Carol Wallace, Market Place

CAROL BILLSON GRAYLE HILL

¹ Tuesday 11 April 2023 edition, p3, "Antisocial behaviour presents long-term test"



Appendix J – representation Hall

From: Colin Hall

Sent: 13 April 2023 06:59 PM

To: Licensing South <licensing@southoxon.gov.uk>

Subject: Planning application Green Rooms Enterprises 48 Market Place Henley-on-Thames

We have seen the planning application by Green Room Enterprises posted in 48 Market Place Henley-on-Thames for licensing for alcohol music and general entertainment up until 0100hrs.

We strongly object to this application on the grounds of

- likely noise during and after the hours proposed
- likely antisocial behaviour during and after the hours proposed

which will significantly impact all the residential properties in the West Street and Upper Market Place area.

Henley already has a wide range of licensed premises, it does not need any more.

The application should be declined.

Colin Hall

Market Place Henley-on-Thames RG9

Appendix K – representation Burness

From: jburness@axiomtwo.com <jburness@axiomtwo.com>
Sent: 14 April 2023 03:04 PM
To: Licensing South <licensing@southoxon.gov.uk>
Subject: Green Room Enterprises Premises Licence Objection

Dear Sir/Madam

I am the owner of West Hill Court, Kings Road, Henley on Thames, RG9 . I object to the possible granting of a premises licence allowing live and recorded music and extended licencing hours at 48 Market Place for the following reasons:

- 48 Market Place is in close proximity to numerous residential dwellings including one directly above in the same building. Continual late night music potentially every day of the week will be unpleasant and disruptive to residents interrupting the right to quiet enjoyment of their property.
- 48 Market Place has no outside beer garden which means that customers will spill out onto a dangerous road junction with fast moving traffic, either smoking or in various stages of intoxication. There will be a real danger of a serious and potentially life threatening accident if this licence is granted.
- There is a green space along the side of 48 Market Place. This is owned by the West Hill Court Management Company. The lack of outdoor facilities will tempt drinkers and smokers to this space thus encouraging continual trespass and nuisance along West Street.

Please contact me if you have any questions.

Best wishes

John Burness

Appendix L – representation Wheatley

From: Stuart Wheatley

Sent: 16 April 2023 11:08 AM

To: Licensing South <licensing@southoxon.gov.uk>

Subject: License Application 48 Market Place RG9 2AG

Dear Sir/Madam

I am writing to object to the application for a the above premise.

The proposed activities and times are as follows:

Application:-

- PROVISION OF LIVE MUSIC - 9:00 - 1:00AM MON TO SUN
- PROVISION OF RECORDED MUSIC - 8:00 - 1:00AM MON TO SUN
- ANYTHING ELSE OF A SIMILAR DESCRIPTION- 9:00 - 1:00AM MON
- TO SUN (OCCASIONAL EVENTS)
- PROVISION OF LATE NIGHT REFRESHMENTS: -23:00 - 12:30AM
- MON TO SUN
- SUPPLY OF ALCOHOL-11:00 - 12:30AM MON TO SUN

As I am sure you appreciate the premise are in a residential area and conservation area. Previous license applications for this and other nearby venues have taken this into consideration and limited the provision of live musical to one or two specific days and hours additionally restricted the serving of alcohol after 11:00 to specific days. This to minimise the impact of noise and any potential anti social behaviour that can occur.

There is also the issue of public safety the location of the premise and main entrance to the venue is on the junction of a very busy road intersection posing a risk to pedestrians and vehicles. Given the size of the development what measure to prevent overcrowding of the site and should they congregate on the corner of this junction or that of West Street, before, during or on leaving there is a significant risk of injury. This was why there are very clear restrictions at other nearby venues on the consumption of food and drink outside the venue.

Whilst I appreciate that the new Licensee is not related to the previous license holder of the "Queen Victoria", their license was revoked on several occasions for various reasons; I am not suggesting that this should prejudice their application but it does demonstrate that due diligence needs to be undertaken in consideration of the application.

