

Climate, Biodiversity & Planning Committee Meeting of Witney Town Council



Tuesday, 20th April, 2021 at 6.00 pm

To members of the Climate, Biodiversity & Planning Committee - R Smith, A Prosser, J Aitman, L Ashbourne, R Bolger, V Gwatkin, M Jones and A McMahan (and all other Town Councillors for information).

You are hereby summonsed to the above meeting to be held in the **Virtual Meeting Room via Zoom** for the transaction of the business stated in the agenda below.

Admission to Meetings

All Council meetings are open to the public and press unless otherwise stated.

Admission to this meeting will be online by virtue of The Local Authorities & Police & Crime Panels (Coronavirus)(Flexibility of Local Authority & Police & Crime Panels Meetings)(England & Wales) Regulations 2020.

Zoom login details of this meeting will be published on the Council's website prior to the meeting.

Recording of Meetings

Under the Openness of Local Government Bodies Regulations 2014 the council's public meetings may be recorded, which includes filming, audio-recording as well as photography.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Town Clerk or Democratic Services Officer know before the start of the meeting.

Agenda

1. Apologies for Absence

To consider apologies and reasons for absence.

Committee Members who are unable to attend the meeting should notify the Deputy Town Clerk (adam.clapton@witney-tc.gov.uk) **prior to the meeting**, stating the reason for absence.

Standing Order 309a)(v) permits the appointment of substitute Councillors to a Committee whose role is to replace ordinary Councillors at a meeting of a Committee if ordinary Councillors of the Committee have informed the Proper Officer **before** the meeting that they are unable to attend.

2. Declarations of Interest

Members are reminded to declare any disclosable pecuniary interests in any of the items under consideration at this meeting in accordance with the Town Council's code of conduct.

3. Public Participation

The meeting will adjourn for this item.

Members of the public may speak for a maximum of five minutes each during the period of public participation, in line with Standing Order 42. Matters raised shall relate to the following items on the agenda.

4. **Planning Applications** (Pages 5 - 6)

To receive and consider the schedule of applications as provided by West Oxfordshire District Council for consultation.

5. **Land Purchase Request - 25 Vanner Road** (Pages 7 - 12)

To receive and consider a resident request to purchase land owned by Witney Town Council at the rear of 25 Vanner Road, Witney.

6. **Application for Premises Licence - TTD20 Ltd, 33 Stanley Court, Richard Jones Road, Witney** (Pages 13 - 34)

To receive and consider a Premises Licence Application for TTD20 Ltd at 33 Stanley Court, Richard Jones Road, Witney.

7. **Planning Appeal Notification APP/D3125/D/21/3268933 - 21 Cogges Hill Road, Witney** (Pages 35 - 36)

To receive notification of planning appeal APP/D3125/D/21/3268933 for 21 Cogges Hill Road, Witney.

8. **Pavement Licences**

a) **Pavement Licence - The Fleece, Church Green, Witney** (Pages 37 - 46)

To receive notification of a pavement licence application for the Fleece, Church Green, Witney.

b) **Pavement Licence Consultations** (Pages 47 - 58)

The Committee is asked to consider how the Town Council formulates future responses to Pavement Licence applications from West Oxfordshire District Council, given their limited consultation timescales.

9. **Climate & Biodiversity Update** (Pages 59 - 60)

To receive and consider the report of the Maintenance & Environmental Services Officer.

10. **Car-Free Day 2021** (Pages 61 - 66)

To receive and consider the report of the Communications & Community Engagement Officer concerning Car Free Day in September 2021.

11. **20's Plenty for Oxfordshire** (Pages 67 - 68)

At the meeting of the Witney Traffic Advisory Committee held on 23 March 2020, the 20's Plenty for Oxfordshire initiative was referred to this Committee for consideration, WTAC having agreed to offer its support.

12. **No Mow May**

To consider supporting the 'Plantlife' wildflowers on road verges campaign, 'No Mow May' – further information here:

<https://plantlife.love-wildflowers.org.uk/roadvergecampaign>

<https://www.plantlife.org.uk/uk/discover-wild-plants-nature/nomowmay>

13. **School Streets**

a) **School Streets** (Pages 69 - 72)

To receive an Oxfordshire County Council briefing note concerning the School Streets initiative, including potential sites in Witney.

b) **Walk to School Week**

To consider promoting Walk to School Week 17-21 May 2021. Further information at: <https://www.livingstreets.org.uk/products-and-services/projects/walk-to-school-week>

14. **West Oxfordshire District Council - Climate Action Update**

To note the update and initiatives contained within the [West Oxfordshire District Council Climate Action Winter Bulletin](#)



Town Clerk

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4. Planning Applications

4. . 1 **WTC/046/21** Plot Ref :- 21/00628/HHD Type :- HOUSEHOL
Applicant Name :- . Date Received :- 30/03/2021
Parish :- EAST Date Returned :-
Location :- 30 PINE RISE Agent
 PINE RISE
 WITNEY
Proposals :- Loft conversion to form bedroom and bathroom including box
 dormer with flat rooflight and 2 velux rooflights into roof slopes (rear
 and side).

Observations :-

4. . 2 **WTC/047/21** Plot Ref :- 21/00705/HHD Type :- HOUSEHOL
Applicant Name :- . Date Received :- 01/04/2021
Parish :- SOUTH Date Returned :-
Location :- 1 CURBRIDGE ROAD Agent
 CURBRIDGE ROAD
 WITNEY
Proposals :- Erection of a two storey rear extension and porch to side elevation.
 Insertion of a front dormer window and the addition of a pitched
 roof to the existing rear dormer window.

Observations :-

4. . 3 **WTC/048/21** Plot Ref :- 21/01110/HHD Type :- HOUSEHOL
Applicant Name :- . Date Received :- 01/04/2021
Parish :- SOUTH Date Returned :-
Location :- 43A THE CROFTS Agent
 THE CROFTS
 WITNEY
Proposals :- Removal of existing detached garage and erection of a single
 storey side extension.

Observations :-

4. . 4 **WTC/049/21** Plot Ref :- 21/00697/HHD Type :- HOUSEHOL
Applicant Name :- . Date Received :- 06/04/2021
Parish :- SOUTH Date Returned :-
Location :- 21-23 HIGH STREET Agent
 HIGH STREET
 WITNEY

Proposals :- Reroofing of pitched roof.

Observations :-

4. . 5

WTC/050/21

Plot Ref :- 21/01089/HHD Type :- HOUSEHOL

Applicant Name :- .

Date Received :- 07/04/2021

Parish :- CENTRAL

Date Returned :-

Location :- 33 DENE RISE
DENE RISE
WITNEY

Agent

Proposals :- Demolition of existing garage and erection of single storey side and rear extension.

Observations :-

Agenda Item 5

Sent: 25 March 2021 18:23

To: Info <Info@witney-tc.gov.uk>

Subject: Land enquiry

Sir/Madam,

I enquired earlier over the phone of potentially looking into whether we would be able to purchase some land behind our property. Attached is a site plan of our property with the area out the back highlighted.

This land is currently a mixture of hard standing area and hedgerow.



