

# Licensing Acts Panel



Report of Head of Legal and Democratic

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To: Licensing Acts Panel

DATE: 5 July 2022

## **Application for a premises licence for Snug Café, Bishop Court Farm, High Street, Dorchester-on-Thames, Wallingford, OX10 7HP**

### **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 Snug Café, Bishop Court Farm, High Street, Dorchester-on-Thames, Wallingford, OX10 7HP, 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 Licensing 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 10 May 2022 an application for the grant of a new premises licence was submitted by Snug Cafe Limited for Snug Café, Bishop Court Farm, High Street, Dorchester-on-Thames, Wallingford, OX10 7HP. A copy of the form and plan is attached at **Appendix A**. The application is for supply of alcohol and exhibition of film as follows:

Licensable Activity	Proposed Days and Times	
Supply of alcohol	Monday - Wednesday	11:00 - 16:00
	Thursday - Friday	11:00 - 23:00
	Saturday	10:30 - 23:00
	Sunday	10:30 - 22:00
Exhibition of film	Friday - Sunday	19:00 - 22:00
Hours premises are open to the public	Monday - Wednesday	09:00 - 16:00
	Thursday - Friday	09:00 - 23:00
	Saturday	09:30 - 23:00
	Sunday	09:30 - 22:00

- 3.5 No representations have been received from any of the responsible authorities in respect of this application. Planning have provided an informative which can be found at **Appendix B**.
- 3.6 Seven representations have been received from other persons, mainly relating to the potential for nuisance. These can be found at **Appendices C to I**.
- 3.7 It must be noted that some of the points raised in the representations cannot be considered as valid under the provisions of the Licensing Act 2003. The Licensing Act 2003 states that in order for a representation to be considered 'relevant' it must detail the likely effect of the grant of the premises licence on the promotion of the licensing objectives, as outlined at point 3.2. A concern that cannot be clearly linked to a licensable activity that has been applied for cannot be considered relevant.
- 3.8 Some commonly raised concerns that are unlikely to be considered relevant are listed below. In each case where these concerns are raised, no link is made to how the licensable activities that have been applied for would have a negative impact on the licensing objectives that would not be the same for an unlicensed premises, for example a café that does not serve alcohol:
- Insufficient parking
  - Increased traffic and vehicle movements
  - Associated development of the site
  - Presence of other licensed premises in the area
  - Preservation of land for agricultural use and wildlife/conservation matters
- 3.9 As per the planning informative referred to in point 3.5, planning permission would be required in order for the business to operate after 17:00 hours.
- 3.10 For ease of reference, the proposed conditions from the operating schedule have been collated at **Appendix J**.
- 3.11 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.
- 3.12 A map showing the location of the premises is attached at **Appendix K**.

## **Policy and guidance**

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

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.

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:

1.16 Licensing conditions must be tailored to the individual type, location and characteristics of the premises and events concerned; (and) ... 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.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

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.

10.8 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/beer-licensing-using-case-law/beer-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 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 of premises
Appendix B	Planning informative
Appendices C to I	Representations received
Appendix J	Proposed conditions from operating schedule
Appendix K	Map of locality



## Appendix A – Application form and plan

**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 Snug Café Limited

*(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			
Snug Café Bishops Court Farm High Street Dorchester on Thames			
Post town	Wallingford	Postcode	OX10 7HP

Telephone number at premises (if any)	01865 590390
Non-domestic rateable value of premises	£0

**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 yes

I am making the application pursuant to a ☐  
 statutory function or ☐  
 a function discharged by virtue of Her Majesty's prerogative

### (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 Snug Café Limited
Address 1 Warner House Harrobian Business Village Bessborough Road Harrow HA1 3EX
Registered number (where applicable)  13983541
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

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

DD	MM	YYYY

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>Farm shop and café opened on 5<sup>th</sup> March 2022. We wish to serve alcohol with food and hold occasional entertainment events such as film nights and sporting fixtures.</p>
--

