

Notice of Meeting

Licensing Panel

Councillor Ian Leake (Chairman)

Councillor John Porter

Councillor Malcolm Tullett

Substitute Panel Member

Councillor Ms Moira Gaw



Monday 1 June 2020, 2.00 pm

[Online Only](#)

Agenda

Item	Description	Page
1.	Declarations of Interest Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting. Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days. Any Member with an affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.	
2.	The Procedure for Hearings at Licensing Panels	3 - 8
3.	Application for a new premises licence for Hall & Woodhouse Ltd, Bucklers Park, Hatch Ride, Crowthorne, Berkshire Reporting: Amanda Ward Annex A – Application (p13 – 20) Annex B – Premises plan (p21 – 23) Annex C – Map (p25 – 26) Annex D – Mandatory Condition (p27-30) Annex E – Email correspondence (p31 – 33) Annex F – Email correspondent (p35 – 38)	9 – 11

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Published: 21 May 2020

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INFORMATION AND THE PROCEDURE FOR HEARINGS OF THE LICENSING PANEL

The following document provides information and outlines the procedure taken for hearings by the Licensing Panel, when considering applications.

1. REQUIREMENTS FOR THE HEARING

- 1.1 The applicant will normally be required to attend the meeting in person. They will be entitled to be represented by a solicitor or counsel or by any other individual provided that the name of any such person is given to the relevant Licensing Officer 48 hours in advance of the hearing.
- 1.2 Written notification of the intended proceedings will be given to the applicant not less than ten clear working days before the meeting. This notification will give details of the procedure to be followed at the hearing and shall advise applicants of their right to be represented.
- 1.3 Any documents to be produced at the hearing by the Public Protection Partnership representative shall be sent so as to reach the applicant by no later than 48 hours before the hearing. A copy of these documents shall at the same time be given to Democratic Services to distribute to members of the Panel.
- 1.4 Any documents to be produced at the hearing by the applicant shall be sent to the Licensing Officer by no later than 48 hours before the hearing. A copy of these documents shall at the same time be sent to Democratic Services to distribute to members of the Panel.
- 1.5 At the discretion of the Panel any or all of the requirements set out in paragraphs 1.3 to 1.4 above may be waived, provided that the Panel is satisfied that the interests of the applicant or any objector have not been prejudiced.
- 1.6 Financial costs incurred by either party in the hearing must be met in full by those parties and no awards for costs will be made to either party regardless of the outcome of the hearing.
- 1.7 The public will be allowed access, except if "Confidential Information" as defined by Section 100A of the Local Government Act 1972 is likely to be disclosed (in which case the public must be excluded) or, if "Exempt Information" falling within Schedule 12A of the Local Government Act 1972 is likely to be disclosed in which case the Panel may decide to exclude the public.

2. ORDER OF THE HEARING

- 2.1 Hearings shall be conducted as follows:
 - (a) The Chairman will open the proceedings by stating the nature of the matter which is to be considered and will welcome the parties, introduce them and confirm the roles of those present.
 - (b) The Chairman will ask the officers to confirm whether or not the formal requirements in respect of the matter to be considered have been complied with.
 - (c) The applicant will be asked if there is any reason for the case to be adjourned. An adjournment will only normally be granted if unforeseeable circumstances can be demonstrated which would be prejudicial to a fair hearing if it was heard at that time.

- (d) The Chairman shall first call upon the Public Protection Partnership representative to put forward their case.
 - (e) If satisfied as to the formal requirements, the Panel will consider the merits of the application or proposed suspension/revocation and the report of the officer. The Panel may ask the Public Protection Partnership representative for clarification of any points.
 - (f) The applicant shall have an opportunity to put questions to the Public Protection Partnership representative.
 - (g) The Chairman will then invite (if any) interested parties who have made representations to speak. The Panel may ask interested parties questions and points of clarification.
 - (h) The Chairman will then invite the applicant or licence holder to make any representations.
 - (i) The Chairman, members of the Panel and the Public Protection Partnership representative may ask the applicant questions and points of clarification. Having heard the applicant's statement, any Responsible Authorities in attendance will be given the opportunity to respond.
 - (j) An opportunity shall be given to the Public Protection Partnership representative and the applicant, in that order, to sum up their case (but not to add any new facts).
 - (k) The Panel members, the representative from Legal Services and Clerk to the Panel shall withdraw. Officers present do not take part in the decision making but will provide legal and procedural advice and record the decision.
 - (l) The members of the Panel consider their decision. The applicant or his/her representative (if any) and any officer present is asked to remain in attendance and if any further clarification or information is required from the applicant or licence holder or any officer, this will be sought by the clerk.
- 2.2 The decision of the Panel shall be notified to the applicant and her/his representative (if any) within two working days following the meeting. In most cases, a verbal decision will be given on the day of the hearing.

3. ROLES OF THOSE AT THE HEARING

- 3.1 The Public Protection Partnership representative is present at the hearing to present the professional officer's case for refusal, suspension or revocation of licences. They are also present to challenge points put forward by the applicant.
- 3.2 Members of the Panel are present to consider and determine an application or to consider if a licence should be suspended or revoked. In doing so, they will follow the above procedure.
- 3.3 The representative from Legal Services is present to provide legal and procedural advice to the members of the Panel and to assist in the clarification of any issues which might arise.
- 3.4 The representative from Democratic Services is present to provide procedural advice to members of the Panel and to record the decision.

