

NOTICE OF MEETING

Licensing Panel

Thursday 1 May 2014, 2.00 pm

Council Chamber, Fourth Floor, Easthampstead House, Bracknell

To: The Licensing Panel

Councillor Brunel-Walker (Chairman), Councillors Brossard and Mrs Temperton

cc: Substitute Members of the Committee

Councillors Allen, Mrs Angell, Baily, Mrs Barnard, Davison, Finch, Finnie, Gbadebo, Leake, Porter, Thompson and Ms Wilson

ALISON SANDERS
Director of Corporate Services

EMERGENCY EVACUATION INSTRUCTIONS

- 1 If you hear the alarm, leave the building immediately.
- 2 Follow the green signs.
- 3 Use the stairs not the lifts.
- 4 Do not re-enter the building until told to do so.

If you require further information, please contact: Amanda Roden
Telephone: 01344 352253
Email: amanda.rodan@bracknell-forest.gov.uk
Published: 17 April 2014



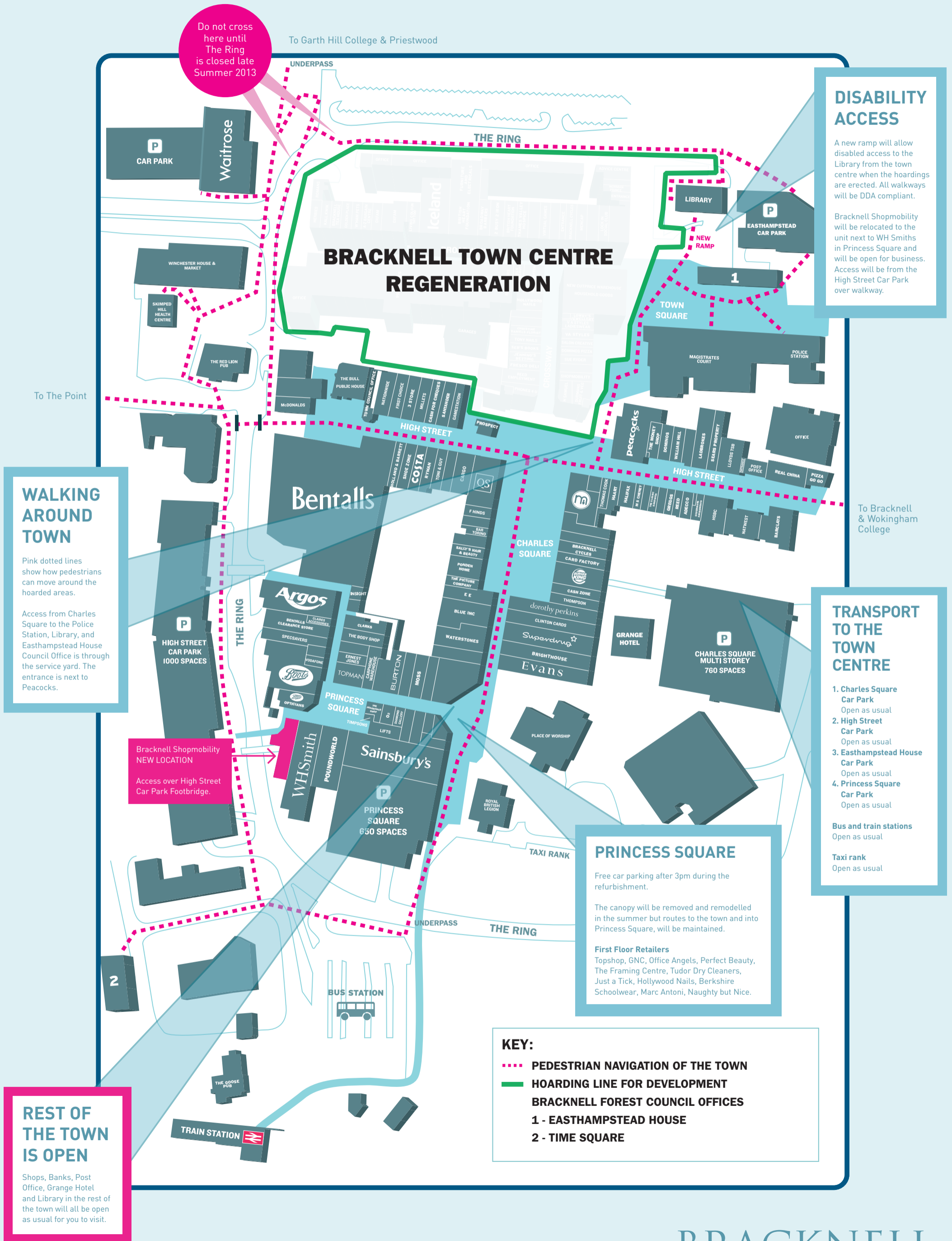
Licensing Panel
Thursday 1 May 2014, 2.00 pm
Council Chamber, Fourth Floor, Easthampstead House,
Bracknell

Sound recording, photographing, filming and use of social media at meetings which are held in public are permitted subject to the provisions of the Council's protocol for recording. Those wishing to record proceedings at a meeting are advised to contact the Democratic Services Officer named as the contact for further information on the front of this agenda as early as possible before the start of the meeting so that arrangements can be discussed and the agreement of the Chairman can be sought.