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

Not applicable

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

## B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)  Film nights would be held very occasionally, e.g. once per month through the winter		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri					
	1900	2200	<u>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</u> (please read guidance note 6)		
Sat					
	1900	2200			
Sun					
	1900	2200			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 8)	On the premises	x
				Off the premises	<input type="checkbox"/>
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	1100	1600			
Tue	1100	1600			
Wed	1100	1600			
Thur	1100	2300	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)		
Fri	1100	2300			
Sat	1030	2300			
Sun	1030	2200			

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

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	<u>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</u> (please read guidance note 6)  We may wish to open at other times during sporting fixtures eg Football World Cup – such timings to be notified to Licensing Authority at least ten working days prior.
Mon	0900	1600	
Tue	0900	1600	
Wed	0900	1600	
Thur	0900	2300	
Fri	0900	2300	
Sat	0930	2300	
Sun	0930	2200	

## 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)

We wish to run a family friendly café with regular evening events. It is important that café operates considerably within the village of Dorchester-on-Thames and has the support of the local community as customers as customers and neighbours.

### b) The prevention of crime and disorder

We wish to serve alcohol on premises with the consumption of food only, thereby limiting consumption to prevent crime and disorder in the community setting

Any incident at the premises which impacts any of the four licensing objectives shall be recorded in a register kept at the premises and shall contain the following information:

- a) time and date
- b) exact location
- c) nature of incident
- d) name of staff members or door supervisors involved
- e) name of any offender (where known)
- f) action taken as a result of the incident
- g) name of member of staff recording the incident

This record must be retained at the premises for a period of not less than six months and be available on request by any authorised officer of the council or Thames Valley Police. The record should be signed off by the DPS or a nominated representative at least once a week.

A digital CCTV system shall be installed and maintained in accordance with current Home Office Guidelines relating to UK Police Requirements for Digital CCTV Systems. The system shall ensure all licensed areas of the premises (except toilet facilities) are monitored, including all entry and exit points and external areas, and should ensure frontal identification of every person entering and in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept and available for a minimum of 31 days with accurate time and date stamping. Any breakdown or system failure will be notified to Thames Valley Police immediately and remedied as soon as practicable. A member of staff trained in data retrieval and viewing from the CCTV system shall be available at all times when the premises is open to the public. Recordings shall be made available to an authorised officer of Thames Valley Police or an authorised officer of the council together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available within 48 hours. Any request from Thames Valley Police, Trading Standards or the council for a copy of the CCTV recording to be made for evidential purposes must be carried out within 48 hours. Signs shall be placed in prominent positions on the premises notifying customers that CCTV is in operation.

### c) Public safety

The premises has had a Fire Risk Assessment carried out by Churches Fire Ltd and all necessary actions have been implemented

A Health & Safety Risk Assessment has been carried out

The premises complies with all food safety regulations

Adjustments have been made for disabled access. A disabled toilet will be designed in the permanent toilet facilities in the future farm developments.



**d) The prevention of public nuisance**

The café is located on private farm land well away from community residential buildings to prevent nuisance of noise, light and odour to the community

The outdoor areas will be closed at 11pm.

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.

**e) The protection of children from harm**

The café is a family friendly environment and any behaviour that could be of detriment to children will not be tolerated.

The licence holder or their nominated representative shall devise, implement and maintain a Challenge 25 policy as part of their policy relating to alcohol sales. Clear signage relating to the policy shall be displayed at the premises. Only a valid driver's licence showing a photograph of the person, a valid passport, national identity card or proof of age card showing the "PASS" hologram are to be accepted as identification.

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.