Address for Correspondence:

Licensing Team – Public Protection Partnership
Bracknell Forest Council
Time Square
Market Street
Bracknell
Berkshire RG12 1JD
Tel: 01344 352000
e-mail: Licensing@Bracknell-Forest.gov.uk

Democratic Services, Corporate Services
Bracknell Forest Council
Time Square
Market Street
Bracknell
Berkshire
RG12 1JD
Tel: 01344 352253
e-mail: lizzie.rich@bracknell-forest.gov.uk

4. BACKGROUND

4.1 The Council's Licensing Panel has been given delegated authority to deal with the following applications:

Matter to be dealt with:	Licensing Panel
Application for personal licence	If a Police objection
Application for personal licence with unspent convictions	All cases
Application for premises licence/club premises certificate	If a relevant representation is made
Application for provisional statement	If a relevant representation is made
Application to vary designated premises supervisor	If a Police objection
Application for transfer of premises licence	If a Police objection
Applications for interim authorities	If a Police objection
Applications to review premises licence/club premises certificate	All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application.	All cases
Determination of a police objection to a temporary event notice.	All cases

4.2 In carrying out its licensing function, the Licensing Authority will promote the four Licensing Objectives. These are the only matters to be taken into account when determining an application. The four Licensing Objectives are:

- Prevention of Crime and Disorder;
- Public Safety;
- Prevention of Public Nuisance; and
- Protection of Children from Harm.

- 4.3 The Licensing Policy is about the regulation of licensable activities and as such is focussed on the direct impact of activities taking place on or in the vicinity of those premises. It is not a mechanism for controlling general nuisance unconnected to the Licensing Objectives.
- 4.4 The Council has, apart from the above, delegated power to determine applications, renew, suspend or revoke existing licences and consents to the Public Protection Partnership. The Director has in turn delegated such authority to officers within the Department.
- 4.5 Whilst officers have delegated authority there will be occasions where it is considered appropriate to refer the matter to the Licensing Panel. Specifically the Licensing & Safety Committee at its meeting on 12 March 2003, resolved to receive representations from applicants for either a licence or a consent where under delegated powers the applicant has been advised that a refusal or revocation is likely.
- 4.6 Where the application is being considered for refusal, having exhausted all options for negotiating an acceptable solution, the applicant is invited should they wish to present their case to the Panel. This request must have been made in writing within 21 days following receipt of a letter from the Council offering the opportunity of a hearing. If the applicant or licence holder fails to comply with this requirement or declines the offer, the matter will be dealt with under delegated authority.
- 4.7 Where an application is refused or a licence/consent is suspended or revoked by the Panel the applicant may have a right of appeal to the courts under the relevant provisions of the legislation and the Panel will inform the applicant within their decision letter.

LICENSING ACT 2003
HEARINGS – Right of Attendance, Assistance and Representation

Regulation 15 of the Licensing Act 2003 (Hearings) Regulations 2005.

15. Subject to regulations 14(2) and 25 in relation to hearings taking place in public and the right for the Chairman to ask a person attending the hearing to leave the room, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified to do so.

LICENSING ACT 2003
HEARINGS – REPRESENTATIONS AND SUPPORTING INFORMATION

Regulation 16,17,18 and 19 of the Licensing Act 2003 (Hearings) Regulations 2005.

16. At the hearing, a party shall be entitled to:
- In response to a point upon which the Panel has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable).
 - If given permission by the Panel, question any other party.
 - Address the Panel.
17. Members of the Panel may ask any question of any party or other person appearing at the hearing.
18. In considering any representations or notice made by a party, the Panel may take into account documentary or other information produced by a party in support of their application, representations or Notice, (as applicable), either before the hearing or, with the consent of all the other parties at the hearing.
19. The Panel shall disregard any information given by a party or any other person to whom permission to appear at the hearing is given by the Panel which is not relevant to:
- their application, representations or notice, (as applicable); or in the case of another person, the application representations or notice of the party requesting their appearance, and
 - The promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a chief officer of police, the crime prevention objective.

LICENSING ACT 2003
HEARINGS – CONSEQUENCES WHERE A PARTY DOES NOT ATTEND, OR IS NOT
REPRESENTED AT A HEARING

Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005.

- 20. (1) If a party has informed the Authority that he does not intend to attend, or be represented at, a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend, or be represented, at a hearing, the Authority may:
 - (a) where it considers it to be **necessary in the public interest**, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence.
- (3) Where the Authority holds the hearing in the absence of a party, the Authority shall consider at the hearing, the application, representations or Notice made by that party.
- (4) Where the Authority adjourns the hearing to a specified date, it must, forthwith, notify the parties of the date, time and place to which the hearing has been adjourned

LICENSING PANEL

LICENSING ACT 2003

**HALL & WOODHOUSE LTD, BUCKLERS PARK, HATCH RIDE, CROWTHORNE
BERKSHIRE**

APPLICATION FOR A NEW PREMISES LICENCE REFERENCE NUMBER;

LI/20/00288/LAPRE1

(Chief Officer: Environment and Public Protection)

1 APPLICATION DETAILS

- 1.1 On the 2nd April 2020 an application was made by Hall & Woodhouse Ltd, The Brewery, Blandford St Mary, Dorset, DT11 9LS for a New Premises Licence for a premises to be known as “Hall and Woodhouse”(part of the former TRL Site, also referred to as “Bucklers Park”), Hatch Ride, off Old Wokingham Road. The application is attached at **Annex A** and the proposed plan at **Annex B**
- 1.2 The application is for the following licensable activities:
- Sale of alcohol (on and off sales) 07:00 - 00:00 Monday to Sunday
Non Standard Timings: On New Year’s Eve, the terminal hour will be 01:00 on 1st January.
 - Late night refreshment (indoors) 23:00 - 00:30 Monday to Sunday
Non Standard Timings: On New Year’s Eve, the terminal hour will be 01:30 on 1st January.
- 1.3 The premises is proposed to be open to the public from 07:00 - 00:30 Monday to Sunday, Non Standard Timings: On New Year’s Eve, the terminal hour will be 01:30 on 1st January.

2 SUPPORTING INFORMATION

- 2.1 A map showing the location of the premises and proximity to residents is attached at **Annex C**.
- 2.2 The proposed conditions including both the mandatory conditions and those arising from the operating schedule are attached at **Annex D** of this report.

3 REPRESENTATIONS RECEIVED

- 3.1 During the period for making representations from 2nd April to 30th April 2020 one relevant representation was received in respect of the application from a local resident. The representation raise concerns regarding the potential for public nuisance. The representation can be found at **Annex E** of this report.
- 3.2 Officer are able to confirm that no representations to the application were received by the responsible authorities.
- 3.3 No representations to this application were received from the responsible authorities.