AGENDA

	Page No
1. Maps	1 - 6
2. Declarations of Interest Any Member with a Disclosable Pecuniary Interest or an Affected 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 Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.	
3. The Procedure for Hearings at Licensing Panels	7 - 12
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Annex B – Application for Variation of Premises Licence & Plan	
Annex C – Representation 1	
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BRACKNELL TOWN CENTRE OPEN AS USUAL DURING DEMOLITION



Do not cross here until The Ring is closed late Summer 2013

DISABILITY ACCESS

A new ramp will allow disabled access to the Library from the town centre when the hoardings are erected. All walkways will be DDA compliant.

Bracknell Shopmobility will be relocated to the unit next to WH Smiths in Princess Square and will be open for business. Access will be from the High Street Car Park over walkway.

WALKING AROUND TOWN

Pink dotted lines show how pedestrians can move around the hoarded areas.

Access from Charles Square to the Police Station, Library, and Easthampstead House Council Office is through the service yard. The entrance is next to Peacocks.

TRANSPORT TO THE TOWN CENTRE

- Charles Square Car Park
Open as usual
- High Street Car Park
Open as usual
- Easthampstead House Car Park
Open as usual
- Princess Square Car Park
Open as usual

Bus and train stations
Open as usual

Taxi rank
Open as usual

PRINCESS SQUARE

Free car parking after 3pm during the refurbishment.

The canopy will be removed and remodelled in the summer but routes to the town and into Princess Square, will be maintained.

First Floor Retailers
Topshop, GNC, Office Angels, Perfect Beauty, The Framing Centre, Tudor Dry Cleaners, Just a Tick, Hollywood Nails, Berkshire Schoolwear, Marc Antoni, Naughty but Nice.

KEY:

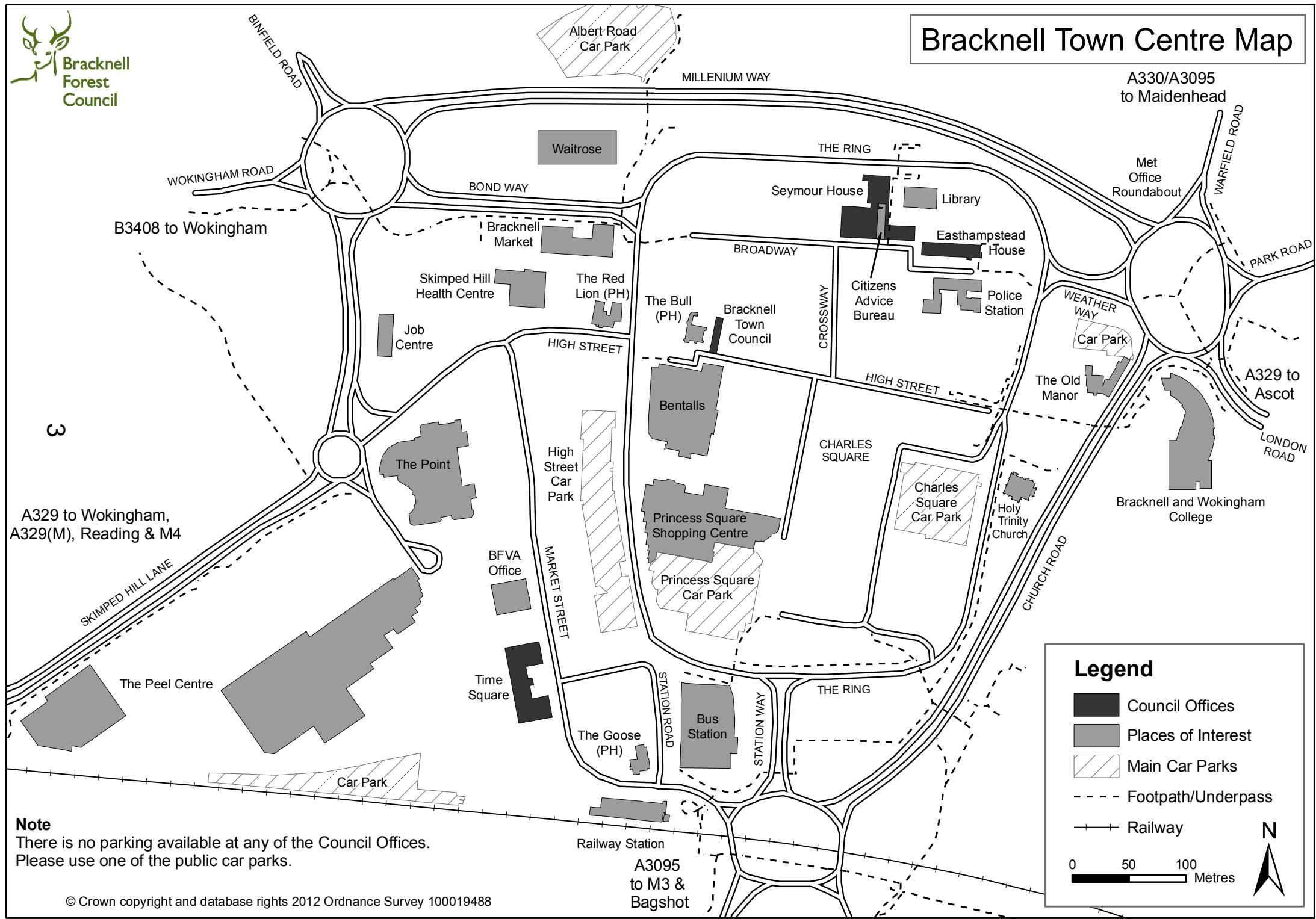
- PEDESTRIAN NAVIGATION OF THE TOWN
- HOARDING LINE FOR DEVELOPMENT
- BRACKNELL FOREST COUNCIL OFFICES
- 1 - EASTHAMPSTEAD HOUSE
- 2 - TIME SQUARE