A refusal register (written or electronic) shall be maintained at the premises to record sales of age restricted products that have been refused. The register is to be made available upon request by Thames Valley Police, Trading Standards Officers and Licensing Officers. The register should include details of the time, date, member of staff refusing the sale, reason for refusal (for example intoxication or underage) and a brief description of the person refused.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X
- [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.**

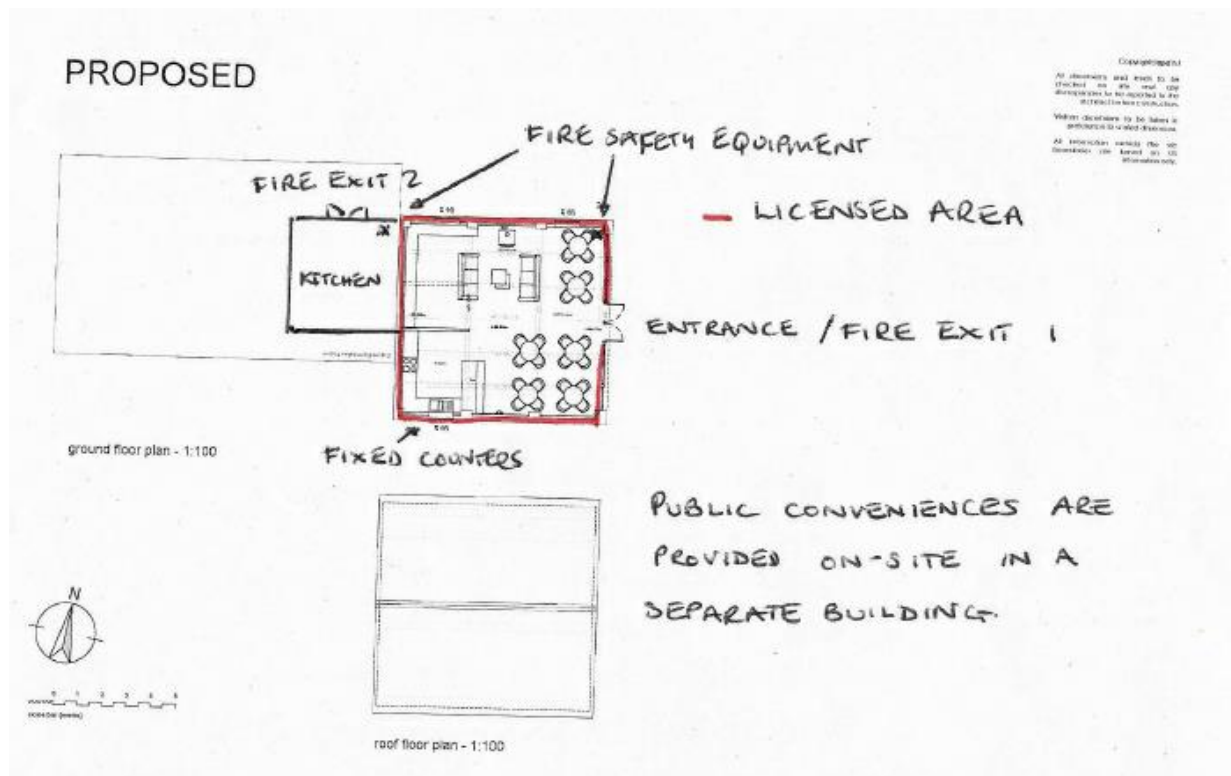
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> <li>• 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)</li> </ul>
<b>Signature</b>	Keith Ives
<b>Date</b>	5 <sup>th</sup> May 2022
<b>Capacity</b>	Director





## Appendix B - Planning informative

### LICENSING CONSULTATION

#### PLANNING AND BUILDING CONTROL SERVICE

#### LICENCING APPLICATION

**Type of Licence being applied for:** Premises licence

**Planning Reference:** P22/S1786/3PC

**Site Address:** Snug Cafe, Bishop Court Farm, Dorchester on Thames

**Planning Case Officer:** Will Darlison

**Date:** 16/05/22

**Relevant Planning History:** P21/S1411/FUL – Internal and external alterations to existing agricultural building and change of use to cafe. (Use class E(b)) (as amended by drwgnos C225.01, C225.02A and C225.12 to provide parking received on 30 July 2021).