3.4 MEDIATION

The applicant’s agent and the objector have liaised by email an additional condition has been proposed by the applicant limiting the use of the external areas. The proposed condition offered is as follows: “The consumption of alcohol and food in the

external licensed areas shall cease no later than 23:00 hours". No agreement has been made with the objector that this additional condition will address the concerns raised in their representation. The objector remains of the opinion that the times sought for the hours of trading are excessive and will give rise to nuisance to residents. The full email exchange between the applicant's agent and objector can be found at **Annex F** of this report.

4 RELEVANT BRACKNELL FOREST BOROUGH COUNCIL POLICIES

- 4.1 In determining applications, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned. (2.5)
- 4.2 The Council, as Licensing Authority, recognises that conditions attached to licences will be focused on matters which are within the control of individual licensees. (2.7)
- 4.3 If it is reasonably considered that the licensing objectives cannot be met unless additional specific conditions are attached, then the Licensing Authority may consider attaching those which are appropriate for the promotion of the licensing objectives, proportionate to the individual style and characteristics of the event or premises concerned. (11.3)

5 RELEVANT NATIONAL GUIDANCE

- 5.1 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation. (9.37)
- 5.2 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
 - a) the steps that are appropriate to promote the licensing objectives;
 - b) the representations (including supporting information) presented by all the parties;
 - c) the Guidance issued under section 182 of the Licensing Act 2003;
 - d) its own statement of licensing policy. (9.38)
- 5.3 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. (10.8)
- 5.4 Licensing conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. They should be proportionate, justifiable and be capable of being met. (1.16)

6 RECOMMENDATION

- 6.1 The Licensing Authority must, having regard to the representations, take such steps as it considers necessary for the promotion of the licensing objectives, either:
 - a) to grant the licence subject to the conditions as proposed, or

- b) to grant the licence subject to modified and/or additional conditions, or
- c) to grant the licence but exclude any of the licensable activities sought, or
- d) to reject the application.

Background Papers

Licensing Act 2003

Guidance issued under section 182 of the Licensing Act 2003

Regulations (cited as the Licensing Act 2003 [various] Orders 2005)

Bracknell Forest Borough Council Licensing Policy (January 2016)

Contact for further information

Amanda Ward

Lead Officer Licensing

Amanda.Ward@westberks.gov.uk

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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.

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Premises to be known as “Hall and Woodhouse” (Part of the former TRL Site, also referred to as “Bucklers Park”) Hatch Ride, off Old Wokingham Road			
Post town	Crowthorne	Postcode	TBA
Telephone number at premises (if any)		TBA	
Non-domestic rateable value of premises		£0 – premises in the course of construction.	

Part 2 - Applicant details

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

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | <input checked="" type="checkbox"/> | please complete section (B) |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales | <input type="checkbox"/> | please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |

- h) the chief officer of police of a police force in England and Wales ☐ 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 ☐

(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	Hall & Woodhouse Limited
Address	The Brewery Blandford St Mary Dorset DT11 9LS
Registered number (where applicable)	00057696
Description of applicant (for example, partnership, company, unincorporated association etc.)	Private Limited Company
Telephone number (if any)	01258 486002 (DD – Peter Kitching) 01258 451462 (Switchboard)
E-mail address (optional)	Peter.kitching@hall-woodhouse.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	0 5 2 0 2 1

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)

Hall and Woodhouse Limited is a family owned company established in 1777. Based at the Blandford Brewery in Dorset, the company owns approximately 175 public houses spread across the South of England. Approximately a third are directly managed and the remainder are either tenanted or leased.

This is intended to be a completely new managed house forming part of a redevelopment of the former Transport Research Laboratory in Crowthorne. Outline planning consent which includes a restaurant on the site has been granted and reserved matters are currently being considered.

This will be a food led establishment and will be laid out with tables and chairs throughout to provide for diners with further external seating. In addition to lunch and dinner, it is proposed to offer breakfasts.

Regulated entertainment will not be a standard feature at the premises and is not included in the application but it is possible that on a very occasional basis, music entertainment might be provided under the Live Music Act.

In recent years, the company has opened brand new food led pubs in Bath, Portishead, Melksham, Cranbrook, Poundbury and Wichelstowe on the outskirts of Swindon. Although the external appearance of these houses encompass a number of different styles from the classical to modern, the nature of the food led operation is very similar in each and to what is proposed here. The company's experience of operating these premises (and other managed houses in its estate) indicate that in terms of the licensing objectives, the nature of the proposed operation is low risk.

Subject to this application being granted, the applicant hopes to complete the purchase of the site later in 2020 but would then need to build and fit out the premises. It is possible that the premises will open in the summer of 2021 but that is subject to change at this early stage. This application has also been the subject of an informal consultation with relevant responsible authorities.

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

Not applicable

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- | | |
|--|--------------------------|
| a) plays (if ticking yes, fill in box A) | <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) ☒

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

In all cases complete boxes K, L and M

Please note that as Boxes A to H inclusive are blank, they have not been reproduced in the interest of saving paper and sustainability generally

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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	00:30	Please give further details here (please read guidance note 4)		
Tue	23:00	00:30	The applicant would like the facility to serve hot food and drink until the premises close each day. References to 00:30 are to the day following		
Wed	23:00	00:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	00:30	None.		
Fri	23:00	00:30	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	23:00	00:30			
Sun	23:00	00:30	On New Year's Eve, the terminal hour will be 01:30 on 1 st January.		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	07:00	24:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	07:00	24:00	None		
Wed	07:00	24:00			
Thur	07:00	24:00	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	07:00	24:00			
Sat	07:00	24:00	On New Year's Eve, the terminal hour will be 01:00 hours on 1 st January.		
Sun	07:00	24:00			

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 Stuart Skeels . Note that an application will be made to appoint the General Manager for the site once the premises are ready to open.	
Date of birth [REDACTED] in [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 6232	
Issuing licensing authority (if known) London Borough of Tower Hamlets	

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).

