

Notice of Hearing



Contact: Ron Schrieber, Democratic Services Officer
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Date: 10 November 2015
Website: www.whitehorsedc.gov.uk

**A Licensing Acts Panel meeting will be held on
Wednesday, 25 November 2015 at 10.00 am
in Meeting ROOM 1, 135 EASTERN AVENUE, MILTON PARK, MILTON,
ABINGDON, OX14 4SB
to consider the following matter:**

the relevant representations received in respect of an application for a variation of a premises licence for

La Bobina, 1 Bromsgrove, Faringdon. OX7 7JF

under the Licensing Act 2003.

The details of the parties to this hearing are contained in the agenda pack:

A handwritten signature in black ink, appearing to read 'M. Steed', is written in a cursive style.

Head of Legal and Democratic Services

Agenda

Open to the Public including the Press

Council's vision

The council's vision is to take care of your interests across the Vale with enterprise, energy and efficiency.

1. **Election of a chairman**

To elect a chairman for this hearing.

2. **Declarations of interests**

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

3. **Procedure**

(Pages 3 - 7)

To note the procedure for this meeting.

4. **Application for a variation of the premises licence for La Bobina, 1 Bromsgrove, Faringdon. OX7 7JF**

(Pages 8 - 35)

To consider the head of legal and democratic service's report.

Exempt information under section 100A(4) of the Local Government Act 1972

None

VALE OF WHITE HORSE 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 Secretary of State for Culture, Media and Sport (latest version issued June 2013) and the LACORS Guidance for Local Authorities dated March 2005.

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 by the Secretary of State for Culture, Media and Sport.
 - (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 use its reasonable endeavours to email the notice to any of the parties who consent to that approach but shall also send the notice and the accompanying documents by first class post in every case.
- 3.4 The notice of hearing will normally be accompanied by an agenda, together with a report from the licensing officer which shall set out the details of the case.
- 3.5 The sub-committee will take into account the party response forms when considering the procedure to be adopted at the hearing.

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. If the votes are tied the chairman of the panel will have a second or casting vote.

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 The parties 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 a maximum of 20 minutes to make their representations and present their evidence unless there are some exceptional reasons to justify a longer period.
- 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 list of documents.
- 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.
- 5.7 Late representations and evidence will only be considered by the panel with the agreement of all the parties present at the hearing.
- 5.8 The panel 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 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 chairman for the hearing (if not previously appointed) in the presence of the parties.
- 6.2 Welcome and introductions - the chairman 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 chairman 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 chairman will invite the respective parties to present their cases in the following order:

- (a) the applicant
- (b) each responsible authority
- (c) each interested party
- (d) the licence holder if not the applicant

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 within the time limit allowed by the panel
 - (b) members can then ask relevant questions
 - (c) the licensing officer may also ask relevant questions through the chairman of the panel
 - (d) although there is no intention to allow parties to cross-examine others, they may ask relevant questions through the chairman.
- 6.6 Final submissions – each party will be given the opportunity by the chairman to summarise their respective cases if they wish for a maximum period of 5 minutes each. Final submission shall be made in the following order:
- (a) interested parties
 - (b) each responsible authority

- (c) the applicant
- (d) the licence holder if not the applicant

6.7 Chairman'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 chairman will report the decision of the panel to those present.

7.4 The chairman will also inform them that a written decision notice explaining the reasons behind their decision will be sent to all parties. The decision notices shall be in a form or substantially in the form as set out at the end of this document.

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 chairman 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 May 2014

Licensing Acts Panel



Report of Head of Legal & Democratic Services

Author: Richard Brown, Licensing Officer

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To: Licensing Acts Panel

DATE: 25 November 2015

Application for a variation of the premises licence for La Bobina, 1 Bromsgrove, Faringdon. OX7 7JF

Recommendation

That the panel consider the application to vary the premises licence and the representations to the application and decide whether to a) grant the application as applied for, b) grant the application with modified conditions or c) reject the application in whole or in part.

Purpose of Report

1. To present the facts and relevant representations received in respect of an application to vary a premises licence for La Bobina, 1 Bromsgrove, Faringdon, OX7 7JF to the Licensing Acts Panel in order that it can determine the application under Section 35 of the Licensing Act 2003.