The area is roughly 7.5m * 6.5m as not square as path runs diagonally down and we don't want to impede this path

Any queries please feel free to contact me

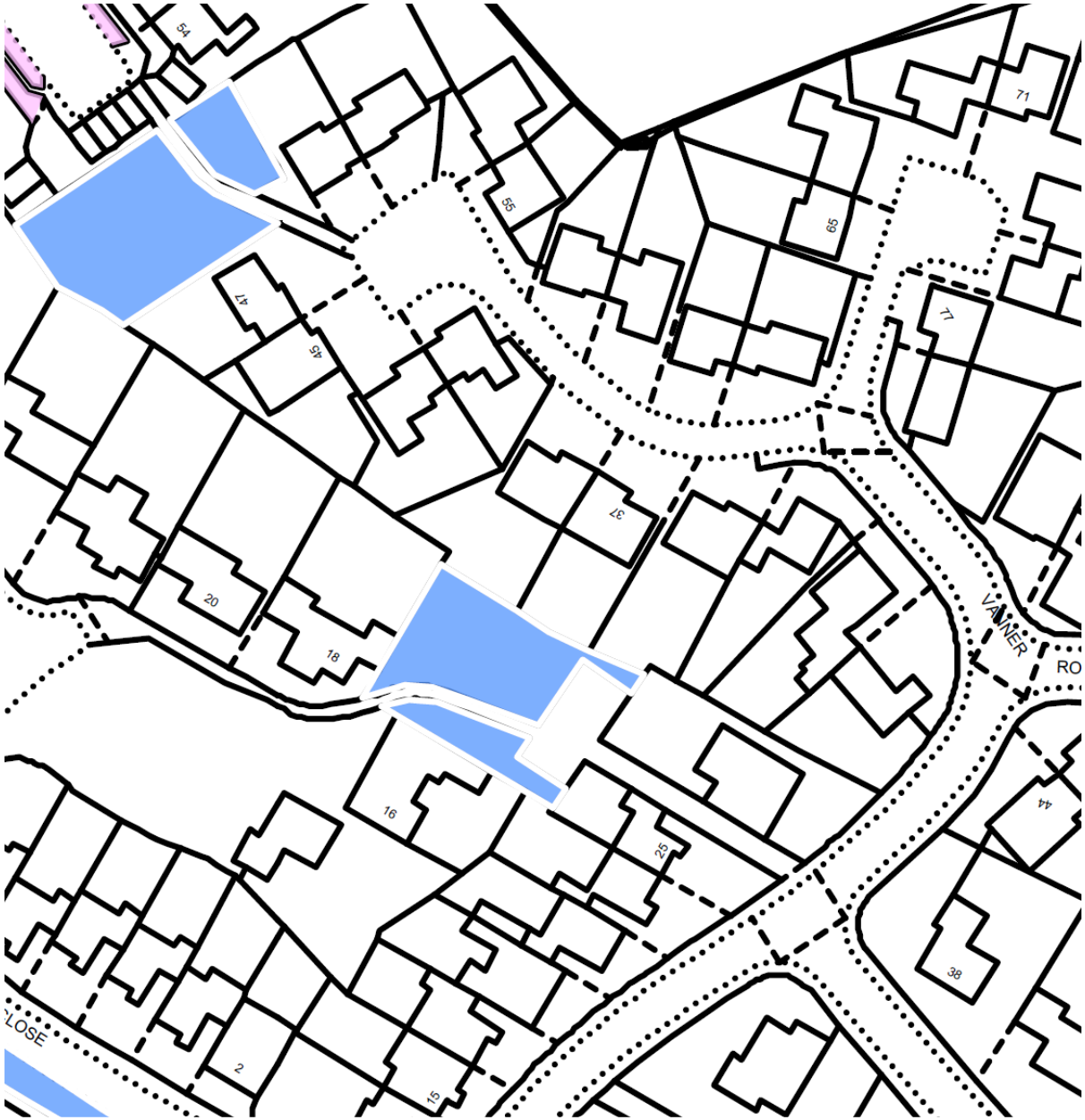
Regards

S. Mcnaughton





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Agenda Item 6

Reply to : Debra Courtenay-Crane
Tel : 01993 861000
Email: ers@westoxon.gov.uk

Council Offices

Woodgreen,
WITNEY,
Oxfordshire,
OX28 1NB
Tel: 01993 861000
www.westoxon.gov.uk



The Parish Council

Your Ref: W/21/00197/PRMA

Date: 9th April 2021

Dear Parish Clerk,

LICENSING ACT 2003

Application for New Premises Licence

We have received an application for **TTD20 Ltd 33 Stanley Court Richard Jones Road Witney Oxfordshire OX29 0TB** under the Licensing Act 2003.

The application can be viewed through the online [Public Access Portal](#). If you would like to make formal representation, the closing date is **7th May 2021**

Please ensure that all email correspondence is sent to ers@westoxon.gov.uk.

Yours faithfully

A handwritten signature in black ink, appearing to read "Michelle Bignell".

Michelle Bignell (Mrs)
Service Leader
Licensing and Business Support
Environmental and Regulatory Services

West Oxfordshire District Council may share information provided to it with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud under Section 6 of the Audit Commission Act 1998

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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 TTD20 LTD
(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Unit 33 , Stanley Court Richard Jones Road Witney Oxfordshire			
Post town	Witney	Postcode	OX29 0TB

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£6,700.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate.**

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body 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. 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. please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

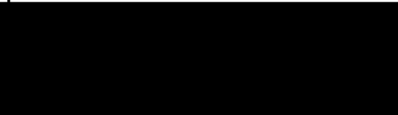
SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			

Nationality			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service. (please see note 15 for information)			
Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(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 TTD20 LTD
Address 61 Prescott Avenue, Banbury OX16 0RF
Registered number (where applicable) 12871795
Description of applicant (for example, partnership, company, unincorporated association etc.) 

Part 3 Operating Schedule

When do you want the premises licence to start? **ASAP** DD MM YYYY

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

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

The premises are a commercial property with the licensed area within the building allocated as storage for online alcohol sales. The property will have sufficient security alarms and CCTV in place, ensuring it fully upholds the licensing objectives.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- | Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| 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) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |
| Provision of late night refreshment (if ticking yes, fill in box I) | <input type="checkbox"/> |
| Supply of alcohol (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	-----	-----	Please give further details here (please read guidance note 4)		
Tue	-----	-----			
Wed	-----	-----	State any seasonal variations for performing plays (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	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 (please read guidance note 6)		
Sat	-----	-----			
Sun	-----	-----			

B

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

C

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

D

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)			
			Indoors	<input type="checkbox"/>		
			Outdoors	<input type="checkbox"/>		
			Both	<input type="checkbox"/>		
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon	-----	-----				
Tue	-----	-----				
Wed	-----	-----			State any seasonal variations for the performance of live music (please read guidance note 5)	
Thur	-----	-----				
Fri	-----	-----			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)	
Sat	-----	-----				
Sun	-----	-----				

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	-----	-----	Please give further details here (please read guidance note 4)		
Tue	-----	-----			
Wed	-----	-----	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	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	-----	-----			
Sun	-----	-----			

G

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

H

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

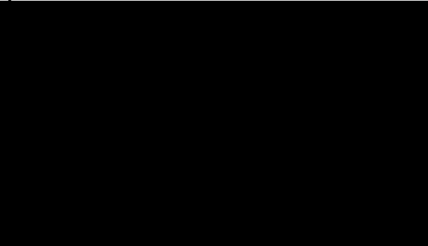
I

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

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) There will also be "on-line" sales of alcohol via the internet.	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	0000	2400	State any seasonal variations for the supply of alcohol (please read guidance note 5) The business will be run as an "on-line" platform for the sale of alcohol, via a website. Those timings listed on the left are for the "On-line" sales		
Tue	0000	2400			
Wed	0000	2400			
Thur	0000	2400	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	0000	2400			
Sat	0000	2400			
Sun	0000	2400			

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

Name Liliana Tuvenie

Personal licence number (if known) PSL2401
Issuing licensing authority Cherwell District Council

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

Not applicable

L

<p>Hours premises are open to the public. Standard days and timings (please read guidance note 7)</p>			<p>State any seasonal variations (please read guidance note 5)</p>
Day	Start	Finish	<p>The business will be run as an "on-line" platform for the sale of alcohol, and therefore not open to the public.</p>
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
			<p>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)</p>

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)

The business will be well managed by the DPS/PLH, at all times.