REST OF THE TOWN IS OPEN

Shops, Banks, Post Office, Grange Hotel and Library in the rest of the town will all be open as usual for you to visit.





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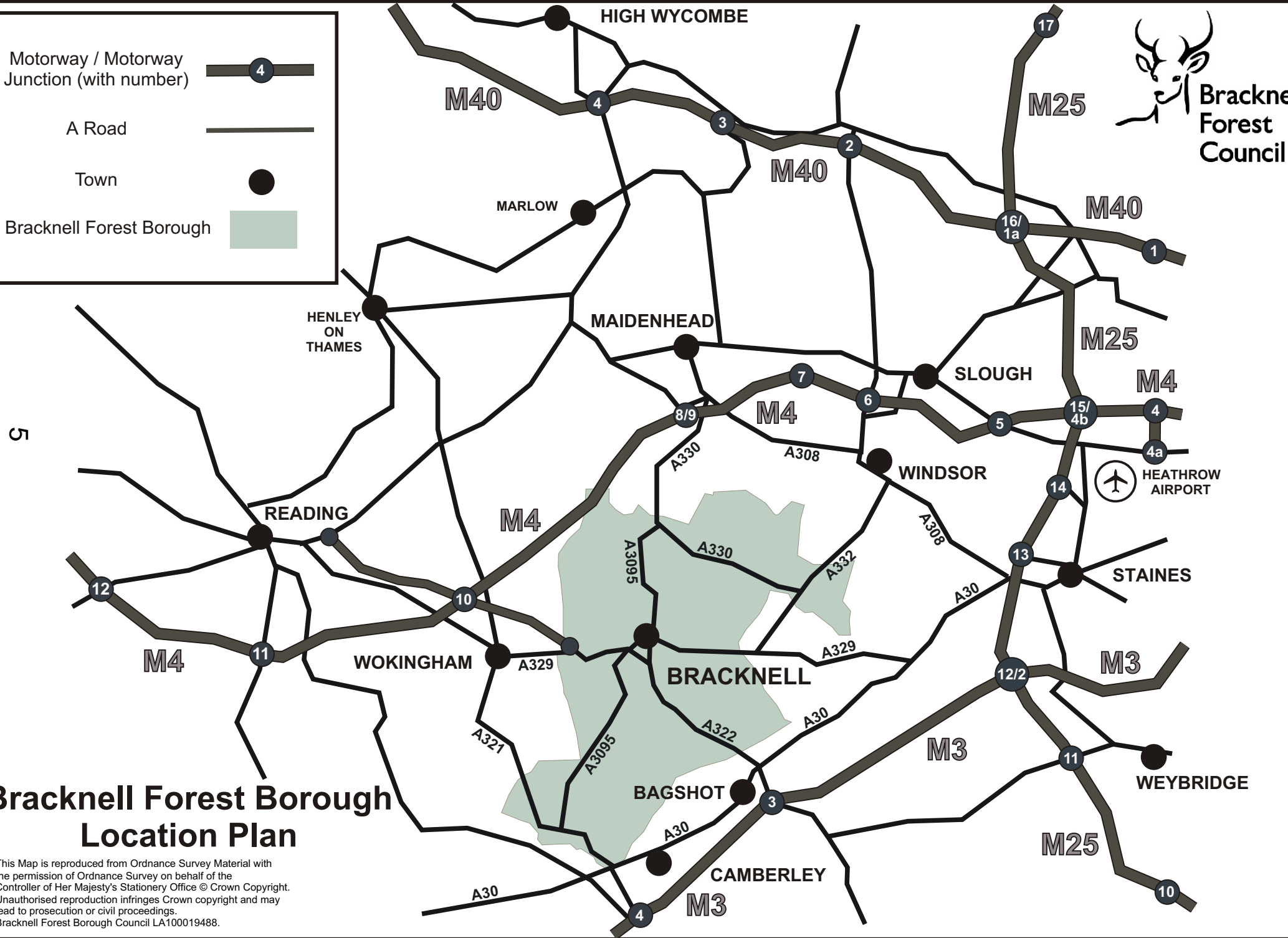
Bracknell Town Centre Map