Strategic Objectives

2. The relevant strategic objective is that of 'building the local economy'. The relevant corporate priority is that of 'maintain low levels of crime and anti-social behaviour'.

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 Any assessment of licensable activities must consider and promote the four licensing objectives:

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

3.3 Licences will normally be granted by the licensing officer under delegated powers but in the event of representations being received regarding the grant or variation of a premises licence the application is then referred to the Licensing Acts Panel to be considered.

3.4 An application has been received to vary the existing premises licence (**Appendix 1**). The current licence can be seen at **Appendix 2**. The application seeks to vary the licence for the licensable activities and opening hours, as follows:

Licensable Activity	Current days & times	Proposed days & times
Plays (indoors)	Not currently permitted	Monday to Thursday 0900-2330: Friday to Saturday 0900 – 0130: Sunday 1000-2230
Films (indoors)	Not currently permitted	Monday to Thursday 0900-2330: Friday to Saturday 0900 – 0130: Sunday 1000-2230
Indoor sporting events	Not currently permitted	Monday to Thursday 0900-2330: Friday to Saturday 0900 – 0130: Sunday 1000-2230
Live music (indoors)	Tuesday to Saturday 1830-2300: Sunday 1100 - 1430	Monday to Thursday 0900-2330: Friday to Saturday 0900 – 0030: Sunday 1000-2230: New Year's Eve 0900-0200
Recorded music (indoors)	Tuesday to Saturday 1800-0000: New Year's Eve 1800-0200	Monday to Thursday 0900-2330: Friday to Saturday 0900 – 0200: Sunday 1000-2300: New Year's Eve 0900-0400
Performance of dance (indoors)	Tuesday to Saturday 1800-0000: New Year's Eve 1800-0200	Monday to Thursday 0900-2330: Friday to Saturday 0900 – 0030: Sunday 1000-2230: New

		Year's Eve 0900-0200
Late night refreshment (indoors)	Not currently permitted	Monday to Thursday 2300-0000: Friday to Saturday 2300 – 0130: New Year's Eve 2300-0400
Sale of alcohol – on premises only	Tuesday to Thursday 1800-0000: Friday to Saturday 1800-0130: Sunday 1100-1500: New Year's Eve 1100-0200	Monday to Thursday 1200-0000: Friday to Saturday 1200 – 0130: Sunday 1100-2230: New Year's Eve 1200-0400
Hours premises open to the public	Tuesday to Thursday 1800-0030: Friday to Saturday 1800-0200: Sunday 1100-1530: New Year's Eve 1100-0230	Monday to Thursday 0900-0030: Friday to Saturday 0900 – 0200: Sunday 1000-2300: New Year's Eve 0900-0430

3.5 No representations have been received from Thames Valley Police

3.6 No representations have been received from Environmental Protection although they have reminded the applicant of the conditions inserted into Annex 2 of the current licence in the variation dated 20 March 2012.

3.7 One representation has been received from a member of the public. This is attached at Appendix 3.

3.8 The blue notice was checked by licensing officers and the newspaper advertisement is attached as Appendix 4.

Options

4.1 In determining the application the authority must give weight to:

- representations received from Responsible Authorities
- representations received from another person
- 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 necessary to promote the licensing objectives

4.2 In view of the above, the panel is requested to consider the application for the variation of the premises licence and decide whether to:

- (a) grant the application as applied for,
- (b) grant the application with modified conditions or
- (c) reject the application in whole or in part

Financial Implications

- 5 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

- 6.1 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.
- 6.2 The hearing of all applications is subject to the principles of natural justice.
- 6.3 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'.
- 6.4 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

- 7 This report provides information submitted by the applicant and responses to the application. The panel must determine this application with a view to promoting the four licensing objectives. It must, having had regard to all the relevant objections made and the evidence it hears, a) grant the application as applied for, b) grant the application with modified conditions or c) reject the application in whole or in part.

Background Papers

None.