The Premises Licence Holder will always ensure that all of the licensing objectives are fully adhered to and that sufficient due diligence is given to the day-to-day management of the premises.

b) The prevention of crime and disorder

CCTV is installed at the premises and will be operated and fully maintained at all times; images will be retained for at least 31 days and be produced on request of any Responsible Authority. The CCTV will be operational at all times whilst the premises are trading.

Warning notices are displayed advising that CCTV is in operation.

A refusals log will always be maintained and will be checked and signed off by the DPS at regular intervals. All Responsible Authorities, upon reasonable request, will be permitted to view these logs.

When the premises use a courier service, it will be with a written agreement that incorporates a challenge 25 Policy. Records of proof of age checks will be retained for a period of three months. Any courier used, will be made aware of the potential for proxy sales.

Deliveries will only be made to "post code" addresses, of businesses or residential properties.

Passport, driving licence or PASS photo ID will be the only forms of ID accepted by the courier. Refusals of sales will be recorded and will be made available for inspection on request of an authorised officer.

The website will inform customers that a strict age verification policy is in operation, and that ID may be requested at time of delivery (Challenge 25).

c) Public safety

The Premises Licence Holder will ensure that:

- a. staff employed receive appropriate training.
- b. that employees are aware of their social and legal obligations, and their responsibilities regarding the sale of alcohol.
- c. These training records will be retained at the premises, and employees training will take place at least twice per year.

d) The prevention of public nuisance

The Premises Licence Holder will ensure that the disturbance caused to the public is kept to the very minimum.

Premises Licence Holder will ensure that the frontage of the property is checked regularly for litter and rubbish, clearing any debris away, in a responsible manner.

e) The protection of children from harm

A strict "Challenge 25" policy is in place and only recognised forms of ID will be accepted. {PASS accredited ID, passport, or photo driving licence}.

The website will inform customers that a strict age verification policy is in operation, and that ID may be requested at time of delivery.

Any courier used, will be made aware of the potential for proxy sales.

Checklist:

Please tick to indicate agreement


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

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

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

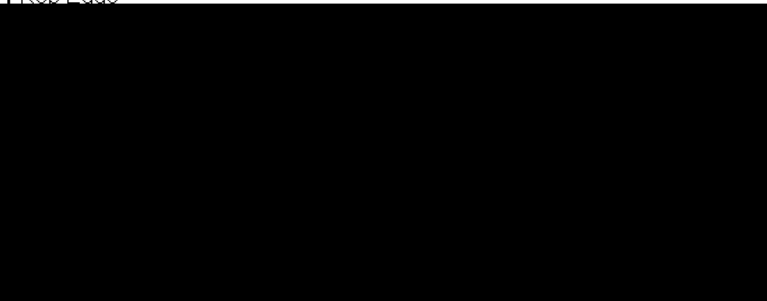
Part 4 – Signatures (please read guidance note 11)

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

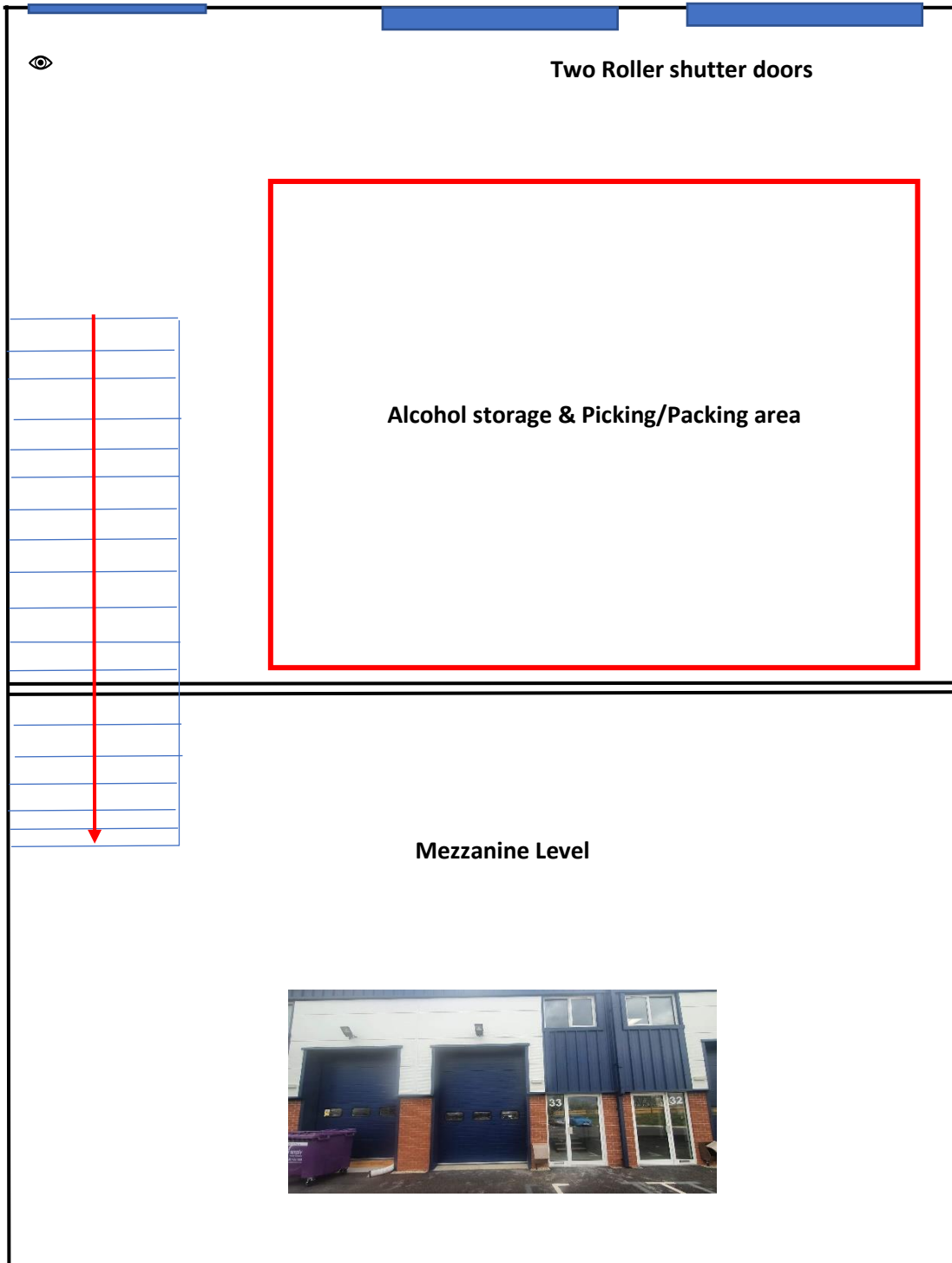
Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	8 April 2021
Capacity	Agent on behalf of the applicant

For joint applications, signature of 2nd applicant 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	

<p>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)</p> <p>Rob Edge</p> 

Unit 33 Stanley Court
 Richard Jones Road
 Witney. Oxfordshire
 OX29 0TB



Unit 33	66.0sqm / 708sqft	29.5sqm / 318sqft	95.5sqm / 1026sqft
---------	-------------------	-------------------	--------------------

Licence Leader Ltd
www.licence-leader.co.uk
rob.edge@licence-leader.co.uk
 Rob. 07982917819

Key.
 ME – Main Entrance
 👁 - CCTV
 Red Line – Licensable Area
 FE - Fire equipment

Version 01 – April 2021
 Measurements supplied by owner.