- ▲ P21/S4805/DIS - Discharge of conditions- 3 (Window and Door specifications), 5 (Foul drainage) & 6 (Proposed hours of operation) in application P21/S1411/FUL. Internal and external alterations to existing agricultural building and change of use to cafe. (Use class E(b)).

**Is Planning Permission Required?** Planning permission would be required as the opening times for the café as approved under P21/S4805/DIS are from 8am – 5pm Monday to Sunday, whereas the licensing application seeks to serve alcohol until 11pm on Thursdays, Fridays, Saturdays and until 10pm on Sundays.

**If Planning Permission is required, are there Planning Issues?**

Consideration would have to be given to the levels of additional noise the extended opening hours would have as well as the types of activities that would take place, specifically the proposed film nights and sporting fixtures. The café is situated in close proximity to an approved (but not implemented) residential dwelling (P21/S4405/FUL) in the form of the central range of barns at the site.

There would also be the matters of parking requirements at the café as well as additional vehicle movements to and from the premises. Planning permission was originally granted on the basis that this would be a modest village café and not a venue for larger events. Details and justification on how these aspects of the development would continue to be acceptable will be essential.

**General Comments:** None

## **Appendix C - Representation Mr K N Bryan**

**From:** Ken Bryan

**Sent:** Monday, May 23, 2022 3:56 PM

**To:** 'licencing@southoxon.gov.uk' <[licencing@southoxon.gov.uk](mailto:licencing@southoxon.gov.uk)>

**Subject:** Licence Application LAPREM/17457/22 Snug Cafe

To Whom It May Concern.

These are my objections to the application for this licence.

The licence on its own does not look to be a problem until you consider the effects it will have on the Peace and Tranquillity of the area. The application is only for a small number of people and applies to the coffee shop and is for alcohol. We know that there are proposals for a “village hub” whatever that may consist of which means that the licence for that will probably mean the extension of the licence applied for. Singing, dancing, disco, together with increased traffic attending and leaving the site along the proposed new entrance onto the Abingdon Road. This area of the village is quite peaceful at night and deserves to stay that way.

The wish list for the development of this site ( houses, village hub, holiday pods by the lake, equestrian facilities, new access road etc ) some of which do not comply with the village NDP may not be considered for this application but without this background information the implications of a licence for this site cannot be assessed.

K.N.Bryan

## Appendix D - Representation Dorchester-on-Thames Parish Council

**From:** parishclerk@dorchesteronthames.co.uk  
**Sent:** 06 June 2022 17:05  
**To:** Licensing South <licensing@southoxon.gov.uk>  
**Cc:** Driscoll, Laura <Laura.Driscoll@southandvale.gov.uk>  
**Subject:** Ref: LAPREM/17457/22

Dear Officers,

My Council wishes to comment on the recent application for a Premises Alcohol Licence at The Snug Café in Bishops Court Farm, Dorchester on Thames. (Ref: LAPREM/17457/22).

This application is to extend the opening hours of a premises on a farm close to a village location. Granting of this application could lead to increased noise and light pollution affecting local residents. Inevitably there will be increased vehicle movements and potentially an impact from music played at the café.

Planning Policy Dot 14 Peace & Tranquility of Dorchester-on-Thames Neighbourhood Development Plan (NDP) emphasised the importance residents placed on this aspect when contributing toward data gathering for the NDP.

Those potentially impacted by the extension of licensing hours and associated activity include new residents of the barn conversions on the farm as well as existing residents in the vicinity.

My Council recommends that should this licence be approved that mitigation measures are put in place to limit the impact as described above.

Best regards,

Geoff Russell

Parish Clerk

Dorchester-on-Thames Parish Council

5 & 7 High Street

Dorchester-on-Thames

Oxfordshire

OX10 7HH

[www.dorchester-on-thames.co.uk](http://www.dorchester-on-thames.co.uk)

## Appendix E - Representation Dr A J Sephton

High Street,  
Dorchester on Thames,  
Wallingford

6th June 2022

### Premises Licence application for SNUG Cafe at Bishops Court Farm

Dear Sir / Madam.