Appendix 1

Legal & Democratic Services

07 OCT 2015

Received

Application to vary a premises licence 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 Mark Stone

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number
PL0282

Part 1 – Premises Details

La Bobina Ltd 1 Bromsgrove Faringdon Oxfordshire			
Post town	Faringdon	Postcode	SN7 7JF
Telephone number at premises (if any)	01367 240578		
Non-domestic rateable value of premises	£3850		

Part 2 – Applicant details

Daytime contact telephone number	07825 050986 / 01367 240578		
E-mail address (optional)	hola@la-bobina.co.uk		
Current postal address if different from premises address	Same as above		
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see guidance note 1) No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The details of the variation are as follows;

- 1) To change the times of the sale of alcohol to
Monday to Thursday 11:30am – 12am
Friday and Saturday 11:30am – 1:30am
Sunday 11:00am – 10:30pm
- 2) To change the opening times to be;
Monday to Thursday 9am – 12:30am
Friday and Saturday 9am – 2am
Sunday 10am – 11pm
- 3) To bring forward to the commencement of times for the playing of recorded music, provision of doing and similar activities to Monday to Saturday from 9am and Sundays from 10am

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

NO

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment	Please tick all that apply
a) plays (if ticking yes, fill in box A)	Y
b) films (if ticking yes, fill in box B)	Y
c) indoor sporting events (if ticking yes, fill in box C)	Y
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	Y
f) recorded music (if ticking yes, fill in box F)	Y
g) performances of dance (if ticking yes, fill in box G)	Y
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	Y

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

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

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	Y
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	9.00	23.30			
Tue	9.00	23.30	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed	9.00	23.30			
Thur	9.00	23.30	<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)		
Fri	9.00	1.30am			
Sat	9.00	1.30am			
Sun	10.00	10.30			

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	Please give further details here (please read guidance note 4)		
Mon	9.00	23.30			
Tue	9.00	23.30	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed	9.00	23.30			
Thur	9.00	23.30	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)		
Fri	9.00	1.30			
Sat	9.00	1.30			
Sun	10.00	22.30			

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	9.00	23.30	
Tue	9.00	23.30	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed	9.00	23.30	
Thur	9.00	23.30	<u>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</u> (please read guidance note 6)
Fri	9.00	01.30	
Sat	9.00	01.30	
Sun	10.00	10.30	

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	Y
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	9.00	23.30			
Tue	9.00	23.30	State any seasonal variations for the performance of live music (please read guidance note 5) New Years Eve 7am - 2am		
Wed	9.00	23.30			
Thur	9.00	23.30	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)		
Fri	9.00	12:30AM			
Sat	9AM	12:30AM			
Sun	10AM	22.30AM			

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	Y
Day	Start	Finish		Outdoors	
				Both	
Mon	9AM	12:30AM	Please give further details here (please read guidance note 4)		
Tue	9AM	12:30AM			
Wed	9AM	12:30AM	State any seasonal variations for the playing of recorded music (please read guidance note 5) <i>New Years Eve from 9am - 4am</i>		
Thur	9AM	12:30AM			
Fri	9AM	2:00AM	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	9AM	2:00AM			
Sun	10AM	23.00PM			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance 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)		
Mon	9AM	23:30PM			
Tue	9AM	23:30PM			
Wed	9AM	23:30PM	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	9AM	23:30PM	New Years Eve 9am - 2am		
Fri	9AM	12:30AM	<u>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</u> (please read guidance note 6)		
Sat	9AM	12:30AM			
Sun	10AM	22:30AM			

I

Late night refreshment Standard days and timings (please read guidance note 7)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	Y
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	9AM	12.00AM	<u>Please give further details here</u> (please read guidance note 4)		
Tue	9AM	12.00AM			
Wed	9AM	12.00AM	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) <i>New Years Eve 9am - 4am</i>		
Thur	9AM	12.00AM			
Fri	9AM	1.30AM	<u>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</u> (please read guidance note 6)		
Sat	9AM	1.30AM			
Sun	10AM	22.30			

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 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) New Years Eve 12pm - 4am		
Mon	12PM	12:00AM			
Tue	12PM	12:00AM			
Wed	12PM	12:00AM			
Thur	12PM	12:00AM			
Fri	12PM	1:30AM			
Sat	12PM	1:30AM			
Sun	11AM	22.30	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)		

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).