Note
There is no parking available at any of the Council Offices.
Please use one of the public car parks.

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Motorway / Motorway Junction (with number)	
A Road	
Town	
Bracknell Forest Borough	



Bracknell Forest Borough Location Plan

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Bracknell Forest Borough Council LA100019488.

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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 Council's Licensing Manager 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. Included with the written notification shall be the Agenda for the meeting.
- 1.3 Any documents to be produced at the hearing by the Director of Environment, Culture and Communities 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 Council's Licensing Manager 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 Director of Environment, Culture and Communities 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 Director of Environment, Culture and Communities representative for clarification of any points.
 - (f) The applicant shall have an opportunity to put questions to the Director of Environment, Culture and Communities 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 Director of Environment Culture and Communities 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 Director of Environment, Culture and Communities 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 Director of Environment Culture and Communities 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 Leader
Environment, Culture and Communities
Bracknell Forest Council
Time Square
Market Street
Bracknell
Berkshire RG12 1JD
Tel: 01344 352517
e-mail: laura.driscoll@bracknell-forest.gov.uk

Democratic Services, Corporate Services
Bracknell Forest Council
Easthampstead House
Town Square
Bracknell
Berkshire RG12 1AQ
Tel: 01344 352253
e-mail: amanda.roden@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 Director of Environment Culture and Communities. 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
1 MAY 2014

LICENSING ACT 2003
WAITROSE-SHELL, BAGSHOT ROAD, BRACKNELL RG42 9SE
APPLICATION FOR VARIATION OF PREMISES LICENCE
(Chief Officer: Environment and Public Protection)

1 APPLICATION DETAILS

- 1.1 On 11 March 2014 an application was made by Waitrose Limited to vary their premises licence for the above premises. The existing licence is attached at **Annex A**. The application for variation and plan are attached at **Annex B**.
- 1.2 The variation is for the following:
- a) To extend the sale of alcohol from 06:00hrs until 02.00hrs Monday to Sunday
 - b) For the provision of late night refreshment, i.e. the sale of hot food and hot drink for consumption off the premises from 23:00 until 05:00, Monday to Sunday
 - c) To vary the opening hours to 24-hour operation Monday to Sunday
 - d) For the addition of new conditions

2 REPRESENTATIONS RECEIVED

- 2.1 Between 11 March 2014 and 8 April 2014, four (4) representations were received in respect of the application. The representations are attached from **Annex C** to **Annex F** inclusive.
- 2.2 None of the responsible authorities (Thames Valley Police, Environmental Protection, Trading Standards, Royal Berkshire Fire and Rescue, Child Protection Committee, Planning, Public Health and Environmental Health & Safety) have made representations against the application.

3 SUPPORTING INFORMATION

- 3.1 The proposed conditions arising from the operating schedule are attached at **Annex G** of this report.
- 3.2 The location of the premises is indicated on the attached map at **Annex H**.

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 (p 1.24).

- 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 (p 1.11).
- 4.3 When determining applications the Licensing Authority must be satisfied that the applicant's operating schedule seeks to promote the licensing objectives (p 1.13).
- 4.4 In appropriate cases, and where its discretion is engaged, the Licensing Authority may attach conditions in line with the achievement of the licensing objectives, as listed in the model conditions (p 2.12, 3.15, 4.8 & 5.17).
- 4.5 The Licensing Authority will apply a level of conditions proportionate to the individual style and characteristics of the premises concerned (p 6.8).