This letter is to inform you of my concerns related to the Premises Licence application for the SNUG Cafe at Bishops Court Farm (ref. LAPREM/17457/22) to serve alcohol in conjunction with the organisation of events on up to 4 evenings each week.

I certainly do not object to the presence of the existing cafe on the farm, and I believe that it is already proving popular in the short time since it opened. However, the proposal to also turn this into an evening venue for events and serving alcohol raises some concerns and seems potentially at odds with the already stated plans for the residential development on the farm.

### Vehicular access, parking and public nuisance

In the most recent planning application for the farm (ref: P20/S4467/FUL and P20/S4469/LB ) for the conversion of farm buildings to residential use and the creation of new vehicular access to the Site from Abingdon Road, it is stated in the DESIGN & ACCESS STATEMENT (document C228/3.1/YE) that ...

*"Currently there is only one main vehicular access to the farm from the High Street and all farm traffic (tractors, diggers, vehicles etc) uses this entrance. The application scheme proposes the reintroduction of the historic access to the farmstead from Abingdon Road to the north. The rationale for this comes from a Health and Safety perspective moving farm machinery and vehicles away from the already congested High Street and to encourage people to use Abingdon Road to access the farm, rather than driving through the village. The existing vehicular access off the High Street will provide access to the Grade 2 listed Farmhouse (as existing), the 3 x Central Barns residential units and give access to the rear of the replacement cottage (as existing). All other existing farm traffic will use the proposed new access off Abingdon Road and this will be the main access to the working farm, café, other smaller residential units. The revised access arrangements will separate the different uses and reduce the amount of traffic using the existing access off the High Street."*

Until the proposed new vehicular access to the Site from Abingdon Road for the cafe has been approved and built, the proposed licence application risks further endangering public safety and disturbance from additional vehicles accessing the farm from the High Street. Already vehicular access is an issue for the cafe, with customers sometimes being asked to move their vehicles to allow access for farm traffic. For larger events it seems inevitable that vehicle owners would choose to park on the High Street, with disruption to neighbours late at night from car doors and revved engines, raised voices, etc. I therefore would not support additional use of the cafe until the issue of vehicular access from Abingdon Road has been resolved.

In the farm's own publicity it is stated that it is planned to hold both live and recorded music events as well as showing films. It is therefore not clear how the sound (and potentially lighting) from such events would not could cause a disturbance to neighbours.

**Residential Development plans**

As already referred to above, the latest planning application for Bishops Court Farm (ref: P20/S4467/FUL and P20/S4469/LB"), includes development of 3 new detached houses to replace the existing barns which are in close proximity to the cafe. This appears at odds with the planned late night opening and events at the cafe as it seems unlikely that potential buyers would wish to be inconvenienced by noise from the cafe, vehicular access or parking issues.

I hope that you will take my above concerns into account when considering this Premises Licence application.

Yours sincerely,  
Dr A.J. Sephton

## Appendix F - Representation Mrs Hilary Warburton

-----Original Message-----

From: Hilary Warburton

Sent: 06 June 2022 14:50

To: Licensing South <[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)>

Subject: Licence application

Dear sir,

I am writing with regard to, the. Licence application LAPREM/17457/22 from Bishops Court Farm.

I live opposite the farm in [redacted] High Street, Dorchester, OX10 [redacted].

Whilst I have no objection to the Snug cafe having a licence during the day, I do object to them being given a licence until 11pm on Thursday, Friday, Saturday and Sunday.

There are already 3 licensed premises in Dorchester and I am concerned that being granted this licence it will be an open door for much more noise and disturbance, particularly at weekends.

The farm has very little suitable parking and as access is off the High Street at the moment it is not a suitable place for holding evening events on a regular basis.

I understand there are various planning applications in for creating a new driveway from the Abingdon road, Permission is also applied for to convert 3 barns into private residences. This will also create more noise and traffic for people on the High street, without adding to it.