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) New Year Eve 9am - 4:30am
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)
Mon	9AM	12:30AM	
Tue	9AM	12:30AM	
Wed	9AM	12:30AM	
Thur	9AM	12:30AM	
Fri	9AM	2:00AM	
Sat	9AM	2:00AM	
Sun	10AM	23:00PM	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

b) The prevention of crime and disorder

Joined the local pub watch scheme, and introduced ourselves to the local policing unit for the area, installed maintained alarm system.

c) Public safety

Purchased additional signage for wet floors, and all fire safety equipment and signage.

d) The prevention of public nuisance

Asking our guests to leave the premises quietly
Provided litter and cigarette bins to exterior of premises
Keeping entrance doors closed (not locked) from 23.00 to prevent noise to local residents

e) The protection of children from harm

Monitoring any such customers who may be highly intoxicated in the presence of children.
Using challenge 21, for any underage alcohol sales
Monitoring bad language in the presence of children

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
I have not made or enclosed payment of the fee because this application has been made in
relation to the introduction of the late night levy. Y
- I have sent copies of this application and the plan to responsible authorities and others where
applicable. Y
- I understand that I must now advertise my application. Y
- I have enclosed the premises licence or relevant part of it or explanation. Y
- I understand that if I do not comply with the above requirements my application will be
rejected. Y

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING
LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003,
TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

Part 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

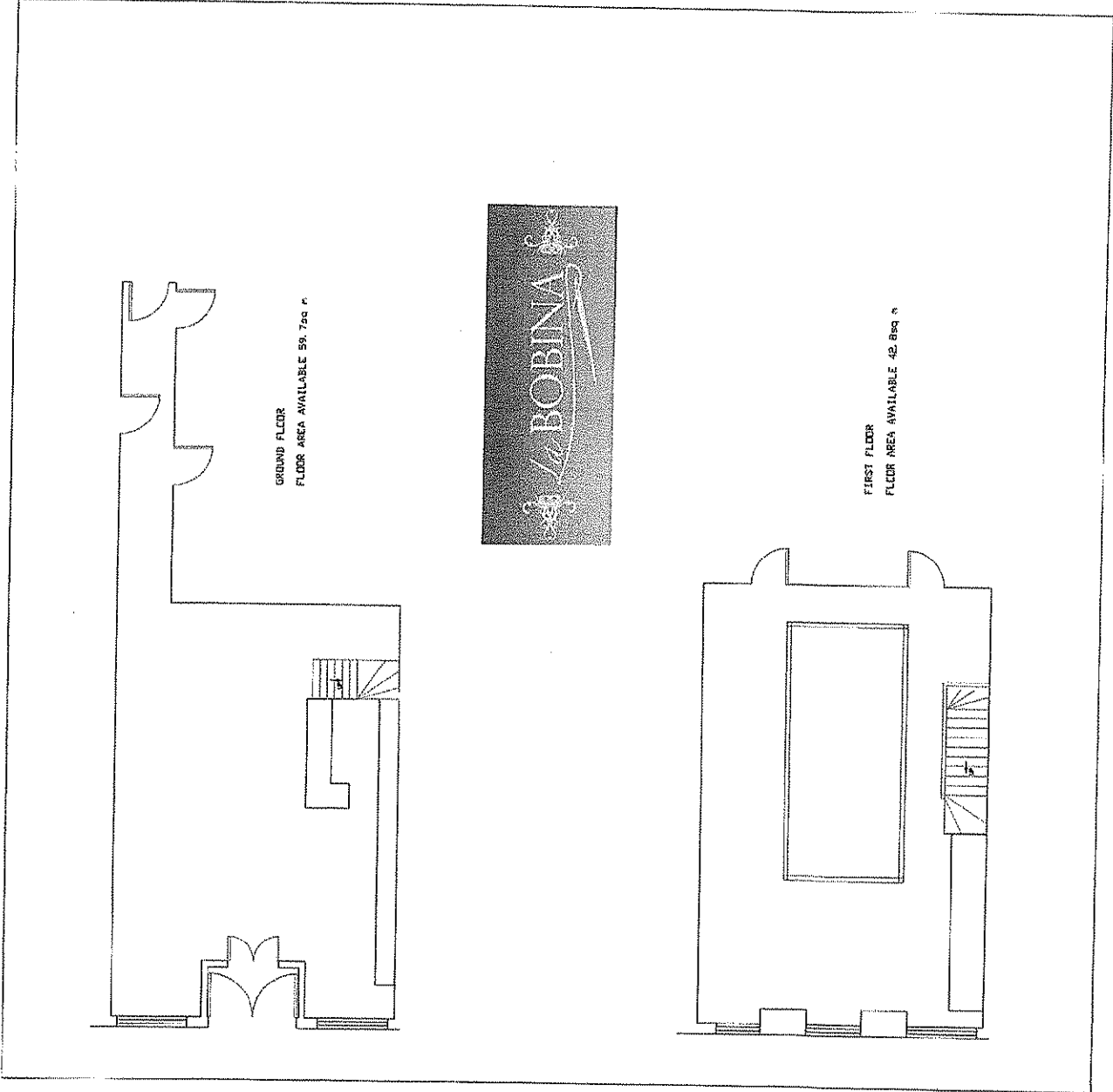
Signature	
Date	08-09-2015
Capacity	DIRECTOR - HEAD CHEF