This will be a family friendly, food led establishment and no adult entertainment or services will be provided.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5) None.
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6) On New Year's Eve, the terminal hour will be 01:30 hours on 1st January.
Mon	07:00	00:30	
Tue	07:00	00:30	
Wed	07:00	00:30	
Thur	07:00	00:30	
Fri	07:00	00:30	
Sat	07:00	00:30	
Sun	07:00	00:30	

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)

1. No licensable activity shall be authorised under this licence unless and until the premises are constructed substantially in accordance with the plans annexed hereto or such other plans as may be approved from time to time following a variation (or minor variation) of the licence.
2. The premises shall operate principally as a restaurant and to that end, substantial food (including table meals) appropriate to the time of day shall be available whenever the premises are open and a waiter/waitress service shall also be available all times.
3. The food offering shall include meals suitable for children and non-alcoholic beverages shall be available at all times the premises are open.

b) The prevention of crime and disorder

1. The premises shall be fitted with a CCTV system that will cover all public parts of the licensed areas, other than the lavatories. The CCTV system shall be operational whenever the premises are open to the public unless through mechanical or other breakdown, this is not possible. In those circumstances, the holder of the licence shall notify the Police of the breakdown and arrange for the same to be rectified as quickly as reasonably possible.
2. CCTV recordings shall be maintained for a minimum of 31 days. Facilities for viewing recordings and making copies of the same shall be available on the premises and there shall be at least one member of staff on duty each day that is trained to use the system.
3. Provided the requests are made in accordance with the Data Protection Act and any other relevant legislation, the Police and other authorised officers shall be provided with facilities to view recordings at any time the premises are open or otherwise on reasonable request and copies of recordings in a playable format will also be provided as soon as reasonably practicable.
4. A notice warning customers that CCTV is in operation shall be displayed.
5. The premises shall maintain an Incident Book which will be used to record any incident of crime or disorder occurring in or immediately outside the premises. The Incident Book shall be made available for inspection by authorised Officers on reasonable request. In the event that door supervisors are employed at the premises, full details of their names, badge number and date of issue or expiry of the same shall be entered in the Incident Book. The Incident Book shall be checked and signed by the DPS or his/her Deputy at least once a week, retained for at least 12 months and made available for inspection by authorised officers on request.
6. The premises licence holder or its nominated representative (normally the DPS) shall actively participate in the Bracknell area Pub watch scheme or any successor scheme, as long as the scheme continues to operate.

c) Public safety

Note for information purposes only and not intended to form any condition attached to the licence. The applicant has carefully considered this licensing objective and has concluded that no specific condition is appropriate under this head as all relevant matters are covered by other legislation and regulations such as the Regulatory Reform (Fire Safety) Order.

d) The prevention of public nuisance

Clearly legible notices shall be displayed at the exits requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

Note for information purposes only and not intended to form any condition attached to the licence. The applicant has carefully considered this licensing objective and has concluded that no other specific condition is appropriate under this head because it is not intended to provide any regulated entertainment and matters such as noise and odour from extraction units and the like would be the subject of planning conditions and/or covered by other legislation and regulations.

e) The protection of children from harm

1. The Age Verification Policy required by the mandatory conditions shall specify that any person who appears to be under 25 shall be required to produce proof of age in an appropriate form before being supplied with alcohol. Signs advertising the age policy in operation shall be displayed at each bar.
2. The premises shall maintain a Refusals Register (which may be combined with the Incident Book) to record details of all and any occasions upon which a person is refused service of alcohol and the reason for that refusal. The Register (or Incident Book) shall be checked and signed by the DPS or his/her Deputy at least once a week, retained for at least 12 months and made available for inspection by authorised officers on request.
3. All staff involved in the sale or service of alcohol will receive training on the Licensing Act and, in particular, on the law relating to age restricted sales of alcohol and the supply of alcohol to persons who are drunk, the "Challenge 25 policy" and on drug awareness before commencing their duties. Refresher training will take place at least every 6 months and records of all staff training will be maintained (and retained for at least 12 months) and made available for inspection by Authorised Officers on request.

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 (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, if appropriate (please see note 15)
Signature	Philip J. Day for Lacey's Solicitors LLP
Date	2 nd April 2020
Capacity	Solicitors for the Applicant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Mr Philip Day Lacey's Solicitors LLP 9 Poole Road			
Post town	Bournemouth	Postcode	BH2 5QR
Telephone number (if any)	01202 755216		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) p.day@laceysolicitors.co.uk			

Notes for Guidance

The notes do not form part of the application form and have not been reproduced in the interest of saving paper and sustainability generally.



All movable furniture shown for illustrative purposes only.

LICENSING

mackenzie wheeler

ARCHITECTS & DESIGNERS
 1000 Lakeside Drive, Suite 1000, San Francisco, CA 94109
 Tel: (415) 774-1000 Fax: (415) 774-1001
 www.1000lakeside.com

HALL & WOODHOUSE

CHRYSLER

00000000

**PROPOSED
GROUND FLOOR
LICENSING PLAN**

Ordering Info	Rate
1331-802	1

Score	Item	Source	Date
100	A3	DW	Mar 2020

6. **Установите соответствие между названием страны и ее столицей:**



Rev. Date
1 20/05/2018
DW

LICENSING LEGEND

Fire alarm system to BS5839-1 standard as per BS5839-1.
Integral smoke detectors with alarms in corridors/stairs.
The position of fire and safety equipment as shown on the plan or such other position as agreed from time to time in consultation with the fire authority.