If the owner wishes to organise individual events on a one off basis then he should apply for a separate licence each time. In my opinion to give him a blanket licence for 4 nights a week is inappropriate at this time, with no other access and little parking.

Yours truly

Hilary Warburton (Mrs)

**Appendix G - Representation Mrs Karin van Vrede**

**From:** vanvrede

**Sent:** 06 June 2022 17:52

**To:** Licensing South <[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)>

**Subject:** Licence Application

Dear Sir/ Madam,

I would like to express my concern with regard to Licence Application LAPREM/ 17457/22.

I live directly opposite the farm entrance at [redacted] High Street , and have already seen heavy (farm and industrial) traffic movements and noise increase dramatically since the farm changed ownership in spring 2020, as well as more and more car traffic since the cafe opened in April of this year.

The application for a daytime licence does not greatly concern me. However , I am very concerned about the licence application for Thursday, Friday, Saturday evenings till 11 pm and Sunday evenings till 10 pm especially in conjunction with possible events being organised on such evenings.

This would surely lead to an increase in traffic at times that are currently quiet times, parking issues, as well as noise from guests who leave the cafe premises for the otherwise very quiet High Street after such a late closing time.

Although I am pleased to see certain daytime activities being developed and families , children and others enjoying the new opportunities the farm has to offer I strongly feel that evening licensing and events are not in keeping with the general atmosphere of the farm and its location, as well as with the atmosphere and needs of the village of Dorchester itself.

Furthermore , there are already three licensed premises in the village in keeping with traditional English village life so it seems excessive to add another licensed ( evening) premise in such a quiet rural environment.

Finally, if the owner of the farm would like to organise any evening events surely he could apply for a licence as and when required for such an event. We as neighbours would then hopefully be informed/ warned of any disturbance that might ensue on a case by case basis.

Thank you very much for taking these concerns into serious consideration when looking at this application.

Yours sincerely

Mrs Karin van Vrede



## Appendix H – Representation Mr and Mrs Hodges

High Street  
Dorchester-on-Thames  
Wallingford, Oxon

6 June 2022

[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)

Re: **LAPREM/17457/22** | Premises Licence | Bishop Court Farm High Street  
Dorchester-on-Thames Wallingford OX10 7HP

Dear Sir/Madam

We wish to comment on the Premises Licence described above. Our comments are:

- The Design and Access Statement provided in Bishop Court Farm's recent planning application<sup>1</sup> clearly recognised the road safety issues associated with the proposed development if there is not an additional public highway access to the farm.
- The applicant therefore proposed a new access from Abingdon Road.
- This Premises Licence application would lead to increased traffic and, logically, should only be approved after that new access from Abingdon Road is created. To approve the Premises Licence before creating the new access will only lead to exactly the road safety concerns that the applicant himself wants to avoid.
- When the Premises Licence application is resubmitted our comments are that it should be limited to two days/week, not four.

Yours sincerely

Mr and Mrs Hodges

<sup>1</sup> See February 2021 additional information package of P20/S4467/FUL and page 5 of 14 in particular:

[https://data.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=1726141901&CODE=2993BD308439D7FE2596519367246454](https://data.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=1726141901&CODE=2993BD308439D7FE2596519367246454)

## Appendix I – Representation Chris Hill

**From:** Chris Hill

**Sent:** 06 June 2022 21:59

**To:** Licensing South <[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)>

**Subject:** Re: Application for a Premises Licence for Snug Cafe at Bishops Court Farm LAPREM/17457/22

I write to comment on the recent application for a Premises Alcohol Licence at The Snug Cafe at Bishops Court Farm Dorchester on Thames LAPREM/17457/22

This application is to extend the opening hours of a premises in an open area of farmland in a rural location close to existing homes. The impact of this will be to increase noise and light emissions from the location towards local residents. This will result from the activity and movement of employees, customers and vehicles, and music, either live or recorded, played from sound speakers. We believe that this would lead to the creation of public nuisance.

