

Public Document Pack

Climate, Biodiversity & Planning Committee Meeting of Witney Town Council



Tuesday, 4th July, 2023 at 6.00 pm

To members of the Climate, Biodiversity & Planning Committee - A Bailey, G Meadows, R Smith, J Aitman, O Collins, J Robertshaw, S Simpson and D Temple (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. Please use the link below to attend the meeting.

<https://us06web.zoom.us/j/89887319158>

Admission to Meetings

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

Any member of the public wishing to attend the meeting and speak on a particular item should contact the Committee Clerk (derek.mackenzie@witney-tc.gov.uk) in advance.

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 Deputy Town Clerk or Committee Clerk 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 Committee Clerk derek.mackenzie@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 a schedule of Planning Applications from West Oxfordshire District Council.

5. **Address Management - New Development at The Crofts, Witney** (Pages 7 - 8)

To receive and consider a naming request for the new development on the site of the former 'St Marys Court', off The Crofts in Witney.

6. **Air Quality Action Plan Consultation**

To receive proposals for an Air Quality Action Plan for Witney and consider entering a consultation response to West Oxfordshire District Council.

Documents can be found here:

<https://yourvoice.westoxon.gov.uk/en-GB/projects/aqap-chipping-norton-and-witney>

7. **Botley West Solar Farm - Scoping Request**

To note the submission of a Scoping Report from the developers of the Botley West Solar Farm scheme to The Planning Inspectorate. The scoping report can be found at:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/botley-west-solar-farm/?ipcsection=docs>

The Town Council understands West Oxfordshire District Council is due to be consulted on the report and has until 13th July to provide feedback which will, in turn, be considered in the Planning Inspectorate's Scoping Opinion. The Committee may like to provide a response to the District Council, if appropriate.

8. **Application for Minor Variation of Premises Licence for Sainsburys Supermarket** (Pages 9 - 24)

To consider an application for a Minor Variation of Premises Licence for Sainsburys Supermarket, Witan Way, OX28 4FF under the Licensing Act 2003



Town Clerk

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4 . 1 **WTC/099/23** Plot Ref :- 23/01303/HHD Type :- HOUSEHOL
 Applicant Name :- . Date Received :- 20/06/2023
 Parish :- CENTRAL Date Returned :-
 Location :- 21 HERON DRIVE Agent
 HERON DRIVE
 Proposals :- Single storey side extension.
 Observations :-

4 . 2 **WTC/100/23** Plot Ref :- 23/01308/HHD Type :- HOUSEHOL
 Applicant Name :- . Date Received :- 21/06/2023
 Parish :- WEST Date Returned :-
 Location :- 15 COTSWOLD Agent
 MEADOW
 COTSWOLD MEADOW
 Proposals :- Erection of a timber gazebo.
 Observations :-

4 . 3 **WTC/101/23** Plot Ref :- 23/01132/FUL Type :- FULL
 Applicant Name :- . Date Received :- 21/06/2023
 Parish :- SOUTH Date Returned :-
 Location :- MULBERRY HOUSE Agent
 9 CHURCH GREEN
 CHURCH GREEN
 Proposals :- Construction of a self-build dwelling, demolition of existing
 outbuilding and erection of new outbuilding.
 Observations :-

4 . 4 **WTC/102/23** Plot Ref :- 23/01440/HHD Type :- HOUSEHOL
 Applicant Name :- . Date Received :- 21/06/2023
 Parish :- EAST Date Returned :-
 Location :- 22 CHERRY TREE WAY Agent
 CHERRY TREE WAY
 Proposals :- Erection of single storey rear extension.
 Observations :-

4 . 5 **WTC/103/23** Plot Ref :- 23/01307/ADV Type :- ADVERTISIN
Applicant Name :- . Date Received :- 21/06/2023
Parish :- WEST Date Returned :-
Location :- 1 TUNGSTEN PARK Agent
COLLETT'S WAY
Proposals :- Erection of a non illuminated fascia sign.
Observations :-

4 . 6 **WTC/104/23** Plot Ref :- 23/01505/HHD Type :- HOUSEHOL
Applicant Name :- . Date Received :- 21/06/2023
Parish :- SOUTH Date Returned :-
Location :- 1 BUTCHERS COURT Agent
BUTCHERS COURT
Proposals :- Proposed Loft Conversion with velux lights.
Observations :-

Agenda Item 5

From: Address Management (WODC)

Sent: Tuesday, June 27, 2023 10:17 AM

Subject: SNN2023088 - New Development @ St Marys Court Witney- Planning application 21/02628/FUL

Mrs Groth

Following my email dated 9th June regarding the above development and the use of The Crofts, the developer has now proposed a building/court name for the development. (awaiting Royal Mail information to decide between building/ court name).