- boundary of licensed premises
- escape routes
- indicates all licensable activities
- 30 min fire rating
- 60 min fire rating
- area covered by emergency lighting (to BS5266)
- maintained emergency lighting (to BS5266)
- fire exit internally illuminated
- directional arrow (green) internally illuminated
- smoke detector
- heat detector
- call point
- fire alarm panel
- fire alarm panel
- automatic opening vent
- 3 litre water extinguisher
- 2kg CO₂ extinguisher
- 8 litre foam extinguisher
- fire blanket
- multipurpose extinguisher

All movable furniture shown for illustrative purposes only

LICENSING

mackenzie wheeler
ARCHITECTS & DESIGNERS

11-12 Darnley Way, Glasgow, G4 6SF
T: 0141 204 7700 Fax: 0141 204 7701

Client: **HALL & WOODHOUSE**

Project: **GROWTHORNE RESTAURANT**

Drawing: **PROPOSED FIRST FLOOR LICENSING PLAN**

Drawing No.	Rev.
1331-803	1

Scale	Date	Drawn	Check
1:100	20/05/2018	AW	DW



Rev	Issue	Date
1	Issued to BB	02.03.20 DW
A	Chief Ins ending	04.03.20 DW



--- INDICATES AREA OF
EXTERNAL LICENSABLE
ACTIVITIES

LICENSING
mackenzie wheeler
ARCHITECTS & DESIGNERS

11-11 St George's Lane, Warrick, Warwickshire CV34 6JF
T +44 (0)1927 7754 000 www.mackenziewheeler.co.uk

Client
HALL & WOODHOUSE

Project
**CROWPHONE
RESTAURANT**

Drawing
**PROPOSED
LICENSING
SITE PLAN**

Drawing No	Rev
1331-801	A

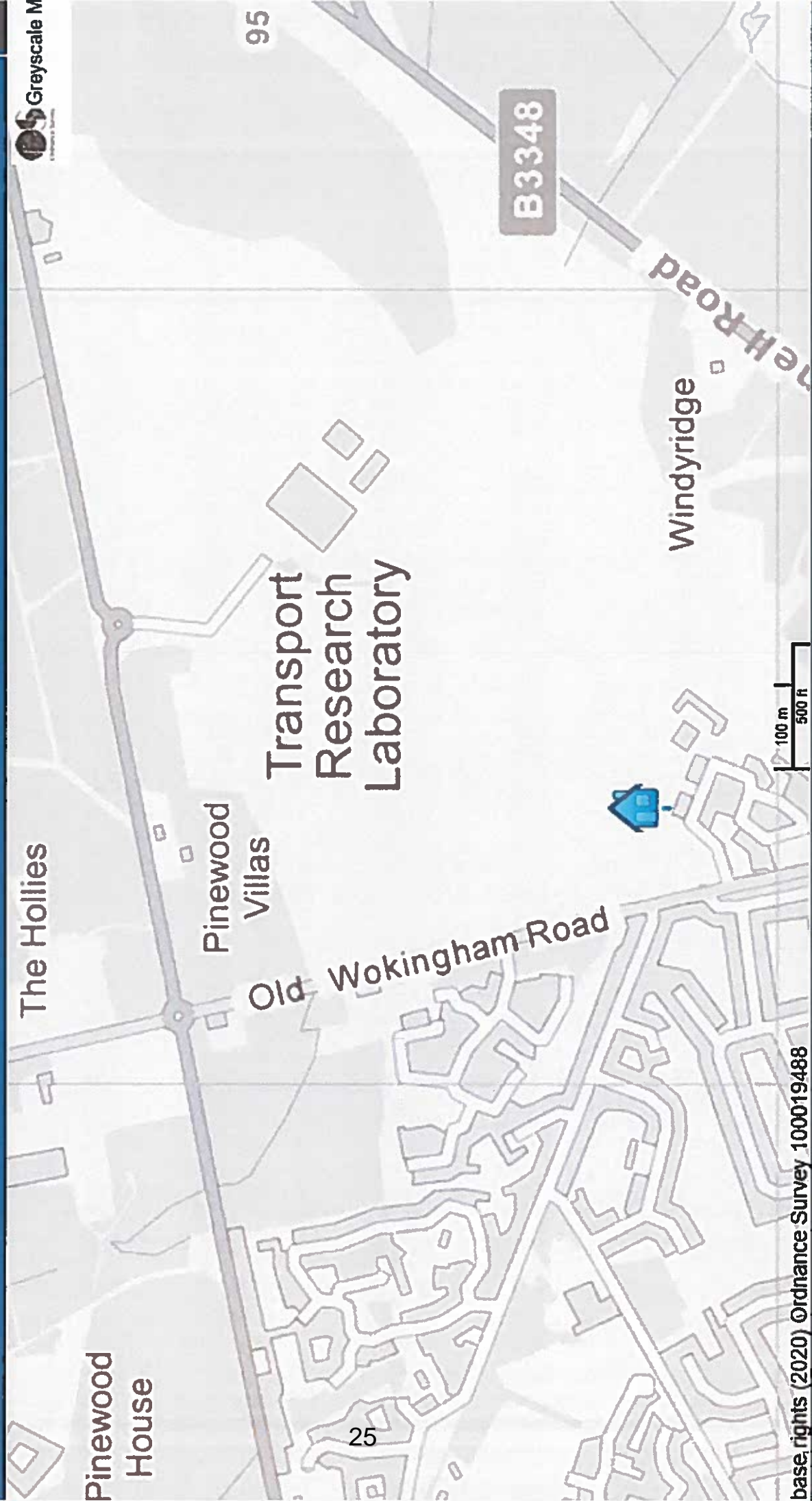
Scale	Site	Drawn	Date
1:500	A3	DW	Mar 2020

By submitting this drawing to the Local Planning Authority, the client warrants that the information provided is true and correct to the best of their knowledge and belief.

to do?