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Date: 1st April 2021
Our ref: 21/00004/APPEAL
Please ask for: Chris Wood
Telephone: 01993 861677
Email: chris.wood@publicagroup.uk

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER SECTION 78
Notification of Planning Appeal**

Site Address: 21 Cogges Hill Road, Witney, Oxfordshire
Description of Development: Two storey front extension
Original Application Number: 20/03565/HHD
Appellant's name: Mr Adrian Dzikowski
Appeal Reference: APP/D3125/D/21/3268933
Appeal Start Date: 25.03.2021

Mr Adrian Dzikowski has appealed to the Secretary of State against the Council's refusal of planning permission for the development described above.

The Planning Inspectorate has asked us to notify you of this appeal and let you know that, if the appellant is successful, planning permission could be granted.

The appeal will be proceeding under the **Householder Appeals Service**, there is no opportunity for you to submit comments. However, we have forwarded all the representations made to us on the application to the Planning Inspectorate and the Appellant. These will be considered by the Inspector when determining the appeal.

If you wish to withdraw any representations you made on the original application, you must make this request to the Planning Inspectorate by 22nd April 2021 quoting reference number APP/D3125/D/21/3268933.

Via email : APOCTI@planninginspectorate.gov.uk

In writing (please send 3 copies): The Planning Inspectorate
Room 3C Eagle Wing
Temple Quay House
2 The Square
Bristol BS1 6PN

You can also do this online at <https://acp.planninginspectorate.gov.uk>, where the appeal documents can also be inspected.

If you wish to follow the appeal you can do so via the Planning Portal (www.planningportal.gov.uk/pcs) by searching under the appeal reference APP/D3125/D/21/3268933. You can also view the appeal documents on the Council's website at www.westoxon.gov.uk/planning-and-building/.

The Planning Inspectorate has published a guide to taking part in planning appeals which is available online www.planningportal.gov.uk/uploads/pins/taking-part

Yours sincerely,

Chris Wood

Senior Planning Officer (Appeals)
Planning and Strategic Housing

Reply to : Michelle Bignell
Tel : 01993 861000
Email: ers@westoxon.gov.uk

Council Offices
Woodgreen,
WITNEY,
Oxfordshire,
OX28 1NB
Tel: 01993 861000
www.westoxon.gov.uk



The Parish Council

Your Ref: W/21/00182/PAVLIC

Date: 26th March 2021

Dear Parish Clerk,

BUSINESS AND PLANNING ACT 2020

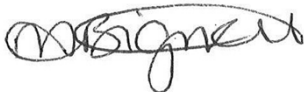
Application for Pavement Licence

We have received an application for **Fleece Hotel 11 Church Green Witney Oxfordshire OX28 4AZ** under the Business and Planning Act 2020.

The application can be viewed through the online [Public Access Portal](#). If you would like to make formal representation, the closing date is **2nd April 2021**.

Please ensure that all email correspondence is sent to ers@westoxon.gov.uk.

Yours faithfully

A handwritten signature in black ink, appearing to read "Michelle Bignell".

Michelle Bignell (Mrs)
Service Leader
Licensing and Business Support
Environmental and Regulatory Services

West Oxfordshire District Council may share information provided to it with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud under Section 6 of the Audit Commission Act 1998

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Premises address	Fleece Hotel, 11 Church Green, Witney, Oxfordshire, OX28 4AZ
Premises telephone number	01993892270
Business premises use	Both uses
Description of the area	Area 1 car parking spaces in front of the pub. Area 2 grassed area in front of the neighboring property
Furniture purpose	Both purposes
Monday start time	09:00
Tuesday start time	09:00
Wednesday start time	09:00
Thursday start time	09:00
Friday start time	09:00
Saturday start time	09:00
Sunday start time	09:00
Monday finish time	22:00
Tuesday finish time	22:00
Wednesday finish time	22:00
Thursday finish time	22:00
Friday finish time	22:00
Saturday finish time	22:00
Sunday finish time	22:00
Description of the furniture	Area 1- 4 wooden tables (90cm diameter) and 12 chairs Area 2- 2 tables (90cm diameter) and 1 table (120cm diameter) and 14 chairs
Do you intend to alter any of the building and / or frontage to accommodate this proposal?	No

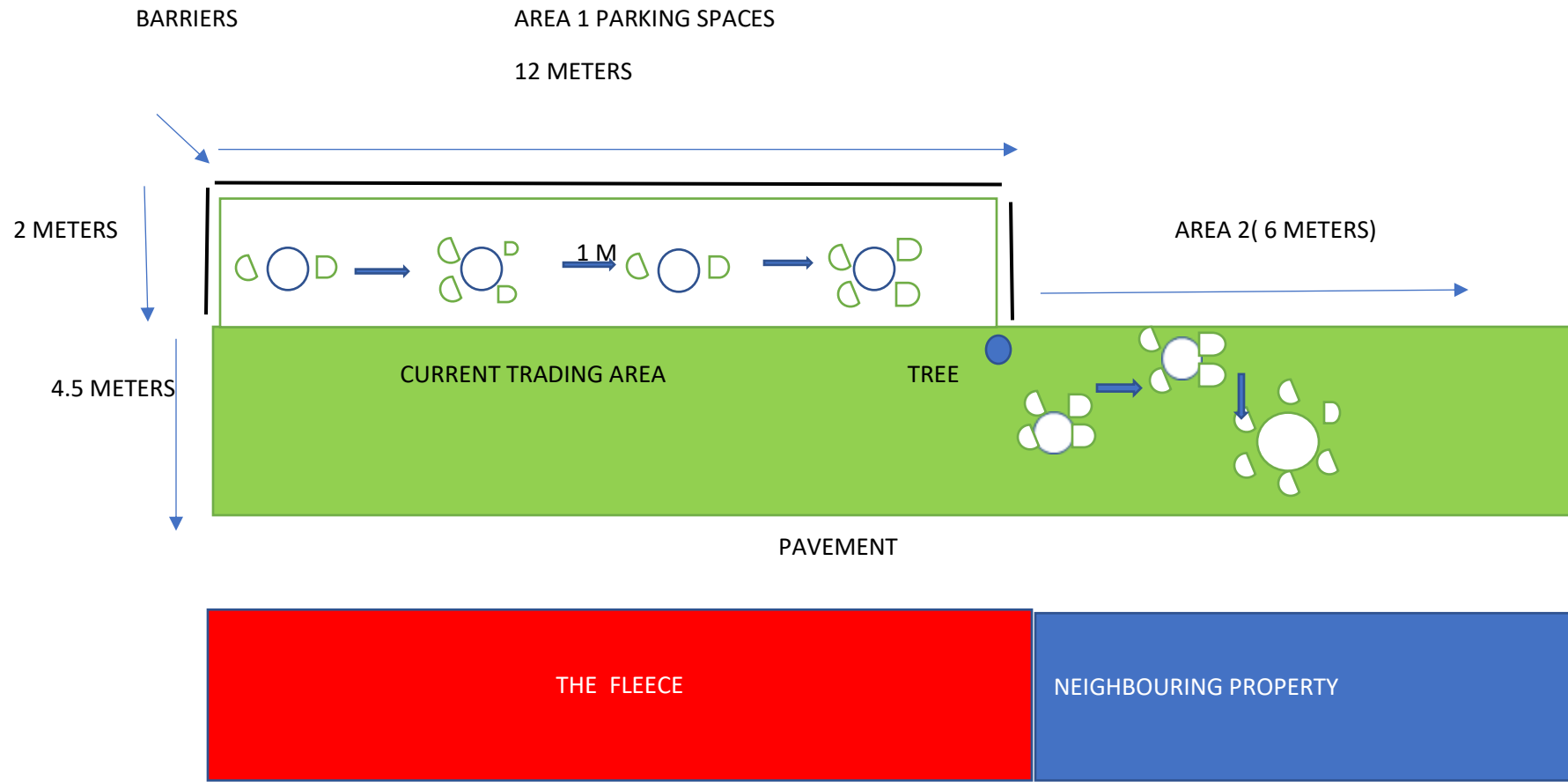
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	Tables, in 90cm and 120cm





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West Oxfordshire District Council

Pavement Licensing Policy

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July 2020

1. Introduction

The Business and Planning Act 2020 was passed to promote economic recovery and growth in response to the economic impacts of the global Covid-19 pandemic. The Act included urgent provisions designed to make it easier for premises in England serving food and drink such as bars, restaurants and pubs to seat and serve customers outdoors through temporary changes to planning procedures and alcohol licensing.