Whilst my list is not exhaustive and I could elaborate further I would like you to consider these observations in reviewing the application.

I am attaching the current license for "Hof's" which provides a reference point and template for the last license granted within 25 metres of 48 Market Square. From which you can see there are several limitations to reflect the points above.

Many thanks

Stuart Wheatley

Westhill Court
Kings Road
Henley on Thames

Appendix M – representation James

From: Sue James

Sent: 16 April 2023 11:05 PM

To: Licensing South <licensing@southoxon.gov.uk>

Subject: Premises Licence application: 48 Market Place - Green Room

Dear Licensing Dept,

The above application, seeking a licence 7 days per week for live and recorded music from 8am till 1am and an alcohol licence until 12.30am, would adversely affect residents in the heavily populated residential areas of West Street, Market Place and Gravel Hill. in terms of noise and antisocial behaviour (which is already a problem for the Police and Town Council in Henley). The premises is also near the Town Hall and its parking spaces.

There are already two pubs, The Row Barge and Hofs, within a few hundred yards of each other - this proposal would add a third and the business sounds more than a local corner pub (which is what existed here before)

What is meant by "other associated activities" until 1am, 7 nights per week? Does it mean a nightclub?

For the peace of residents, users of the Town Hall and policing of anti-social behaviour in Henley, I would suggest this application is refused.

Yours faithfully,

Sue James
Gravel Hill
RG9

Appendix N – representation Baines

From: Liz Baines

Sent: 17 April 2023 12:09 PM

To: Licensing South <licensing@southoxon.gov.uk>

Subject: Green Room Enterprises Ltd - License

Hi

We are the Property Managers for West Hill Court, Kings Road, RG9 2DF.

The Leaseholders have asked me to contact you on their behalf regards Green Room Enterprises Ltd's application for a premises license.

The Leaseholders have only just been made aware of the application and would strongly object to these licenses being approved.

They believe that if these licenses are granted it would cause disturbance and unnecessary stress to the Residents at West Hill Court.

Kind Regards

Liz Baines

Property Manager



Property Management for the Modern World

Appendix O – representation Bareham

From: John & Anthea Bareham

Sent: 17 April 2023 02:48 PM

To: Licensing South <licensing@southoxon.gov.uk>

Subject: Application for premises licence 48 Market Place Henley on Thames RG9 2AG

Dear Sir/Madam

I wish to strongly object to this application for the following reasons.

1. The premises are situated in conservation area and therefore totally inappropriate
2. It is also a residential area and therefore likely to be a source of loud music late at night,
drunken antisocial behaviour, and the possibility of patrons spilling onto a dangerous corner of a busy road junction and causing a serious accident.
3. The owners of this establishment will no doubt promise to limit the noise, ensure good behaviour, and generally observe all limitations placed on them, but their patrons will, inevitably, especially after a few drinks, ignore any limitations placed on them

This application is essentially for a full facility nightclub operating in a totally inappropriate area, an operation more suited to an industrial estate than the centre of a small market town.

John Bareham

tel:

skype:

Appendix P – representation Caminada

From: Charlie Caminada

Sent: 18 April 2023 10:16 AM

To: Licensing South <licensing@southoxon.gov.uk>

Subject: Re: URGENT for TODAY. Green Room Enterprises Ltd, 48 Market Place, Henley-on-Thames, RG9 2AG. OBJECTION TO APPLICATION

To Whom it May Concern,

The residents of West Hill Court (9 housings) on the Kings Road next to 48 Market Square in Henley-on-Thames wish to object very strongly to the application for permission by Green Room Enterprises Ltd to be granted an alcohol license from 11am to 12.30am Monday to Sunday, live entertainment from 9am to 1am Monday to Sunday and recorded music from 8am to 1am also from Monday to Sunday.