RG45 6HQ

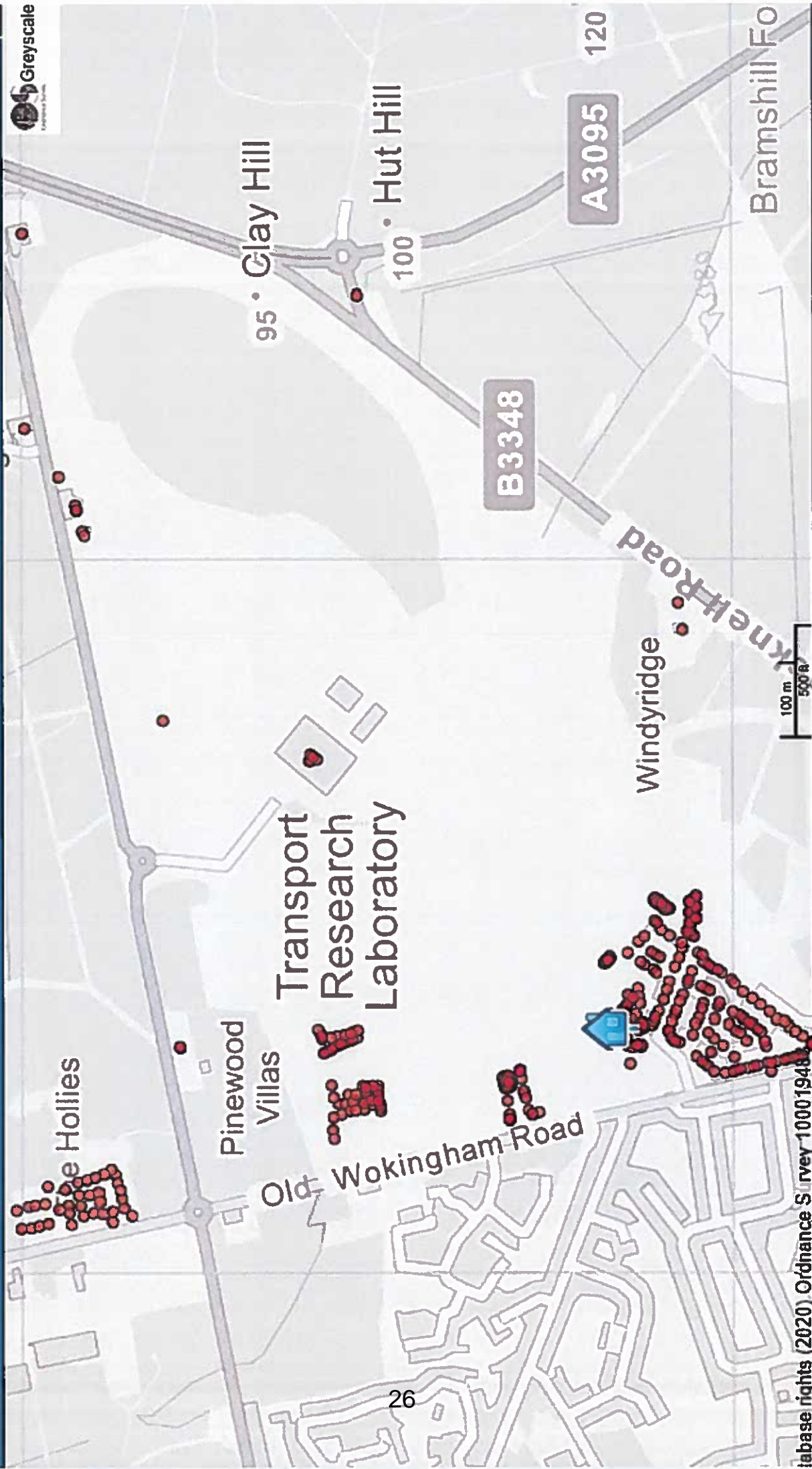
Clear



What to do?

rg45 6hq

Clear



Annex 1 - Mandatory Conditions:

- (1) No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence or when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
- (2) Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
- (3) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. For the purposes of this condition,
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula $P = D + (D+V)$ where –
 - i) P is the permitted price,
 - ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

Where the permitted price given by this formula is not a whole number, it should be rounded up to the nearest penny.

 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; and
 - (d) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
 - (e)
 - (i) Sub-paragraph (ii) applies where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (ii) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
- (4) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. "Responsible person" means the holder of a premises licence, the designated premises supervisor under such a licence or any individual aged 18 or over who is authorised to sell alcohol by a licence holder or designated premises supervisor. An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective.

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner).
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- (5) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- (6)
- (a) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (b) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (c) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either
 - (i) holographic mark or
 - (ii) an ultraviolet feature
- (7) The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises: and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- (8) All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the Premises Operating Schedule:

- (9) Non-standard timings; On New Year's Eve, the terminal hour will be 01.30 hours on 1st January for opening of the premises and late-night refreshment, sale of alcohol 1.00 hours on 1st January.
- (10) The Age Verification Policy required by the mandatory conditions shall specify that any person who appears to be under 25 shall be required to produce proof of age in an appropriate form before being supplied with alcohol. Signs advertising the age policy in operation shall be displayed at each bar.
- (11) The premises shall maintain a Refusals Register (which may be combined with the Incident Book) to record details of all and any occasions upon which a person is refused service of alcohol and the reason for that refusal. The Register (or Incident Book) shall be checked and signed by the DPS or his/her Deputy at least once a week, retained for at least 12 months and made available for inspection by authorised officers on request.
- (12) All staff involved in the sale or service of alcohol will receive training on the Licensing Act and, in particular on the law relating to age restricted sales of alcohol and the supply of alcohol to persons who are drunk. The "Challenge 25 Policy" and on drug awareness before commencing their duties. Refresher training will take place at least every 6 months and records of all staff training will be maintained (and retained for at least 12 months) and made available for inspection by Authorised Officers on request.
- (13) The premises licence holder or its nominated representative (normally the DPS) shall actively participate in the Bracknell area Pub Watch Scheme or any successor scheme as long as the scheme continues to operate.
- (14) The premises shall be fitted with a CCTV system that will cover all public parts of the licensed areas, other than the lavatories. The CCTV system shall be operational whenever the premises are open to the public unless through mechanical or other breakdown, this is not possible. In those circumstances, the holder of the licence shall notify the Police of the breakdown and arrange for the same to be rectified as quickly as reasonably possible.
- (15) CCTV recordings shall be maintained for a minimum of 31 days. Facilities for viewing recordings and making copies of the same shall be available on the premises and there shall be at least one member of staff on duty each day that is trained to use the system.
- (16) Provided the requests are made in accordance with the Data Protection Act and any other relevant legislation, the Police and other authorised officers shall be provided with the facilities to view recordings at any time the premises are open or otherwise on reasonable request and copies of recordings in a playable format will also be provided as soon as reasonably practicable.
- (17) A notice warning customer that CCTV is in operation shall be displayed.
- (18) The premises shall maintain an Incident Book which will be used to record any incident of crime and disorder occurring in or immediately outside the premises. The Incident Book shall be made available for inspection by authorised Officers on reasonable request. If door supervisors are employed at the premises, full details of their names, badge number and date of issue or expiry of the same shall be entered in the Incident Book. The Incident Book shall be checked and signed by the DPS or his/her Deputy at least once a week, retained for 12 months.
- (19) No licensable activity shall be authorised under this licence unless and until the premises are constructed substantially in accordance with the plans annexed hereto or such plans as may be approved from time to time following a variation (or minor variation) of the licence.
- (20) The premises shall operate principally as a restaurant and to that end, substantial food (including table meals) appropriate to the time of day shall be available whenever the premises are open, and a waiter/waitress service shall also be available all times.
- (21) The food offering shall include meals suitable for children and non-alcoholic beverages shall always be available the premises are open.