5 RELEVANT NATIONAL GUIDANCE

- 5.1 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 the representations (including supporting information) provided by all the parties and the steps that are necessary to promote the licensing objectives (p 5.69).
- 5.2 The Licensing Authority may not impose any conditions unless its discretion has been engaged following the making of relevant representations and it has been satisfied at a hearing of the necessity to impose conditions due to the representations raised. It may then only impose such conditions as are necessary to promote the licensing objectives arising out of consideration of the representations (p. 7.5).
- 5.3 Licensing conditions should be tailored to the size, style, characteristics and activities taking place at the premises. It is important that conditions are proportionate (p 7.17).

6 RECOMMENDATION

- 6.1 The Licensing Authority must, having regard to the representations, take such steps as it considers appropriate for the promotion of the licensing objectives, either:
 - a) to vary the licence subject to the conditions as proposed, or
 - b) to vary the licence subject to modified and/or additional conditions, or
 - c) to vary 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 2011)

Contact for further information

Sue Walker

Licensing Officer – 01344 352550

Sue.walker@bracknell-forest.gov.uk

LICENSING ACT 2003**PART A - PREMISES LICENCE**

Granted by Bracknell Forest Borough Council as Licensing Authority

Premises Licence Number : LN/20050410

Part 1 – Premises Details

Postal address of premises :

Premises Name : Shell Bracknell
 Address : Bagshot Road
 Bracknell
 RG12 9SE
 Telephone Number : 01344 425808

Where the licence is time limited the dates : N/A

The licensable activities authorised by the licence and the times the licence authorises the carrying out of those activities :

Licensable Activities :	Authorised Times :
Sale by retail of alcohol	Monday - Saturday: 08:00 - 23:00 Sunday: 10:00 - 22:30

The opening hours of the premises : N/A

Where the licence authorises supplies of alcohol whether these are on and/or off supplies : Off supplies

Part 2

Name and (registered) address of holder of premises licence :

Name : WAITROSE,
 Address : Southern Industrial Estate,
 Doncastle Road,
 Bracknell,
 Berkshire, RG12 8YA.
 Telephone Number : 01344 424680

Registered number of holder (where applicable) : 99405

Name and address of designated premises supervisor
(where the premises authorises the supply of alcohol) :

Name:
Address :

[Redacted Name]
[Redacted Address]

Personal licence number and issuing authority of personal licence held by designated
premises supervisor (where the premises authorises the supply of alcohol) :

Personal Licence Number :	000993
Issuing Authority :	South Somerset District Council

Signed: 
for Chief Officer – Environment and Public Protection
Date: 9 April 2014

Licensing Team, Bracknell Forest Council, Time Square, Market Street, Bracknell, RG12 1JD
Telephone: 01344 352000
Email: licence.all@bracknell-forest.gov.uk

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.
- (2) No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
- (3) Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
- (4) The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annex 2 – Conditions consistent with the Premises Operating Schedule:

- (5) Alcohol shall not be sold or supplied except during permitted hours. Permitted hours means:
 - a) on weekdays, other than Christmas Day: 08:00 - 23:00;
 - b) on Sundays, other than Christmas Day: 10:00 - 22:30;
 - c) on Christmas Day: 12:00 - 15:00 & 19:00 - 22:30;
 - d) on Good Friday: 08:00 - 22:30.

The above restrictions do not prohibit:

- a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
 - b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - c) the sale of alcohol to a trader or club for the purposes of the trade or club;
 - d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.
- (6) Alcohol shall not be sold in an open container or be consumed in the licensed premises.

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

N/A

Annex 4 – Plans:

Attached

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586144/000002/JOSW/LDR LIC

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.-

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

Premises licence number	LN/20050410
-------------------------	-------------

Part 1 – Premises Details

Waitrose - Shell, Bagshot Road, Bracknell	
Post town	Post code RG12 9SE

Telephone number at premises (if any)	Not known at present
Non-domestic rateable value of premises	£178000.00

Part 2 – Applicant Details

Daytime contact telephone number	01344 424680		
Email address (optional)			
Current postal address if different from premises address	171 Victoria Street London SW1E 5NN BUT PLEASE SEND ALL CORRESPONDENCE RE ANNUAL FEES ETC TO Southern Industrial Area, Bracknell, Berkshire, RG12 8YA		
Post town		Post code	RG12 8YA

Part 3 – Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?	<input checked="" type="checkbox"/>
--	-------------------------------------

If not, when do you want the variation to take effect from	Day	Month	Year

<p>Please describe briefly the nature of the proposed variation (please read guidance note 1)?</p> <p>To approve alterations to the premises, to vary the existing permitted hours to 0600 to 0200 the following day Monday to Sunday & permit late night refreshment 2300 to 0500 hours the following day Monday to Sunday</p>



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

Not Applicable

Part 4 – Operating Schedule

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

Provision of regulated entertainment – please tick Yes

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

--
- b) films (if ticking yes, fill in box B)

--
- c) indoor sporting events (if ticking yes, fill in box C)

--
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)

--
- e) live music (if ticking yes, fill in box E)

--
- f) recorded music (if ticking yes, fill in box F)

--
- g) performances of dance (if ticking yes, fill in box G)

--
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box h)

--

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.