This application is a disgrace. This is a residential and conservation area in Henley and these applications are completely against and highly damaging to preserving the quality, status and the unique character of the town.

Our collective view is that if successful, this application will greatly create drunken and disorderly behaviour, potential crime with use of drugs and noise levels seven days a week that are totally unacceptable. It would also go against the very character and historical nature of Henley as well as severely affect the lives of many in a beautiful conservation area.

We will fight down this application in the strongest way.

Yours sincerely,

Charles Caminada
West Hill Court,
Kings Rd,
RG9

Appendix Q – representation Bradley

From: Janet Bradley

Sent: 17 April 2023 06:29 PM

To: Licensing South <licensing@southoxon.gov.uk>

Subject: Green Room Enterprises Ltd 48 Market Place, Henley on Thames, RG9 2AG

Dear Sirs

I live at West Hill Court, RG9

And object strongly to a licence being granted for

Provision of Live Music

Provision of Recorded Music

Anything Else of a similar Nature

Supply of Alcohol

For the hours mentioned as they are quite out of keeping in a residential area. My kitchen and bedroom windows are directly facing windows 49 Market Place. I was shown the area in the interior of the room where the applicant intends to play music and there is a window exactly opposite my bedroom.

Yours sincerely

Janet Bradley

Appendix R – representation Greenwood

From: Vivienne Greenwood

Sent: 18 April 2023 12:21 PM

To: Licensing South <licensing@southoxon.gov.uk>

Subject: Application for Premises License, 48 Market Place, Henley on Thames RG9 2AG

As West Street residents, we object to the granting of a late night, 7 days a week, licence to Green Room Enterprises on the following grounds:

- 1.
- 2.
3. Excessive noise from live/recorded music 7 days a week till
4. the early hours.
- 5.
- 2.
- 3.
4. The likelihood of late night anti-social behaviour, potentially,
5. on any night of the year.
- 6.
- 3.
- 4.
5. With many pubs closing or restricting their opening hours,
6. Henley has sufficient late night opening venues. The previous pub on that site, the Victoria, closed several years ago and two subsequent hospitality ventures there have also failed.
- 7.

The Licensing Authority needs to be aware that the police station in Henly is only manned in day-time hours.

In conclusion, this licence should not be granted. It requests 7 days a week, 365 days a year late-night provision with scant regard for potential disruption to others in the locality. This is particularly relevant given the concentration of residential development in the immediate neighbourhood.

Viv & Derek Greenwood
West Street
Henley on THames
RG9

Appendix S – Representation The Henley Society

From:

Sent: 18 April 2023 08:29 PM

To: Licensing South <licensing@southoxon.gov.uk>

Subject: Application for premises licence at the Green Room, Market Place, henley on Thames.

Sirs,

Apologies for the late response to this application; we understand the deadline is Wednesday 19th April.

The Henley Society strongly objects to this application on the following grounds-

- The hours applied for are too long - Music 7 days a week until 1am, including selling alcohol until 12.30am is not acceptable in a heavily populated area such as this.
- Precedent will be set for other similar premises (and we note that the PH on the opposite corner, Hofs, plays music until the small hours at weekends already).
- Henley is already well-catered for in this market with the The Bull on Bell Street, Hofs (as above), Magoos and other outlets providing similar musical services.
- We are fearful that anti social behaviour, already prevalent around other similar establishments, will increase and with a virtually non-existent police presence should not be encouraged.
- The proposal is unneighbourly. There are many residential properties close by the inhabitants of which will be adversely affected by noise and possible anti social behaviour as mentioned above.
- The applicant has shown little regard for the comfort and well-being of his 'neighbours'.
- An additional outlet such as this will dilute the opportunities for business at other similar establishments at a time when the hospitality trade is under pressure.

