

Minutes

of a meeting of the

Licensing Acts Panel

held at 11.00 am on Tuesday, 23 May 2023

at the Meeting Room 1, Abbey House, Abbey Close, Abingdon, OX14 3JE



Open to the Public, including the Press

Present:

Members: Councillor Ron Batstone, Oliver Forder and Andrew Skinner

Non-participating members: Councillors

Officers: Emily Barry, Ben Silverthorne, Ashley Peachey and Nigel Shepherd

Number of members of the public:

LAP.5 Election of a chair

A motion moved and seconded, to elect Councillor Ron Batstone as chair of the panel was carried on being put to the vote.

LAP.6 Declarations of interest

There were no declarations of interest.

LAP.7 Procedure for the meeting

The chair confirmed that all parties present understood the procedure.

LAP.8 Application for a Premises License - Nam Taco Bar, Wantage

The panel considered the application for a Premises Licence for Nam Taco Bar, Wantage.

Licensing Officer

The Licensing Officer laid out the proposed application and noted the number of representations made regarding the application, one representation in total. It was noted by the officer that Mrs Sarah Waring was representing the representations made by Mr Mike Waring.

The chair then allowed the applicant, the panel, and other parties to ask questions of clarification for the Licensing Officer, none were asked.

The applicant

The applicant began their case by dealing with the objections made about the licence through six key points.

- 1) The alcohol licence is later than the closing times of premises to ensure that the establishment remains in line with the law.
- 2) Public Nuisance: The applicant encouraged any complaints made or concerns raised to be contacted to him directly to be able to sort out the problems quickly and efficiently, as he had in his previous businesses. The applicant further added regarding noise complaints, the area of Wantage receives very little noise complaints in relation to restaurants.
- 3) Smell and Odour: All the food being made in the premises will be plant based only and there will be no deep fat frier, thus limiting the potential smells and odour.
- 4) Takeaway: There is no plan for the applicant to do any forms of takeaways, the only reason for applying for it was in case of certain circumstances that would require them to move to a takeaway based business, such as another pandemic. With no takeaways will lower the risk of road blockages.
- 5) Smoking outside: The applicant highlighted a pub that had previously changed into a pizzeria close to the location of the premises and the lack of cigarette butts and people smoking outside. The applicant used this to explain how he feels smoking will not be a serious issue for his establishment and was willing for the incidents where smoking is taking place that they work with residents and the council to ensure guidelines are properly followed.
- 6) Neighbour relations: The applicant stated that one of his main focuses was to ensure that neighbours are treated with the utmost respect, mentioning times where he had worked at other establishments which did not do this and the impact it had on him. The applicant stressed the desire to work with the neighbourhood and keep them happy.

The applicant apologised for confusion caused with licensing applications and that they are new to the process, as it is the first restaurant they have opened in the UK.

The chair then asked the panel if they had any questions of clarification for the applicant.

Questions were asked about where the experience of running restaurants was if it was his first establishment in the UK. The applicant stated that much of his work had been done in Hong Kong.

Other questions were raised about the use of the bar, as could the applicant envisage people coming into the establishment to simply have a drink. The applicant stated that in his experience the only people that came into his establishments just for a drink were people he knew (friends and family). The applicant followed on to say the sit-down tables would be used exclusively for diners.

The chair then allowed officers and other parties to ask questions of clarification for the applicant, of which there were none.

The chair then invited other parties to make their representations regarding the application.

The objector

The objector began by stating how they liked the look of the menu laid out by the applicant and stated they would be likely to visit the restaurant if the licence was to go through. However, concerns were raised by the objector.

One of the concerns raised was that the licence would stay with the premises and not the tenants so they wished to put in safeguards for any possible future issues that could occur. The objector acknowledged that because they lived in the centre of the town noise and disturbance was inevitable, noting other businesses in the

area such as a night club and late licence bar and how those had made necessary precautions to limit disturbance.

Another concern was that the main access to the restaurant would be directly opposite their front door. It was suggested that due to their being two entrances that the one furthest away from the objector's door be the main entrance.

The objector also requested some consideration in the disposal of glass bottles due to how close the bottle bin would be in proximity to their house.

Provisions were also asked for encouraging deliveries and customers to use the "main entrance" further away from their front door.

The objector finished her case by highlighting the photo her husband had sent to panel members and officers before the panel took place and stressed how they just wanted to introduce some safeguards to prevent further issues down the line.

The chair invited members of the panel and applicant to ask any questions of clarification. The applicant stated that customers will more than likely go to the door that is closest to them and will try to introduce provisions to ensure the objectors wishes regarding the door.

Final submissions

The chair then invited all parties to put forward their concluding statement, which no party did. The chair proceeded to ask whether all parties felt they had had a fair opportunity to put forward their points and arguments. All parties confirmed that they had received a fair hearing. The chair then recessed the meeting for private deliberation with the other panel members and specific service officers (Legal and Democratic).

Deliberation

The chair then ended the public part of the panel, as the chair, panel members and officers went into the private deliberation period to determine whether or not to accept or deny the licence and whether any amendments and conditions need to be added.

Members agreed that they saw no reason why they could deny the licence. They agreed that the desire to prevent bottles being disposed during unnecessary hours should be enforced on the licence and asked the legal officer whether this could be enforced by this panel, to which it could be.

With regards to the inclusion of a condition requiring the use of one entrance to the restaurant the panel were advised that this was not an enforceable condition, and it was considered to be more in the jurisdiction of planning.

The chair and panel agreed that they felt no need to bring in the other groups for further question so asked officers to let the applicant, licensing officers and other parties to re-join the panel.

Decision

The Premises Licence was granted with the following additional condition:

- No disposal of glass bottle between the hours of 21:00 – 08:00.

The chair then asked if there were any comments regarding the decisions made. Questions were raised about there being no condition regarding the use of one of the doors, the chair responded stating it was not an issue licensing could enforce.

The appeal process was then explained to all parties present at the panel and how that would be done and the time frame in which that would need to be done in.

Meeting closed at 11:51am.

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