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



Licensing Office
 Abbey House
 Abbey Close
 Abingdon
 OX14 3JE

Appendix 2
 E-mail:
 licensing.unit@whitehorsedc.gov.uk
 www.whitehorsedc.gov.uk

Licensing Act 2003
Premises Licence

PL0282

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

La Bobina

1 Bromsgrove, Faringdon, SN7 7JF.

Telephone 01367 240578

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment facilities for making music
- entertainment facilities for dancing
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Tuesday to Saturday	6:30pm	11:00pm
	Sunday	11:00am	2:30pm
F. Playing of recorded music (Indoors)	Tuesday to Saturday	6:00pm	Midnight
	New Years Eve	6:00pm	2:00am
I. Provision of facilities for making music (Indoors)	Tuesday to Saturday	6:00pm	Midnight
	New Years Eve	6:00pm	2:00am
J. Provision of facilities for dancing (Indoors)	Tuesday to Saturday	6:00pm	Midnight
	New Years Eve	6:00pm	2:00am
M. The sale by retail of alcohol for consumption ON the premises only	Tuesday to Thursday	6:00pm	Midnight
	Friday	6:00pm	1:30am
	Saturday	6:00pm	1:30am
	Sunday	11:00am	3:00pm
	New Years Eve	11:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Tuesday to Thursday	6:00pm	12:30am
Friday to Saturday	6:00pm	2:00am
Sunday	11:00am	3:30pm
New Years Eve	11:00am	2:30am

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Licensing Act 2003

Premises Licence**PL0282**

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Mark Stone t/a la Bobina Ltd
 hola@labobina.co.uk

La Bobina, 1 Bromsgrove, Faringdon, OXON, SN7 7JF.
 Telephone 01367 240578

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Mark Stone t/a la Bobina Ltd

09621863

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Peter Michael SAUNDERS

67 High Street, Shrivenham, Swindon, SN6 8AW.
 Telephone 01793 783243

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PA0563

Issued by Vale of White Horse

ANNEXES**ANNEX 1: MANDATORY CONDITIONS**

1. No supply of alcohol may be made under the Premises Licence;
 - (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence, or
 - (b) at a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
3. Where Door Supervisors are required when the premises is open for any licensable activity, they should all be individually registered with the Security Industry Authority.
4. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a

ANNEXES continued

group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamourise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

8. The responsible person shall ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

ANNEX 2: CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

a) General - all four licensing objectives (b,c,d,e)

All members of staff to undergo training to ensure licensing objectives be met.

b) The prevention of crime and disorder

None.

c) Public safety

None.

d) The prevention of public nuisance

None.

e) The protection of children from harm

Young people to be ID'd at all times.

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Licensing Act 2003

Premises Licence

PL0282

ANNEXES continued...