Sections 1 to 10 of the Act create a temporary regime for the issuing of “pavement licences” by appropriate local authorities. West Oxfordshire District Council is the appropriate local authority for issuing pavement licences in the administrative area covered by the Council.

This new process introduces a streamlined and cheaper route for businesses such as cafes, restaurants and bars to secure a licence to place furniture on the highway. The aim of the legislation is to support businesses to operate safely while social distancing measures remain in place. The aim is to provide much needed income over the summer months and protect as many hospitality jobs as possible.

The temporary licensing regime is due to be in place until 30 September 2021 when these provisions are due to expire in accordance with section 10 of the Act.

2. Scope

2.1. Definition of pavement licence

A pavement licence is a licence granted by the local authority, or deemed to have been granted, which allows the licence-holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, for certain purposes.

2.2. Eligible Businesses

A business which uses (or proposes to use) premises for the sale of food or drink for consumption (on or off the premises) can apply for a licence. Businesses that are eligible include: public houses, cafes, bars, restaurants, snack bars, coffee shops, and ice cream parlours.

A licence permits the business to use furniture placed on the highway to sell or serve food or drink and/or allow it to be used by people for consumption of food or drink supplied from, or in connection with the use of the premises.

2.3. Eligible Locations

Licences can only be granted in respect of highways listed in section 115A(1) Highways Act 1980.

Generally, these are footpaths restricted to pedestrians or are roads and places to which vehicular access is restricted or prohibited. Highways maintained by Network Rail or over Crown land are exempt (so a licence cannot be granted).

2.4. Type of furniture permitted

The furniture which may be used is:

- counters or stalls for selling or serving food or drink;
- tables, counters or shelves on which food or drink can be placed;
- chairs, benches or other forms of seating; and
- umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink.

This furniture is required to be removable, which in principle means it is not a permanent fixed structure, and is able to be moved easily, and stored away at the end of the evening.

The Council would also expect the type of furniture to be ‘in keeping’ with the local area.

2.5. Planning Permission

If a pavement licence is granted, or deemed to be granted, the applicant will also benefit from deemed planning permission to use the land for anything done pursuant to the licence while the licence is valid and remains in force.

2.6. Existing tables/chairs

The new pavement licence regime runs alongside the provisions in Part 7A of the Highways Act 1980, which remain in place.

Any existing permissions issued under Part 7A of the Highways Act 1980 remain valid.

3. Application and Determination of Pavement Licences

3.1. Submission of the Application

An application for a Pavement Licence must be made to the Council on the appropriate form, and accompanied by:

- A plan showing the location of the premises marked by a red line, so the application site can be clearly identified
- A plan clearly showing the proposed area covered by the licence in relation to the highway, if not to scale, with measurements clearly shown. The plan must show the positions and number of the proposed tables and chairs, together with any other items of furniture to be placed on the highway. The plan shall include clear measurements of, for example, pathway width/length, building width and any other fixed item in the proposed area.
- Photos or brochures showing the proposed type of furniture and information on potential siting of it within the area applied.

The applicant must also have public liability insurance that covers the activity for third party and public liability risks, to a minimum value of £5 million before the licence can be utilised.

An application will not be considered complete (valid) until the application form and all required documents have all been received. The public consultation period will not commence until the day after a complete application has been made.

3.2. Fees

The Council has determined that in order to support the local economy there will be no fee for these licences.

3.3. Consultation

Applications are consulted upon for 7 days, starting with the day on which a valid application was received by the Council.

The Council will publish details of the application on its website at <https://publicaccess.westoxon.gov.uk/online-applications/>

The Council is required by law to consult with the Highway Authority. In addition, to ensure that there are no unacceptable detrimental effects arising from the application proposals the Council will consult with:

- West Oxfordshire District Council planning teams
- West Oxfordshire District Council Food, Health and Safety team
- West Oxfordshire District Council Operations (Environmental Health) team
- Thames Valley Police
- Ward Members
- Town/Parish Councils

Members of the public and others listed above can contact the Council to make representations.

The Council must take into account representations received during the public consultation period and consider these when determining the application.

3.4. Site Notice

An applicant for a pavement licence must on the day the application is made, fix a notice of the application to the premises so that the notice is readily visible to, and can be read easily by, members of the public who are not on the premises. The notice must be constructed and secured so that it remains in place until the end of the public consultation period. Evidence of the site notice requirement having been complied with must be supplied to the Council.

The Site Notice must:

- state that the application has been made and the date on which it was made;
- state the statutory provisions under which the application is made;
- state the address of the premises and name of the business;
- describe the proposed use of the furniture;
- indicate that representations relating to the application may be made to the Council during the public consultation period and when that period comes to an end;
- state the Council's website where the application and any accompanying material can be viewed during the consultation period;
- state the address to which representations should be sent during the consultation period; and
- the end date of the consultation (7 days starting the day after the application is submitted to the authority).

A template Site Notice is shown as [Appendix I](#).

3.5. Site Assessment

The following matters will be used by the Council and consultees in considering the suitability of the proposal:

- public health and safety – for example, ensuring that uses conform with latest guidance on social distancing and any reasonable crowd management measures needed as a result of a licence being granted and businesses reopening;
- public amenity – will the proposed use create nuisance to neighbouring occupiers by generating anti-social behaviour and litter; and
- accessibility – taking a proportionate approach to considering the nature of the site in relation to which the application for a licence is made, its surroundings and its users, taking account of:
 - any other temporary measures in place that may be relevant to the proposal, for example, the reallocation of road space. This could include pedestrianised streets and any subsequent reallocation of this space to vehicles;
 - whether there are other permanent street furniture or structures in place on the footway that already reduce access;
 - the impact on any neighbouring premises
 - the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.1 of [Inclusive Mobility](#), and
 - other users of the space, for example if there are high levels of pedestrian or cycle movements.

Applicants are strongly encouraged to talk to neighbouring businesses and occupiers prior to applying to the local authority, and so take any issues around noise, and nuisance into consideration as part of the proposal. Discussions with neighbours should consider any plans neighbouring businesses have to also place tables and chairs on the highway and plans for customers to queue outside.

3.6. Determination

Once the application is submitted the Council has 14 days from the day after the application is made (excluding public holidays) to consult on, and determine the application. This consists of 7 days for public consultation, and then 7 days to consider and determine the application after the consultation.

If the Council determines the application before the end of the determination period the local authority can:

- grant the licence in respect of any or all of the purposes specified in the application,
- grant the licence for some or all of the part of the highway specified in the application, and impose conditions, or
- refuse the application.

If the Council does not determine the application within the 14 day period, the application will be deemed to have been granted.

The following are authorised to grant or refuse applications, and to revoke a Licence which has been granted:

Decision	Authorised decision maker
Granting an application where no objections have been received during the consultation period	Business Manager, Environmental and Regulatory Services or Licensing Service Leader
Granting or refusing an application where objections have been received during the consultation period	Business Manager, Environmental and Regulatory Services or Licensing Service Leader, following consultation with the Chairman of the Miscellaneous Licensing Sub-Committee
Revoking a Licence	Business Manager, Environmental and Regulatory Services or Licensing Service Leader, following consultation with the Chairman of the Miscellaneous Licensing Sub-Committee

3.7. Calculation of Days

In deciding the public consultation period or the determination period, as referenced above, no account will be taken of a bank holiday, nor of Christmas Day or Good Friday. In all other instances the period shall be calendar days.