A

Plays			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
Standard days and timings (please read guidance note 6)				Outdoors	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

B

Films			<u>Will the performance of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
Standard days and timings (please read guidance note 6)				Outdoors	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					

Tue			
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)
Thur			
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

C

Indoor Sporting Events			Please give further details (please read guidance note 3)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Standard days and timings (please read guidance note 6)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Standard days and timings (please read guidance note 6)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details (please read guidance note 3)		
Tue					

Wed			State any seasonal variations for the performance of live music (please read guidance note 4)
Thur			
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (please read guidance note 5)
Sat			
Sun			

F

Recorded music			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Standard days and timings (please read guidance note 6)				Outdoors	
				Both	
Day	Start	Finish	Please give further details (please read guidance note 3)		
Mon			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Tue					
Wed					
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Standard days and timings (please read guidance note 6)				Outdoors	
				Both	
Day	Start	Finish	Please give further details (please read guidance note 3)		
Mon			State any seasonal variations for the performance of dance (please read guidance note 4)		
Tue					
Wed					
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g)			Please give a description of the type of entertainment you will be providing.		
Standard days and timings (please read guidance note 6)					
Day	Start	Finish	Will the performance of dance take place indoors or outdoors or both – please tick	Indoors	
Mon				Outdoors	

			(please read guidance note 2)	Both	
Tue			Please give further details (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

I

Late night refreshment			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	✓
Standard days and timings (please read guidance note 6)				Outdoors	
Day	Start	Finish		Both	
Mon	23:00	05:00	Please give further details (please read guidance note 3)		
Tue	23:00	05:00			
Wed	23:00	05:00	State any seasonal variations for provision of late night refreshment (please read guidance note 4)		
Thur	23:00	05:00			
Fri	23:00	05:00	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 5)		
Sat	23:00	05:00			
Sun	23:00	05:00			

J

Supply of alcohol			Will the supply of alcohol be for consumption (please read guidance note 7)	On the premises	
Standard days and timings (please read guidance note 6)				Off the premises	✓
Day	Start	Finish		Both	
Mon	06:00	02:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	06:00	02:00			
Wed	06:00	02:00			
Thur	06:00	02:00	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 5)		
Fri	06:00	02:00			
Sat	06:00	02:00			
Sun	06:00	02:00			

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 8)

NA

L

Hours premises are open to the public			State any seasonal variations (please read guidance note 4)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Non standard timings. Where you intend the premises to be open at different times to those listed in the column on the left, please list (please read guidance note 5)
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	

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

- I have enclosed the premises licence Please tick yes
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below.

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

M

Please describe any additional steps that you intend to take in order to promote the four licensing objectives if the proposed variation is granted:

a) **General – all four licensing objectives (b, c, d, e) (please read guidance note 9)**

1. CCTV will be in operation throughout trading hours. Recorded material is kept for one month and will be made available for inspection if requested by a police officer or authorised officer of the Local Authority.
2. All cashiers are fully trained in licensing before they work on a till. Training records are electronically recorded and refresher training takes place every 6 months. Training is supported with training cards and "think 25" posters in the staff areas.
3. Challenge 25 is adopted. Only photographic identification is accepted as proof of age.
4. Challenge 25 notices are displayed on the shop floor in prominent positions. Where the sale of alcohol is refused this is recorded.
5. Any cashier under the age of 18 is required to page a supervisor (all of whom are over the age of 18) to authorise the sale of alcohol and the supervisor must adopt challenge 25 policy in deciding whether to authorise the sale.

b) **The prevention of crime and disorder**

c) **Public safety**

d) **The prevention of public nuisance**


e) **The protection of children from harm**

- | | | |
|--|-----------------|-------------------------------------|
| | Please tick yes | |
| • I have made or enclosed payment of the fee | | <input checked="" type="checkbox"/> |
| • I have sent copies of this application and the plan to responsible authorities and others where applicable | | <input checked="" type="checkbox"/> |
| • I understand that I must now advertise my application | | <input checked="" type="checkbox"/> |
| • I have enclosed the premises licence or relevant part of it or explanation | | <input checked="" type="checkbox"/> |
| • I understand that if I do not comply with the above requirements my application will be rejected. | | <input checked="" type="checkbox"/> |

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's Solicitor or other duly authorised agent (see guidance note 11) If signing on behalf of the applicant please state in what capacity