Conditions added on variation 20/03/12

1) To avoid nuisance to residential premises, noise emanating from the licensed premises as a result of regulated entertainment shall not be clearly audible at the (external) boundary of any residential premises. If it is possible to determine where the noise is coming from and speech, lyrics, melody or bass components are distinguishable at the monitoring point (external boundary or any residential premises) then the noise will be considered to be clearly audible.

2) No person shall be allowed to leave the premises whilst in possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.

ANNEX 3: CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

Not applicable.

ANNEX 4: PLAN

As attached.

Signature of Authorised Officer

Licensing Office

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 OX14 3JE

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Licensing Act 2003

Premises Licence Summary**PL0282**

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**La Bobina**

1 Bromsgrove, Faringdon, SN7 7JF.

Telephone 01367 240578

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

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Licensing Act 2003

Premises Licence Summary

PL0282

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Mark Stone t/a la Bobina Ltd

La Bobina, 1 Bromsgrove, Faringdon, OXON, SN7 7JF.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Mark Stone t/a la Bobina Ltd

09621863

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Peter Michael SAUNDERS

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

La Bobina Ltd Bromsgrove sn7 7jf- extended hours of alcohol and recorded/live music all day 7 days a week including bank holidays

susan williams <sushisue2@sky.com>

Tue 03/11/2015 16:51

To: Licensing Vale <Licensing.unit@whitehorsedc.gov.uk>;

Dear Sir/Madam

I have just seen advertised in the above premises window the application for the above.

I strongly oppose same for the reasons below.

Firstly this is not suitable for the nearby residents of Bromsgrove the cars are usually parked outside on double yellow lines and further down outside Fern House Prep School on Zig Zag lines stating to be kept clear at all times. Incidentally since the application it has been reduced conveniently.

Secondly, It would be noisy and disrupt peoples lives. Cigarette butts are always scattered entrance outside, empty glasses on the floor or left outside the entrance and customers blocking the street when walking by to go into town.

However I am no killjoy but I think careful consideration is needed for the above request which has not been permitted before.

Yours Sincerely,

Mrs Susan Williams
11, Bromsgrove
Faringdon
Sn7 7JF

PUBLIC NOTICES

La Bobina Limited - Premises Licence

Published in the Oxford Mail on 20 October 15

LICENSING ACT 2003

I Mark Stone, give notice that an application has been made to Vale of White Horse District Council, to vary the conditions of the Premises Licence, in respect of

Premises: La Bobina Limited, 1 Bromsgrove, Faringdon, Oxfordshire, SN7 7JF

The details of the variation are as follows:

Opening Hours / Recorded Music: Mon - Thurs 09:00-00:30, Fri- Sat 09:00-02:00, Sun - 10:00-23:00, New Year's Eve 09:00-04:30

Supply of Alcohol: Mon -Thurs 12:00-00:00, Fri - Sat 12:00-01:30, Sun 11:00-22:30 NewYear's Eve 12:00-04:00

LNR: Monday - Thurs 23:00-00:00, Fri - Sat 23:00-01:30, New Year's Eve 23:00-04:00

Live Music, Performance of Dance: Mon - Thurs 09:00-23:30, Fri - Sat 09:00-00:30, Sun 10:00-22:30, NewYear's Eve 09:00-02:00

Films, Plays, Indoor Sporting Events: Mon-Thurs 09:00-23:30, Fri-Sat 09.00-01:30, Sun 10:00-22:30

Any objection to this application must be made in writing to: The Licensing Officer, Vale of White Horse District Council, Licensing Unit, Abbey House, Abingdon, Oxon OX14 3JE tel: 01235 520202 email: licensing.unit@whitehorsedc.gov.uk By date: 4th November 2015

A record of the application may be inspected between 09.00 a.m. and 4.00 p.m. Monday to Friday at the Council Offices, or may be found on the Council website at www.whitehorsedc.gov.uk Date of Notice: 7th October 2015

It is an offence knowingly or recklessly to make a false statement in connection with an application, and a person convicted of such an offence will be liable to a fine up to £5000 based on a summary conviction.

This notice has 19 views.