3.8. Approval of Applications

The Council may approve applications meeting the criteria contained within these guidelines.

On approving the application, the Council will issue a Pavement Licence to which conditions will be attached. The licence will also contain specific terms such as days and hours when tables and chairs are permitted and appearance and location of the furniture corresponding to the application.

A copy of the Council's standard conditions, which will be attached to all Pavement Licences are shown at [Appendix 2](#). Additional conditions may be attached if the Council considers it appropriate in the circumstances of any particular case.

The Council generally will only permit Pavement Licences between 08:00 and 22:00.

Applications outside these hours will be assessed in terms of the criteria detailed above regardless of whether objections have been made or not. The Council however retains the right to specify permitted hours of trading that are less than those specified above in appropriate circumstances.

3.9. Licence Duration

If the Council determines an application before the end of the determination period (which is 7 days, beginning with the first day after the public consultation period, excluding public holidays) the Council can specify the duration of the licence, subject to a minimum duration of three months.

The expectation from the Government is that local authorities will grant licences for 12 months or more unless there are good reasons for granting a licence for a shorter period such as plans for future changes in use of road space. As such, the Council will normally grant applications until 30 September 2021.

If a licence is 'deemed' granted because the authority does not make a decision on an application before the end of the determination period, then the licence will be valid for a year.

A licence granted or deemed to be granted will not be valid beyond 30 September 2021.

3.10. Refusal of Applications

If the site is deemed unsuitable for a Pavement Licence, or if relevant representations are made which cannot be mitigated by conditions then the application may be refused.

There is no statutory appeal process against a decision to refuse an application.

A business may apply again after refusal but will have to make a new application and address the concerns raised in the original application.

4. Conditions

The Council's standard conditions can be found at [Appendix 2](#). In some cases, extra measures may be required. This will be determined when assessing any application, on a case by case basis, and the council will confirm the reasons why any additional conditions have been imposed.

The Act contains two national conditions that all granted and deemed granted licences must adhere to if the council fails to publish their own conditions, or the published conditions fail to make provision for observing the national conditions. The two conditions are:

- a no-obstruction condition
- a smoke free seating condition

The council's published conditions make provision for these conditions, but for the sake of transparency, the national conditions are detailed in [Appendix 3](#) to this document.

The Act also allows for the Secretary of State to produce via regulations conditions for pavement licences, and to stipulate whether these conditions have effect as well as, or instead of, the conditions placed on a licence by the council. If such conditions are created, this guidance will be amended to reflect them, and all licence holders will be notified of any changes this may create.

Where a local authority sets a local condition that covers the same matter as set out in national conditions, then the locally set condition takes precedence over the national condition where there is reasonable justification to do so.

5. Enforcement

The Council aims to work closely with other enforcement authorities to enforce the provisions of all appropriate legislation. It remains the case that an obstruction of the Highway is an offence under The Highways Act 1980 and will be dealt with by the Highways Authority or the Police.

Obtaining a licence does not confer the holder immunity in regard to other legislation that may apply, e.g. Public Liability, Health & Safety at Work, Food Hygiene and Safety, Alcohol and Entertainment Licensing, Social distancing controls, and applicants must ensure all such permissions, etc. are in place prior to applying.

If a condition imposed on a licence either by the Council or via a National Condition is breached the Council will be able to issue a notice requiring the breach to be remedied and the authority can take action to cover any costs.

The authority may revoke a licence in the following circumstances:

1. For breach of condition, (whether or not a remediation notice has been issued) or
2. Where:
 - There are risks to public health or safety – for example by encouraging users to breach government guidance on social distancing by placing tables and chairs too close together;
 - the highway is being obstructed (other than by anything permitted by the licence);
 - there is anti-social behaviour or public nuisance – for example, the use is increasing the amount of noise generated late at night and litter is not being cleaned up;
 - it comes to light that the applicant provided false or misleading statements in their application – for example they are operating a stall selling hot food and had applied for tables and chairs on which drinks could be consumed; or
 - the applicant did not comply with the requirement to affix the notice to notify the public for the relevant period.
3. The Council may also revoke the licence where all or any part of the area of the relevant highway to which the licence relates has become unsuitable for any purpose for which the licence was granted or deemed to be granted. For example, the licensed area (or road adjacent) is no longer to be pedestrianised. The Council will give reasons where these powers are used.

6. Review Procedures

This Policy covers the Temporary Permission for Pavement Licences under the Business and Planning Act which are scheduled to expire on 30 September 2021.

This Policy will be reviewed from time to time should changes occur in relevant legislation, the nature of Pavement Licences generally, relevant social distancing measures or as a result of local considerations within the West Oxfordshire District.

BUSINESS AND PLANNING ACT 2020

NOTICE OF APPLICATION FOR GRANT OF A PAVEMENT LICENCE

I / We(1)

Do hereby give notice that on (2)

I / we have applied to West Oxfordshire District Council for a pavement licence at:

.....
..... (3)

Known as..... (4)

The application is for:

.....
..... (5)

Any person wishing to make representations to this application may do so by writing to ers@westoxon.gov.uk by:

..... (6)

The application and information submitted with it can be viewed at:

www.westoxon.gov.uk

Signed

Date (7)

Guidance notes on completing this notice of application.

Complete the notice by putting the following information in the numbered spaces:

- (1) Name of the applicant
- (2) Date the application is made (submitted)
- (3) Postal address of the premises
- (4) Name the premises is known by
- (5) Brief description of application (e.g outdoor seating to the front of the premises for serving of food and drink]).
- (6) Last date for representations being the date 7 days after the date the application is submitted to the local authority (excluding public holidays)
- (7) The date the notice was placed (must be the same date as (2) above)

On the same day that the application is made, a completed copy of this notice must be fixed to the premises so that it is readily visible to, and can be read easily by, members of the public who are not on the premises, and secure that the notice remains in place until the end of the public consultation period.

Failure to comply this requirement may lead to the revocation of any licence granted or deemed granted.

Standard Pavement Licence Conditions

Please note that these conditions are not an exhaustive list. Each application will be considered on its own merits and individual, specific conditions may be attached where deemed appropriate.

Where a licence is deemed granted, the applicant is deemed to be a 'licence holder' and is required to comply with all of the below conditions. In such circumstances, references to 'licensed area' should be understood to mean the area proposed for licensing within the application.

1. The licence holder must ensure that no activity undertaken by them by the placing of furniture on the highway will:
 - (a) prevent traffic, other than vehicular traffic, from:
 - (i) entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway),
 - (ii) passing along the relevant highway, or
 - (iii) having normal access to premises adjoining the relevant highway,
 - (b) prevent any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,
 - (c) prevent statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or
 - (d) prevent the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.
2. The licence holder must ensure clear routes of access are maintained, taking into account the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in the Department for Transport's [Inclusive Mobility](#) document.
3. Where the furniture to be put on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, the licence holder must make reasonable provision for seating where smoking is not permitted.
4. Permission to operate a pavement café does not imply an exclusive right to the area of public highway. The licence holder must be aware that West Oxfordshire District Council and others (e.g. police, highways authority, statutory undertakers) will need access at various times (including emergencies) for maintenance, installation, special events, improvements etc or any other reasonable cause. This may mean that the pavement café will need to cease operating and/or be removed for a period of time. On these occasions there would be no compensation for loss of business.