Signature	
Date	10/03/2014
Capacity	Solicitor/Agent

Where the premises licence is jointly held signature of 2nd applicant (the proposed current premises licence holder) or 2nd applicant's Solicitor or other authorised agent (please read guidance note 18) If signing on behalf of the applicant please state in what capacity

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Blake Laphorn New Kings Court, Tollgate, Chandler's Ford
586144/000002/JOSW/LDRLIC

Post town	Eastleigh	Postcode	SO53 3LG
Telephone number (if any)		Tel: 02380 908090	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises
2. Where taking place in a building or other structure please tick as appropriate. Indoors may be in a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusive), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for days of the week when you intend the premises to be used for the activity
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything to occur at the premises or ancillary to 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
9. Please list here steps you will take to promote all four licensing objectives together
10. The application form must be signed
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form
13. This is the address which we shall use to correspond with you about this application

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REPRESENTATION IN RESPECT OF LICENSING APPLICATION
WAITROSE SHELL (LN/200500410 VARIATION)

1. Person making representation:

[REDACTED]

[REDACTED] Glebewood, Bracknell, Berkshire RG12 [REDACTED]

Phone: [REDACTED]

Email address: [REDACTED]

2. Relevance to Bracknell Forest Council Licensing Objectives:

Prevention of crime and disorder

Prevention of public nuisance

3. Reasons for representation:

Events relevant to specific grounds for a representation have occurred intermittently in the past, but have not been documented as a record, and have been infrequent. However, they include late evening noise (shouting and arguing), and the proliferation of litter. Such incidents were dealt with informally at the time, but may increase with extended operating hours

Indicative of the prior burden of complaint, the seating at the adjacent bus stop was removed to discourage loitering and to eliminate a focus for litter. Also forming a basis for concern, the adjacent Kentucky Fried Chicken operation employs a litter-picker to retrieve their packaging from the path verges. The incidence and volume of litter is likely to increase with extended hours of operation at the Shell Garage.

I would like to suggest an amendment to the licensing application to require the applicant to undertake to remove litter from their operation which may be discarded in the immediate neighbourhood.

Should the application be approved, I request that the approval is conditional on a review of the potential increased burden of complaint after at least 3 months' operation. I would undertake to report to the Licensing Committee accordingly.

[REDACTED]

[REDACTED]

Glebewood, Bracknell

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**IN RESPECT OF LICENSING APPLICATION WAITROSE SHELL
(LN/200500410 VARIATION)**

Person making representation:

[REDACTED]
Glebeewood, Bracknell, Berkshire RG12 [REDACTED]
Phone: [REDACTED]
Email address: [REDACTED]

Relevant to Bracknell Forest Council Licensing Objectives:

- Prevention of crime and disorder
- Prevention of public nuisance

As Chairman of Glebeewood Residents Association, I confirm that a number of our residents are concerned about this application, particularly in respect of the proposed extension of sale of alcohol beyond normal retail hours, i.e. until 02.00 hours on a 7-day-a-week basis.

Our objections are:-

1. To extend the availability of alcoholic drinks at a garage site into the small hours appears to fly in the face of the government promoted drink driving campaign. Approval would send totally the wrong message to local youth, and lead to an increase in drink driving offences and increased public safety hazards. The application to extend the hours for the sale of alcohol should therefore be refused.
2. The provision of late night facilities will increase noise nuisance and rowdy behavior on the site and extending to surrounding streets, particularly at weekends, and will generate additional litter problems.
3. Over the years Bracknell Forest Borough Council staff have consistently refuted the idea that the Bagshot Road/Downshire Way/ Berkshire Way route would be used by commercial traffic as a link road between M3 and M4/M40. Local residents suffering late night noise and vibration problems from heavy traffic on the Bagshot road can now confirm that this is a de facto occurrence. This application is clearly designed to promote a 'mini motorway service facility' on the site which would be totally out of character in this predominantly residential area and should therefore be refused. Residents have a right to expect some cessation of activity during the night and at weekends.

Since extended hours have not previously been permitted, there is little documentary evidence of current levels of disturbance, but that does not mean that disturbance does not already exist, and the volume of complaint can be expected to increase. The licensing authority should take a realistic view and reject the application.

[REDACTED]
Chairman, Glebeewood Residents Association

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From: [REDACTED] <[REDACTED]>
Sent: 07 April 2014 16:21
To: Licence All
Subject: Waitrose Alcohol License at the Shell Garage

Dear Sirs

We are very disturbed to learn that Waitrose have applied for a license to sell alcohol from the Shell Garage on the Bagshot Road particularly until 2.00am..