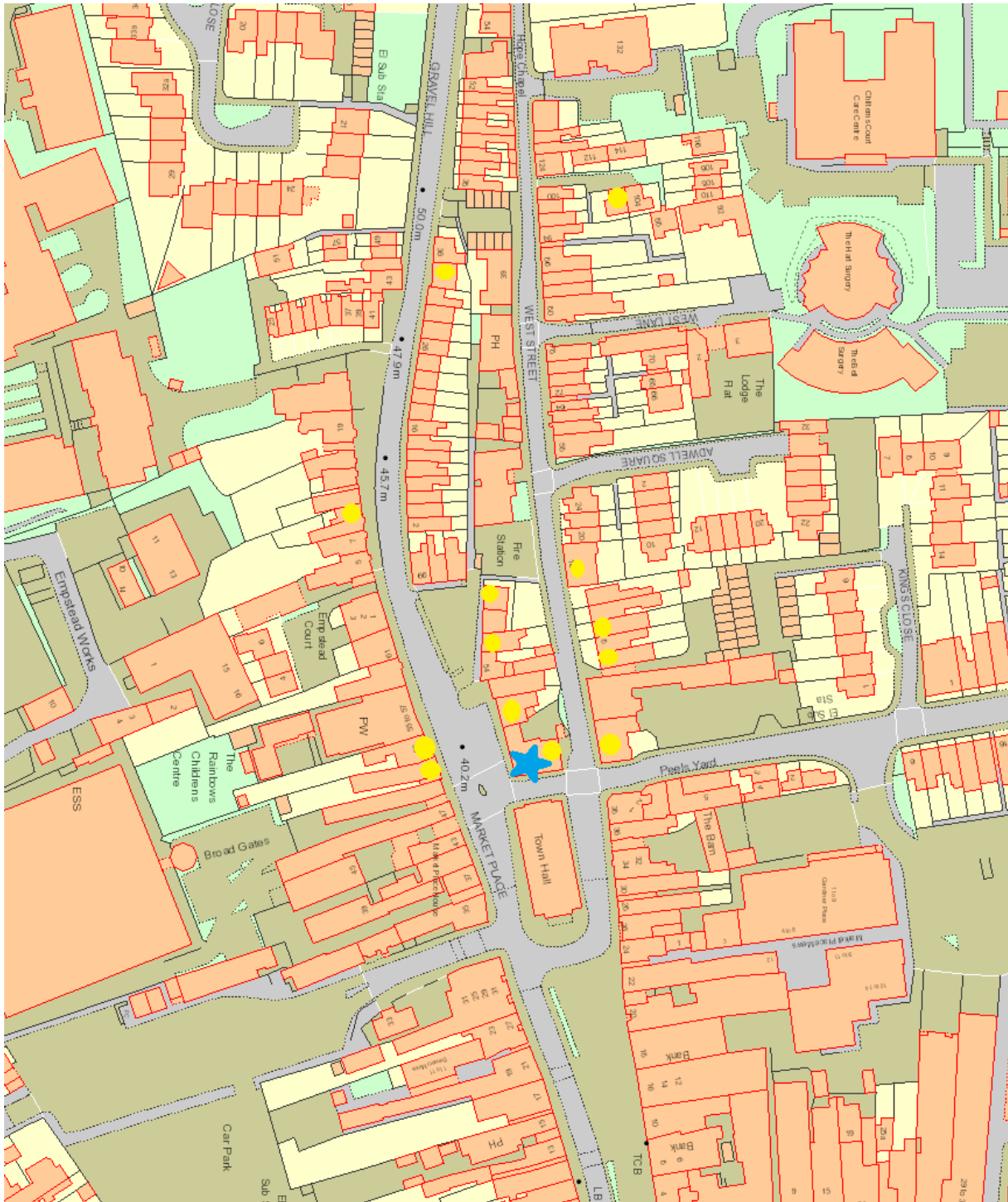
We strongly recommend refusal of this application.

Yours faithfully,

The Executive Committee

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Appendix T – location plan



Blue star indicating the location of the premises, yellow circles indicating the approximate location of persons who have made representations (where available)