5. Tables and chairs must not be placed in position outside of permitted times. When the licence is not in use, all tables and chairs and other furniture must be stored securely inside a premises away from the highway.
6. The licence holder must ensure that furniture is positioned in such a way so as to ensure compliance with the relevant Government guidance on social distancing that is in place at any particular time and that staff can service the space in a manner that does not compromise their health and safety.
7. Unless another more restrictive condition has been attached to the licence in response to particular concerns raised during the public consultation period, the licence holder must not place any furniture on the highway in pursuance of this licence before 08:00hrs on any day and must remove all furniture placed on the highway in pursuance of this licence when the premises closes or by 22:00hrs on any day, whichever is the earliest.
8. The licence holder must at all times hold a current certificate of insurance that covers the activity for third party and public liability risks, to a minimum value of £5 million.
9. The area of the highway covered by the licence must be kept clean and tidy at all times. This will include washing down the area, and removing any refuse and litter on the highway in the vicinity of the removable furniture.
10. The licence holder shall not use or allow to be used any music playing, music reproduction or sound amplification apparatus or any musical instruments, radio, or television receiving sets in the area of the highway covered by the licence.
11. The licence holder is not to make or cause to be made any claim against the West Oxfordshire District or Oxfordshire County Council in the event of any property of the licence holder becoming lost or damaged in any way from whatever cause.
12. An unimpeded pedestrian route must be maintained at all times for people wishing to use the footway as per the National Licence Conditions (see [Appendix 3](#)).
13. The licensee should ensure that the area operates in a safe and orderly manner, thereby ensuring that any safety risk or nuisance to customers, other users of the public highway or any adjacent land or premises, is minimised.
14. During the hours of darkness suitable and sufficient lighting must be provided to ensure safe use of the area. Any proposals to provide additional lighting to the licensed areas must be agreed with the Highway Authority.
15. The licence holder is not permitted to make any fixtures, or excavations of any kind, to the surface of the highway without prior written approval. Any costs incurred as a result of damage to the highway, due to the positioning of tables and chairs etc, will be recovered in full from the licence holder by West Oxfordshire District Council or the Highway Authority.
16. The premises must ensure that if alcohol is sold from the business that all necessary permissions under the Licensing Act 2003 are in place.
17. The licence must be displayed on the premises with a plan of the agreed layout of the pavement café.
18. West Oxfordshire District Council reserves the right to revoke this licence at any time if any of the above conditions are not fulfilled and maintained.
19. The licence holder must ensure that the area covered by the licence is monitored regularly by staff to ensure that the conditions above are being adhered to.

National Conditions

[All section references are to the Business and Planning Act 2020]

No-obstruction condition

Section 5(5)

A “no-obstruction condition” is a condition that anything done by the licence holder pursuant to the licence, or any activity of other persons which is enabled by the licence, must not have an effect specified in section 3(6):

Section 3(6)

The effects referred to in subsection (5) are-

- a) preventing traffic, other than vehicular traffic, from—
 - i. entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway),
 - ii. passing along the relevant highway, or
 - iii. having normal access to premises adjoining the relevant highway,
- b) preventing any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,
- c) preventing statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or
- d) preventing the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.

Smoke-free seating condition:

Section 5(6)

A “smoke-free seating condition” is a condition that, where the furniture to be put on the relevant highway consists of seating for use by persons for the purpose of consuming food or drink, the licence-holder must make reasonable provision for seating where smoking is not permitted.

CLIMATE, BIODIVERSITY & PLANNING COMMITTEE

Date: Tuesday, 20 April 2021

Title: Climate & Biodiversity Update

Contact Officer: Maintenance & Environmental Services Officer - Angus Whitburn

Background

The purpose of this report is to update councillors on the Lake and Country Park. The report was intended to contain a further update on climate matters but due to Officer time commitments, this will not feature in this report.

Current Situation

Lake and Country Park Ecology Study

Frank Lucas (Facilitating Nature) has come back with a proposal to survey the vegetation within the lake. To fully survey the lake would require a boat, substantial equipment and come with a significant increase in cost and H&S risk. There is no industry standard so he has instead recommended using a grapple on a rope to draw in any vegetation to compile a species list. This has been offered at no additional cost on top of the original quote.

Rediscover Nature

The council has received an enquiry from Rediscover Nature to set up a temporary self-guided walk at the country park. It would involve setting up a simple physical trail with a small number of way-points marked for people to find. Each waypoint will feature a QR code that will provide relevant nature-based information/activity suggestions.

This would offer an additional activity for users of the country park which has seen an increase in footfall during the COVID-19 pandemic. Rediscover nature have only requested the use of the area on a temporary basis and have said their activities won't disturb other users.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 – with this in mind Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

The markers for the self-guided trails by Rediscover Nature are laminated tags which do raise some concern with them entering the ecosystem. The operator of the nature trails has said they will be securely fastened with ribbons and not stapled to trees. And they will only be installed temporarily for 2 weeks.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

Financial implications

Described here or as stated in the report above.

- Facilitating Nature has offered the additional aquatics survey at no additional cost. If the council would prefer a more thorough survey Officers will have to seek quotes from alternative companies that would come in at a substantial cost.

Recommendations

Member are invited to note the report and consider the following:

1. Accept the aquatics survey offer from Facilitating Nature for the south section of the lake.
2. Approve the use of the lake and country park for Rediscover Nature self-guided walks on a temporary basis.

CLIMATE, BIODIVERSITY AND PLANNING COMMITTEE

Date: 20th April 2021

Title: Car Free Day 2021

Contact Officer: Communications and Community Engagement Officer -Polly Inness

Background

To provide a brief update on plans for Car Free Day 2021.

Current Situation

This report is intended to inform Councillors of plans for Car Free day on Wednesday 22nd September 2021, COVID-19 permitting, for which a budget of £1000 has been agreed.

At the Stronger Communities committee meeting of 25th January 2021 Councillors agreed the following recommendations:

SC37

that a Car Free Day is held as per last year, but road closures not applied for subject to Covid-19 road closures still being in place;

that the Communications and Events Officer contacts the Windrush Bike Project and Cycling Without Age be invited to participate in car free day.

Additional Activities

The 1863 bar and café is likely to want to make use of the space licensed to the Corn Exchange to operate on that day and the chip shop also has a licensed area, but there is room for other activities to take place elsewhere on the Market Square as there is no market on that day. Windrush Bike Project and Cycling Without Age may need some space, but there is also the potential to use the pavement to chalk out some interactive pavement selfies (as per the illustrations attached) and perhaps some pavement games such as hopscotch or an activity game. Chalked games will of course remove easily with a brush and or water but will not be practical if it rains and may need to be confined to land that belongs to Witney Town Council, such as the thoroughfare that leads alongside the Corn Exchange.

It would be nice for the drawings to be as good quality looking as possible. We could ask if art students from Henry Box or Abingdon and Witney College would like to help with a few of these.

We could also contact Martin from Oxfordshire Play Association to see if they would like any involvement in the day. It is an ideal opportunity for them to bring some stalls or activities such as the smoothie maker bike.

Our first step should be, as a courtesy, to ask permission to use the square from both WODC and OCC.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 – with this in mind Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

Financial implications

There may be a charge if Oxfordshire Play Association bring any stalls or equipment and some pavement chinks or spray chalk will be required.

Recommendations

Members are invited to note the report and consider the following:

1. What activities would councillors like to see in the Market Square area?





WITNEY CAR FREE DAY



Budget sheet

1 April 2021 to 31 March 2022			Balance £1,000.00			
Date	Description	Amount Deposited	Amount Withdrawn	Charged to	Received by	Approved by
01.04.2021	Budget	£1,000.00				
Total		£1,000.00	£0.00			

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So You Want ... popular travel choices for your residents?