Not only does this go against the government advertising for DO NOT DRINK and DRIVE campaign, but alcohol can be purchased from supermarkets until late and this convenience shop do not need to do so. Being adjacent to the said garage it will be more noisy especially in the early hours and we have to put up with enough aggravation from the busy motorway link road as it is. Also walking purchasers will use the underpass or our estate in which to consume the purchases of alcohol and cause a nuisance with their loud talking and shouting etc., that come with these activities.

We pay enough in council tax especially considering the nuisance the road is already with vibration, engine noise and especially motorbikes revving up and racing up and down the road, and the aggravation from the Kentucky Fried car park. to add to this with the garage noise becomes almost impossible whilst trying to sleep.

yours faithfully

[REDACTED]
Glebeewood, Bracknell, RG12 [REDACTED]

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From: [REDACTED]
Sent: 08 April 2014 07:53
To: Sue Walker
Subject: FW: Premises licence for waitrose-shell, bagshot road, bracknell- rg12 9se

Dear sirs,

As you perhaps are already aware, we live about 2 mins walk from the above Shell-waitrose (petrol pump , kfc, "kiosk"(the original planning application 2001 of this place) and now aiming to be a 24 hours "kiosk" planning to serve alcohol, and night refreshments. (thus 24 hours a day, 365 days a year).

thus, We, the residents of number [REDACTED], glebe wood file vide this email, our objections to a blanket licence being issued to waitrose-shell.(the multinational bullies and their franchise owners, that have only a profit motive) on the following grounds. Safety of the residents, increased noise and traffic pollution, drunken behaviour, and generally becoming an unsafe /unattractive neighbourhood for future residents.

We also have the following observations- , this planning application information has been received by just 2 of the houses, in our estate, whereas there are over 40 houses in the neighbourhood, and this issue affects the entire neighbourhood. So it is highly callous of the council to not bother informing all the residents, who have found the information through the local newspaper. The area , which thanks to shoddy planning by Bracknell forest council, is primarily a residential area, which is being slowly converted into a mini motorway, complete with services/food joints, and the latest being 24 hours/365 days a year alcohol serving "kiosks", such that the residents cannot move around freely in the neighbourhood without being accosted by yobs, walking on litter, broken glass pieces, young children hesitate to walk back from school on their own during day time(as there have been incidences of children being approached by strangers in front of the KFC/SHELL pump area,), leave alone getting a good night's sleep due to the noise of the constant traffic(into the kfc/shell) and resultant increase traffic due to the proposed sale of booze 24 hours to who else, but drivers!! The residents have been given an opportunity at filing their objections, While, We think it is an

eye wash of an exercise, merely to "tick boxes", as vide this email, itself I can predict that the planning permission to server alchohol and open a 24 hour restaurant will be given no matter what, overruling every reservation of the residents, as the council has demonstrated in the past that it barely bothers about residents safety or their genuine grievances. (please refer to my earlier complaint about the vibrations felt in our house due to the movement of the heavy trailers on the road outside our house, in response to which we received a waffle of a letter from the authorities, making a mockery of citizens complaints).

In view of all of above, We would like to discuss this issue with some responsible officer at the council .

Family [REDACTED]
No [REDACTED], glebewood
Rg12 [REDACTED]
Bracknell

[REDACTED] ([REDACTED])
Work [REDACTED]

**LN/ 200500410 – DRAFT - Proposed Conditions
Waitrose – Shell, Bagshot Road, Bracknell RG12 9SE**

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.
- (2) No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
- (3) Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
- (4) The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Additional steps (licensee) intends to take in order to promote the licensing objectives:

- (5) Alcohol shall not be sold in an open container or be consumed on the licensed premises.
- (6) A CCTV system will be in operation throughout the permitted hours. Recorded material will be kept for a period of one month and will be made available for inspection if requested by a police officer or authorised officer of the Local Authority
- (7) All staff involved in the sale of alcohol will be fully trained. Training records will be electronically recorded and refresher training will take place every 6 months. Training is supported with training cards and “think 25” posters in the staff areas.
- (8) A Challenge 25 policy will be adopted and only photo driving licence, passport or ID card bearing the PASS logo (or any other ID card introduced by National Government) will be accepted as proof of age as example.
- (9) Challenge 25 notices will be displayed in prominent positions. A refusal log will be used to record all sales of alcohol refused. All the till will record refusals, giving the date, time and by who the refusal has been made.
- (10) Staff under the age of 18 involved in the sale of alcohol are required to page an authorised person (whom will be over the age of 18) to authorise the sale of alcohol and ensure the adopted challenge 25 policy in deciding whether to authorise the sale.

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

TBC

Annex 4 - Plans:

Drawing number 11764-AD-G01 – dated February 2014

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Waitrose-Shell Bagsot Road Brackne;
Premises marked with blue dot

Annex H

Date: 10/04/2014
Scale: 1:2,500

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