Annex 3 – Conditions attached after a hearing by the Licensing Authority:

None

Annex 4 – Plans:

Drawing No 1331-801 March 2020

Amanda Ward

From: Licence All <Licence.All@Bracknell-Forest.gov.uk>
Sent: 04 May 2020 11:05
To: Amanda Ward
Subject: -FW: H&W - TRL Site

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

From: [REDACTED]
Sent: 04 May 2020 08:36
To: Niamh Kelly
Cc: Licence All
Subject: Re: H&W - TRL Site

CAUTION: This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Hi,

My address is: [REDACTED]

My comments above are in relation to the prevention of of public nuisance. The pub is extremely close to my property and I am concerned about noise and disturbance at closure. If the pub closes at midnight it will be into the early hours before people leave the area whom are waiting for taxis, lifts.

In addition I have no doubt me and my children will hear everything from the pub garden which will be 300 meters away! We don't want that till midnight thank you.

Kind regards,

Sent from [Outlook Mobile](#)

From: Niamh Kelly <Niamh.Kelly@westberks.gov.uk>
Sent: Friday, May 1, 2020 11:45:28 AM
To: [REDACTED]
Cc: Licence All <Licence.All@Bracknell-Forest.gov.uk>
Subject: RE: H&W - TRL Site

Hi [REDACTED]

In order for your representation to be considered valid can you please confirm your full postal address and to be more specific about your concerns in relation to the four licensing objectives;

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

Kindest regards

Niamh

Niamh Kelly
Licensing Officer

Public Protection Partnership
A shared service provided by Bracknell Forest Council, West Berkshire
Council and Wokingham Borough Council

Telephone 01344 352590
niamh.kelly@bracknell-forest.gov.uk/niamh.kelly@westberks.gov.uk
<https://publicprotectionpartnership.org.uk/>

Visit our new Public Protection Partnership website
for all your Environmental Health, Licensing and
Trading Standards enquiries and information.

From: [REDACTED]
Sent: 02 April 2020 16:28
To: Licence All <Licence.All@Bracknell-Forest.gov.uk>
Subject: H&W - TRL Site

CAUTION: This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Hello,

I am writing regarding the notice of application for a premises licence from Hall and Woodhouse on the TRL site.

I feel this should be reviewed and a 11pm closure seems fitting. This is due to the close proximity of residents, in addition considering the licensing hours in Crowthorne Villiage and H&Ws similar venue Peacock Farm.

Kind regards
[REDACTED]

Sent from Outlook Mobile

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This footnote also confirms that this e-mail has been scanned for the presence of computer viruses. Although the Council has taken steps to ensure that this e-mail and any attachments are virus free we advise that in keeping with good ICT practice the recipients should confirm this for themselves.

Amanda Ward

Annex f

From: P.Day@laceyssolicitors.co.uk
Sent: 19 May 2020 19:01
To: [REDACTED]
Cc: Amanda Ward; licensing@bracknell-forest.gov.uk; Lizzie.Rich@bracknell-forest.gov.uk; mark.james@hall-woodhouse.co.uk
Subject: Hall and Woodhouse Licence application - Crowthorne (HA1155/609)
Follow Up Flag: Follow up
Flag Status: Flagged

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Dear [REDACTED]

Thank you again for responding. We are now set for a hearing on 1st June and I trust that you have heard from the Democratic Services Department of the Council in that regard. I am copying this email chain to officers at the Council and asking that it be included in the agenda papers/reports for the hearing.

Regarding the site notices, please be aware that last week, I received two emails from other residents who contacted me direct having seen the public notices and noted my email address. In addition, back at the beginning of March, a month or so before the formal application was lodged, we consulted informally with the relevant responsible authorities, the Parish Council and your District Councillors, sending them all copies of the draft application and plans. Against that background, I am satisfied that the public were given more than a fair opportunity to review the application. I would add that it would have been impractical to delay the application until the current crisis had come to an end as contractual arrangements for what is a very substantial investment for Hall and Woodhouse could not proceed until licensing and planning matters were resolved. These issues are however not relevant to the matters that the Licensing Committee will need to consider.

Given the nature of the hearing, I propose to outline the main points that I intend to make (some of which I have already set out in my original email to you and I apologise for the repetition):

None of the relevant statutory authorities, including in particular the Police and Environmental Health Officers have raised any objection to the application.

We are prepared to offer up a condition limiting the use of the external areas in addition to the conditions set out in the application form under section M

As mentioned in the application, over the course of the last decade or so, Hall and Woodhouse have built a number of brand new food led family orientated licensed premises. These include outlets in Bath, Portishead, Melksham, Cranbrook, Poundbury and Wichelstowe on the outskirts of Swindon. New licences have also been granted for sites in Camberley (Mindenhurst) and Taplow for premises that have yet to open. A number of these are either in very close proximity to residential accommodation (e.g. Bath) or serve new towns (e.g. Cranbrook and Poundbury) or new housing developments (e.g. Portishead and Wichelstowe). None of these establishments have attracted any complaints from local residents or caused issues for the licensing and other responsible authorities.