20's Plenty for Us Briefing February 2021

http://www.20splenty.org/20mph_choice

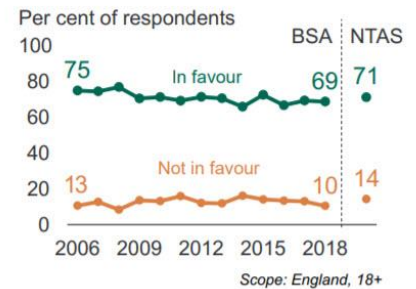
Residents want the freedom to choose how they travel. 20mph on our streets brings that choice. People, particularly the elderly, fear the intimidation from high speeds on residential streets and in town and village centres.

20's Plenty for Us

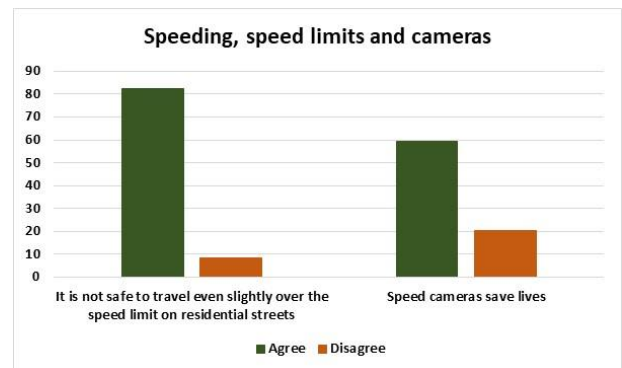
...making your place a better place to be

- **20mph is normal.** In the UK, 21 million people (or 1 in 3 of the population) live in places where their council has decided that a blanket 30mph doesn't suit most streets. Adopting a default speed of 20mph with appropriate exceptions makes their streets better places to live, work, shop and learn.
- **20mph is popular.** Seven out of 10 people consistently say they support 20mph speed limits in residential streets¹. Once installed, 20mph schemes become even more popular and are never removed.

Speed limits of 20mph in residential streets



- **20mph is Government policy.** The UK recently signed the Stockholm Declaration² with 130 other nations, agreeing on a default 20mph limit wherever cyclists and pedestrians mix with motor vehicles. As part of its COVID response in 2020³, the Government stated "20mph speed limits are being more widely adopted as an appropriate speed limit for residential roads, and many through streets in built-up areas...reducing the speed limit can provide a more attractive and safer environment for walking and cycling".
- **20mph helps the older generation.** 20mph is popular because it makes our streets safer, greener and fairer, especially for those with limited sight, hearing or mobility whether due to age or disability.
- **20mph is cost-effective.** As well as bringing down casualties, 20mph places have seen a rise of 20% in walking and cycling. No other intervention brings such a favourable cost benefit ratio.
- **20mph is enforceable.** A large majority of people want 20mph enforced. Over the past 3 years, Avon & Somerset Police issued 1,300 speeding notices monthly on 20mph streets.



Don't get left behind. 20mph is the best choice for people's wellbeing. It means fewer casualties, is cost-effective and overwhelmingly popular.

Rod King MBE, Founder and Campaign Director for 20's Plenty for Us commented:

"Politicians are elected to make decisions that benefit their community. As well as being supported by the majority, 20mph is particularly helpful for the elderly, the young and the vulnerable. A 20mph speed limit is increasingly normal in our streets and in our town and village centres. Choose 20mph".

¹ <https://bit.ly/3aUtOIH>

² http://www.20splenty.org/global_ministers_mandate_20mph

³ <https://bit.ly/3pllk2D>

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School Streets Phase 1b Briefing Note

Introduction

Oxfordshire County Council was successful in bidding for £2.9 million from the Department for Transport's Travel Demand Management (TDM) fund to develop, upgrade and enhance schemes that facilitate sustainable travel. As part of the TDM 2 funding which aims to build in long-term transport upgrades, councillors have identified several measures that support sustainable travel including the need for School Streets in Oxford, Bicester and Witney.

Five School Streets have either commenced or are scheduled to commence in May for the first phase of School Streets (Phase 1a). This note summarises the plans for the second stage of the first phase of School Streets (Phase 1b).

About School Streets

A School Street (SS) is a timed road closure that restricts access for motor vehicles at school drop-off and pick-up times. The initial phase of School Streets in Oxfordshire is for a trial period of six weeks and will cover 12 schools. This phase is compiled of two stages; phase 1a for five schools across Oxford and Bicester which has already commenced and phase 1b for seven schools in Oxford, Witney and Abingdon.

The aim is to create a safe, welcoming and attractive environment where children, parents and teachers can walk, cycle, scoot or park and walk to school with less risk of air pollution and traffic congestion. Creating a car-free environment outside school gates will also support social distancing when children return to school following lockdown.

During closure times at pick-up and drop-off, roads around the school site will only be open to people walking, cycling, and anyone in a vehicle with a valid exemption.

A lead steward assisted by volunteers from the school and local community will manage and marshal the road closures by operating temporary barriers and opening them for any exempt vehicles. Exempt motorists include residents with vehicles registered to an address on the street only, blue badge holders and emergency vehicles. We will also continue to work with the schools to ensure that anyone with specific needs is not affected.

The road closures will apply to the whole school community including teachers and support staff though it is likely teachers and support staff will arrive and leave outside School Street closure times.

Current School Streets in Oxford

Phase 1a has seen the introduction of three School Streets in Oxford from 22 March and two scheduled in Bicester from 10 May. These schools are:

- St Christopher's CE Primary School
- Windmill Primary School
- East Oxford Primary School
- St Edburg's CE Primary School
- Bure Park Primary School

Engagement with Schools and Local Members and the surrounding Communities

The process of selecting the schools was begun in July 2020 following a request for an expression of interest in Schools streets from the schools and local members. Further engagement work has been carried out with the schools to outline the project to them in more detail and to check that the project would be supported by the head teachers and the wider school community.

The locations of the pilot sites were included in locality meetings in Bicester and Witney regarding the EATF infrastructure improvements which involved a wide range of stakeholders,

Site meetings have been carried out at all the shortlisted schools with Sustrans and where possible the local members to agree any local issues and the proposed closure points.

The houses that have a frontage on to the area that will be impacted by the school streets closure will be written to, to advise them of the ETRO and how it will operate. In collaboration with Sustrans OCC have published a FAQ guide outline of the school streets project. Sustrans have been working with the selected schools to engage with the wider school communities in preparation for the delivery of the school streets project.

Phase 1b School Streets

The following sites are currently being reviewed to assess their feasibility to participate in the second stage of the first phase of School Streets:

- St James (Oxford)
- St Ebbs (Oxford)
- Tyndale Community School (Oxford)
- Larkrise (Oxford)
- The Henry Box School (Witney)
- Tower Hill (Witney)
- St Nicholas (Abingdon)

These sites have been selected to tackle existing issues caused by vehicular traffic, such as congestion, dangerous parking or driving by parents or other road users, poor local air quality or challenges with accessibility for pupils and parents travelling by active modes.

St Ebbs and Tyndale will be community led schemes and run by the school, parents and the local community and therefore input from OCC will be limited.

Timescale

The current planned start dates for Phase 1b School Streets are 24 May. This is dependent on the Experimental Traffic Regulation Order process, which include assessing feedback about the schemes from statutory consultees and residents.

All pilot schemes will run for six weeks, Monday to Friday, during term-time only. Specific road closure times will vary depending on each school but will incorporate 15 minutes on either side of the usual pick-up and drop-off times.

The first phase of the trial will last six weeks where the impact of the School Street will be continually monitored with a view to extending to continue running School Streets for 18 months should the trials be successful.

For more information on School Streets in Oxfordshire, please go to:
<https://www.oxfordshire.gov.uk/residents/roads-and-transport/emergency-active-travel-fund/active-travel/school-streets>

If you have any questions regarding the School Streets project, please contact:
SchoolsActiveTravel@Oxfordshire.gov.uk

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