Cottsway have requested to name their new building replacing St Marys Court off The Crofts in Witney after their former CEO Vivian Rosser, the address format would be as below (with the suffix still to be agreed):

Rosser Court/House
The Crofts
Witney

Cottsway have provided the following justification:

Vivian Rosser was CEO of Cottsway from 2015 to March 2022, when he died following a short illness. Vivian was passionate about affordable housing and the need to develop new affordable homes for rent and shared ownership. His work impacted the lives of many in West Oxfordshire. St Mary's is a stone's throw from Cottsway's offices in Station Lane, Witney, and naming this scheme after our late CEO would be a tribute to him. His family agree that this would be a fitting commemoration for Vivian and the work he did. Cottsway provides over 5,300 homes for rent and shared ownership for over 11,500 customers.

The issue is that our street naming policy has the following restriction which applies to street names:

Streets may be named after a deceased individual, provided permission is granted from next of kin. It is recommended that a period of 20 years should pass before using an individual's name. Exceptions to this will need to be approved by Cabinet.

Plus we also have the following in our policy which says building names should follow the same guidelines:

Where possible blocks of flats and buildings will be given a name and addressed off of an existing road. The developer can propose a name for consideration. The criteria for a building name should follow the same guidelines as a new street name.

As the 'Rosser' name will not be a street name but instead will be a court/building name addressed off 'The Crofts' we approached our CEO Giles Hughes so he could advise whether we could use this name, as it does not meet the 20 year guideline. Giles opinion was that given Viv's contribution to Cottsway and West Oxfordshire he would be happy to use the "Rosser" name.

As this is a building/ court name (not a street name) the plan is to approve the name 'Rosser' unless the Parish Council would like to raise any valid objections to the name. If the Parish Council would like to make any comments please can they be sent to us by Tuesday 18th July 2023.

Address Management Officer



PUBLICA



INVESTORS
IN PEOPLE



**ENHANCED
LEVEL AWARD**

Reply to : Andrea Thomas
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/23/00694/PRMMV

Date: 28th June 2023

Dear Town Clerk,

LICENSING ACT 2003 **Application for Minor Variation**

We have received an application for **Sainsbury Supermarket Witan Way Witney Oxfordshire OX28 4FF** 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 **12th July 2023**

No changes to timings just the layout of the premises

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

Yours faithfully

Licensing Team
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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Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

Continued from previous page...

Applicant's position in the business

Legal Team

Home country

United Kingdom

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

33

Street

Holborn

District

City or town

London

County or administrative area

Postcode

EC1N 2HT

Country

United Kingdom

Agent Details

* First name

Andrew

* Family name

Sanders

* E-mail

asanders@wslaw.co.uk

Main telephone number

0207 593 0250

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
- ☐ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House?

☒ Yes

☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

OC334359

Business name

Winckworth Sherwood LLP

If your business is registered, use its registered name.

VAT number

-

NA

Put "none" if you are not registered for VAT.

Legal status

Limited Liability Partnership

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 9

PREMISES DETAILS

Refer to the [guidance notes](#) while completing this form.

Premises licence number/club premises certificate number

* Name of premises

Premises Location

* Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

* Building number or name

* Street

District

* City or town

County or administrative area

Postcode

* Country

Premises Contact Details

E-mail

Telephone number

Other telephone number

Continued from previous page...

* Brief description of premises ([See Guidance Note 2](#))

A supermarket.

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APPLICANT DETAILS

* Are you the premises licence holder/club premises certificate holder?

☒ Yes ☐ No

Are the applicants address and contact details the same as the premises address and contact details given in section 2?

☒ Yes ☐ No

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PROPOSED VARIATION

Would you like the variation to take effect from as soon as possible?

☐ Yes ☒ No

From what date do you want the variation to take effect from?

/ /
dd mm yyyy

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

☐ Yes ☒ No

[See guidance note 3.](#)

Describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives. ([See Guidance Note 1](#)) This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent).

Details of proposed variation(s) ([See Guidance Note 4](#))

The layout of the premises is to be altered as shown on the plan, which accompany this application.

The alterations are minor and are in relation to a general refurbishment of the premises.

The premises will not be increasing in size.

The licence holder believes that the alterations will not have an adverse impact on the four licensing objectives.

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OPERATING SCHEDULE

[See guidance on regulated entertainment](#)

Select those parts of the Operating Schedule which would be subject to change if this application to vary were successful (check all that apply)

Provision of regulated entertainment

☐ a. plays

☐ b. films

Continued from previous page...