Founded in 1777, the company is still privately owned by the families of the founders. Its directly managed estate currently consists of some 52 houses but the company also owns a further 120 pubs which are run by "business partners" – tenants in old parlance. The application site will form part of the managed estate.

The hours sought are significantly shorter than those that have been granted to many of the premises across the company's estate – indeed a small number are licensed to sell alcohol 24 hours a day. In practice, demand, particularly in food led establishments tends to dictate the actual hours of operation. Further, the hours sought are identical to those permitted under the previous regime of the Licensing Act 1964 regarding restaurants and pubs that had areas set aside dedicated to dining and what

was known as a Supper Hours Certificate i.e. the sale of alcohol with food until midnight with a further 30 minute "drinking up period" (i.e. until 12.30 a.m.)

The Licensing Act 2003 creates a presumption of grant of a licence on the basis applied for unless there is an evidential basis to either refuse the application or to grant it subject to additional conditions or restrictions – mere speculation about what might happen is not a sufficient reason to refuse or restrict in the absence of such evidence. Licensing Authorities should take their lead from responsible authorities such as the Police on matters of crime and disorder or the Environmental Health Department on matters of public nuisance.

In any event, if a licence is granted and it subsequently transpires that there are issues that undermine any of the licensing objectives of preventing crime and disorder, public safety, the prevention of public nuisance or the protection of children from harm, anyone affected by the same has a right to seek a review of the licence as I have already mentioned.

Finally, I would invite you again to consider withdrawing your representation but you are of course at perfect liberty to decline to do so.

Kind regards

Philip Day

From: [REDACTED]
Sent: 13 May 2020 13:58
To: Amanda.ward@westberks.gov.uk; Philip Day <P.Day@laceyssolicitors.co.uk>
Cc: licensing@bracknell-forest.gov.uk; mark.james@hall-woodhouse.co.uk
Subject: Re: hall and Woodhouse Licence application - Crowthorne (HA1155/609)

Hi all,

Thank you for the additional information provided. Having considered this, I still believe the proposed opening times are excessive. In addition, I understand the statutory period involved however I do believe you have not given the public fair opportunity to review this application.

No one could have anticipated the current Covid19 situation, however you made the decision to continue to advertise this licensing agreement during a period that the nation were on lockdown. Whilst not ideal, if the public was in your best interests you'd have delayed this until your licensing agreement could actually be read.

Thus, I'm not surprised I am the only person whom raised concerns.

Kind regards,
[REDACTED]

Sent from [Outlook Mobile](#)

From: P.Day@laceyssolicitors.co.uk <P.Day@laceyssolicitors.co.uk>
Sent: Tuesday, May 12, 2020 11:11:28 AM
To: [REDACTED]; Amanda.ward@westberks.gov.uk
<Amanda.ward@westberks.gov.uk>
Cc: licensing@bracknell-forest.gov.uk <licensing@bracknell-forest.gov.uk>; mark.james@hall-woodhouse.co.uk
<mark.james@hall-woodhouse.co.uk>
Subject: hall and Woodhouse Licence application - Crowthorne (HA1155/609)

Dear [REDACTED]

May I please introduce myself as the agent who submitted the licensing application for the proposed new restaurant premises on part of the former TRL site in Crowthorne on behalf of Hall and Woodhouse Limited?

My purpose in writing to you is to see whether I might be able to alleviate your concerns and so avoid the need for a hearing (which I understand would be conducted by a remote video conference on a date to be arranged) to determine the application. To that end, you will see that I am copying this email to Ms Ward who is now dealing with the matter and to the Licensing Team at the Council. If you have any queries about what follows, please do contact Ms Ward.

Both the planning and the licensing applications for this proposed development have been the subject of widespread consultation, both on an informal and formal basis. Regarding the licensing application, the consultations have included the Parish Council, the Police, Environmental Health Officers and of course the Licensing Department itself. You may not be aware of this but yours was the only objection that was received. In that regard, I understand that you actually wrote in shortly after the formal application was submitted but thanks in part to the current restrictions imposed because of the Covid19 crisis, there was something of a delay before I was told about your email, hence the delay in contacting you.

I also understand that you might not have been able to see a copy of the full application and the plans submitted with it – I attach copies for your information.

The applicant company is Hall and Woodhouse – a brewery founded in 1777 and still owned by the families of the original founders. The company owns about 170 premises, 52 of which are directly managed as family friendly food led premises, catering mainly for local people.

This application seeks a licence to sell alcohol until midnight with a further 30 minutes “drinking up time”. Similar outlets within the managed estate have licences for similar if not longer hours but in reality, the majority do not take full advantage of their licensed hours because there simply isn't the demand for late night opening in premises that do not offer musical entertainment and are food led (this only has planning consent to operate as restaurant and not as a pub) – most customers have finished eating by 11 p.m. and leave in dribs and drabs rather than en masse at closing time. The application was submitted as it was to allow a degree of flexibility in terms of operating and for no other reason.

I also appreciate your concern about noise from the external area but at the same time note that you say that you live 300 metres away. Whilst we think it most unlikely that you would in fact ever be disturbed by noise from the premises, we are prepared to offer an additional condition as follows:

“The consumption of alcohol and food in the external licensed areas shall cease no later than 23:00 hours”.

I suspect that you may already have been advised by the Licensing Officers that regardless of what licence may be granted by the Council, the relevant authorities, you and any other resident who might be adversely affected in future by the operation of these premises can at any time (and without paying a fee) call for a review of the licence which could result in (for example) the addition of conditions, restrictions on operating hours or even revocation of the licence.

It follows that if your concerns turn out to be well founded, there is a remedy open to you.

For those reasons, I would invite you to please reconsider your representation and to withdraw the same. You are of course entitled to insist on a hearing but I would hope that this email re-assures you about Hall and Woodhouse's intentions and that we can agree a mediated outcome that would avoid the time and trouble of having to hold a hearing, particularly in these difficult times.

I look forward to hearing from you but in the meantime, stay safe and well

Kind regards

Philip

Philip Day | Partner

I will be working from home until the present crisis ends. If you need to speak to me, please ring my mobile – 078 558 27798.

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