The light pollution will be particularly evident during winter months when daylight hours end around 4pm. Lighting will be required outside for safety reasons for the remaining opening hours e.g until 11pm and perhaps later if extensions are granted, when customers and staff leave the Snug. Any noise pollution will be during all opening hours and will be in addition to other noise currently generated within the vicinity.

We believe this impact contravenes Dorchester on Thames NDP Planning Policy Dot 14 Peace & Tranquility.

“The peace and tranquillity of the village is highly valued by its residents and those that visit. Any development that gives rise to significant levels of noise and traffic should include measures to mitigate the negative effects”.

This policy was of key importance expressed by Dorchester residents during the public consultation phase of the NDP information gathering.

It is difficult to imagine how the noise and light pollution described above could be mitigated effectively In this location to reduce it to an acceptable level as any successful business that is in use after 5pm will create light and noise proportional to the number of customers

Importantly the impact of longer hours, footfall and vehicle movements will also be experienced by new residents of the recently approved Bishops Court Farm barn conversions Other properties that will be affected include the Bishops Court Farmhouse, other Listed Buildings in the nearby conservation area and residents of established homes in the vicinity of Abingdon Road, the High Street and Oxford Road that have enjoyed a rural environment adjacent to their homes for many years.

There are also concerns as this location is very close to a sensitive area for wildlife which is part of the Oxfordshire Conservation Target Area 27. Any additional noise or light pollution here will have a detrimental affect on wildlife in this special area. Police DoT 4 refers.

Finally, the land on which the Snug is located is on some of the best quality agricultural land - classified as Very Good. We believe that this should be conserved for Agricultural use. See Policy DoT 7 and Policy Map 6 for reference.

Your sincerely  
Chris Hill

**Appendix J – Proposed conditions from operating schedule**

- 1) Alcohol shall only be served for consumption with food.
- 2) Any incident at the premises which impacts any of the four licensing objectives shall be recorded in a register kept at the premises and shall contain the following information:
  - a) time and date
  - b) exact location
  - c) nature of incident
  - d) name of staff members or door supervisors involved
  - e) name of any offender (where known)
  - f) action taken as a result of the incident
  - g) name of member of staff recording the incident

This record must be retained at the premises for a period of not less than six months and be available on request by any authorised officer of the council or Thames Valley Police. The record should be signed off by the DPS or a nominated representative at least once a week.

- 3) A digital CCTV system shall be installed and maintained in accordance with current Home Office Guidelines relating to UK Police Requirements for Digital CCTV Systems. The system shall ensure all licensed areas of the premises (except toilet facilities) are monitored, including all entry and exit points and external areas, and should ensure frontal identification of every person entering and in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept and available for a minimum of 31 days with accurate time and date stamping. Any breakdown or system failure will be notified to Thames Valley Police immediately and remedied as soon as practicable. A member of staff trained in data retrieval and viewing from the CCTV system shall be available at all times when the premises is open to the public. Recordings shall be made available to an authorised officer of Thames Valley Police or an authorised officer of the council together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available within 48 hours. Any request from Thames Valley Police, Trading Standards or the council for a copy of the CCTV recording to be made for evidential purposes must be carried out within 48 hours. Signs shall be placed in prominent positions on the premises notifying customers that CCTV is in operation.
- 4) The outdoor areas shall be closed at 23:00.
- 5) Prominent, clear and legible notices shall 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.
- 6) The licence holder or their nominated representative shall devise, implement and maintain a Challenge 25 policy as part of their policy relating to alcohol sales. Clear signage relating to the policy shall be displayed at the premises. Only a valid driver's licence showing a photograph of the person, a valid passport, national identity card or proof of age card showing the "PASS" hologram are to be accepted as identification.
- 7) 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.

- 8) A refusal register (written or electronic) shall be maintained at the premises to record sales of age restricted products that have been refused. The register is to be made available upon request by Thames Valley Police, Trading Standards Officers and Licensing Officers. The register should include details of the time, date, member of staff refusing the sale, reason for refusal (for example intoxication or underage) and a brief description of the person refused.

Appendix K – Map of locality