- ☐ c. indoor sporting events
- ☐ d. boxing or wrestling entertainments
- ☐ e. live music
- ☐ f. recorded music
- ☐ g. performance of dance
- ☐ h. anything of a similar description to that falling within (e), (f) or (g)

Provision of late night refreshment and alcohol

- ☐ i. late night refreshment
- ☐ j. sale by retail of alcohol

This can only relate to reducing licensed hours, or moving them without any overall increase between 7am and 11pm.

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ADDITIONAL INFORMATION

Are you able to submit the premises licence/club premises certificate (or relevant part)?

- ☒ Yes ☐ No

Are you able to submit a copy of the plan?

- ☒ Yes ☐ No

This is necessary if the proposed variation will affect the layout.

Any further information to support your application. You should use this box to provide any additional evidence to support your claim that the proposed variation is 'minor' and could not have an adverse impact on the promotion of the licensing objectives.

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NOTES FOR GUIDANCE

Continued from previous page...

1. General Note: The minor variations process can only be used for variations that could have no adverse impact on the promotion of any of the four licensing objectives. (These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.)

It cannot be used to:

- extend the period for which the licence has effect;
- vary substantially the premises to which it relates;
- specify, in a premises licence, an individual as the designated premises supervisor;
- add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate;
- authorise the sale by retail or supply of alcohol at any time between 11pm and 7am;
- authorise an increase in the amount of time on any day during which alcohol may be sold by retail or supplied;
- include the alternative licence condition referred to in section 41D(3) of the Licensing Act 2003 in a premises licence.

2. Description of premises: For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. This should include any activities in or associated with the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines etc.

3. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

4. Give full details of all the proposed variation(s). Failure to provide sufficient information may lead to the refusal of your application. Details should include a description of the proposed variation(s) in terms as precise as possible. If you are not precise, the licensing authority may decide that the changes you propose would be potentially broader in scope than you intend and reject your application as not being a 'minor' variation. You should also include a statement about why you consider the variations proposed could not have an impact on the licensing objectives listed in section 4(2) of the Act. You should cover each of the objectives that could possibly apply to your proposal (or if more than one, to each proposal) and say why you think there could be no adverse impact on that objective. Your application will be assisted by including as much information as you can about this. **(However, there is a box at the end of the form for 'further information', and this should be used for any relevant background information not directly related to the variation.)** Relevant information includes:

a) **Variations to licensable activities/licensing hours** (all timings should be given in 24 hour clock e.g. 16.00. Only give details for the days of the week when you intend the premises to be used for the activity), such as:

- Whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent);
- Relevant further details, for example whether music will be amplified or unamplified;
- Standard days and timing when the activity will take place, including start and finish times;
- Any seasonal variations in timings, e.g. additional days during the summer; and
- Non-standard timings, e.g. where you wish the activity to go on longer on a particular day such as Christmas Eve.

Continued from previous page...

b) **Variations to premises/club layout:** If you are applying for a variation to the layout of your premises, you must include a revised plan. You should be aware that your application is likely to be refused if the proposed variation could:

- increase capacity for drinking on the premises;
- affect access between the public part of the premises and the rest of the premises or the street or public way, e.g. block emergency exits or routes to emergency exits; or
- impede the effective operation of a noise reduction measure.

c) **Revisions, removals and additions of conditions:** The minor variation process may be used to remove conditions which are out of date or invalid and to revise conditions which are unclear (as long as the intention and effect remains the same). It can also be used to add a new condition volunteered by the applicant or mutually agreed between the applicant and a responsible authority, such as the police or the environmental health authority (subject to impact on the licensing objectives).

d) **Variations to opening hours:** Details of any changes to hours when the premises or club is open to the public.

5. Further information: You should use this box to provide any additional evidence to support your claim that the proposed variation is 'minor' and could not have an adverse impact on the promotion of the licensing objectives.

6. Signatures: The application form must be signed.

7. Authorised agent: An applicant's agent (e.g. solicitor) may sign the form on their behalf and, in so doing, will be confirming that they have actual authority to do so.

8. 2nd Applicant: Where there is more than one applicant, both applicants or their respective agents must sign the application form.

9. This is the address which we shall use to correspond with you about this application. This might not be the same as the address of the premises or applicant, but these addresses must also be provided.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

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- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £89

DECLARATION

I/WE UNDERSTAND THAT 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.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

[Add another signatory](#)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
 2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/west-oxfordshire/change-8> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

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.

OFFICE USE ONLY

Applicant reference number	AGS/26508/423
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>