

NOTICE OF MEETING

Licensing Panel

Wednesday 6 August 2014, 10.00 am

**Function Room, Fifth Floor, Easthampstead House, Town Square,
Bracknell**

To: The Licensing Panel

Councillor Thompson (Chairman), Councillors Brossard and Finnie

cc: Substitute Members of the Committee

Councillors Allen, Mrs Angell, Baily, Mrs Barnard, Brunel-Walker, Davison, Finch, Gbadebo, Leake, Porter, Mrs Temperton 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: 18 July 2014



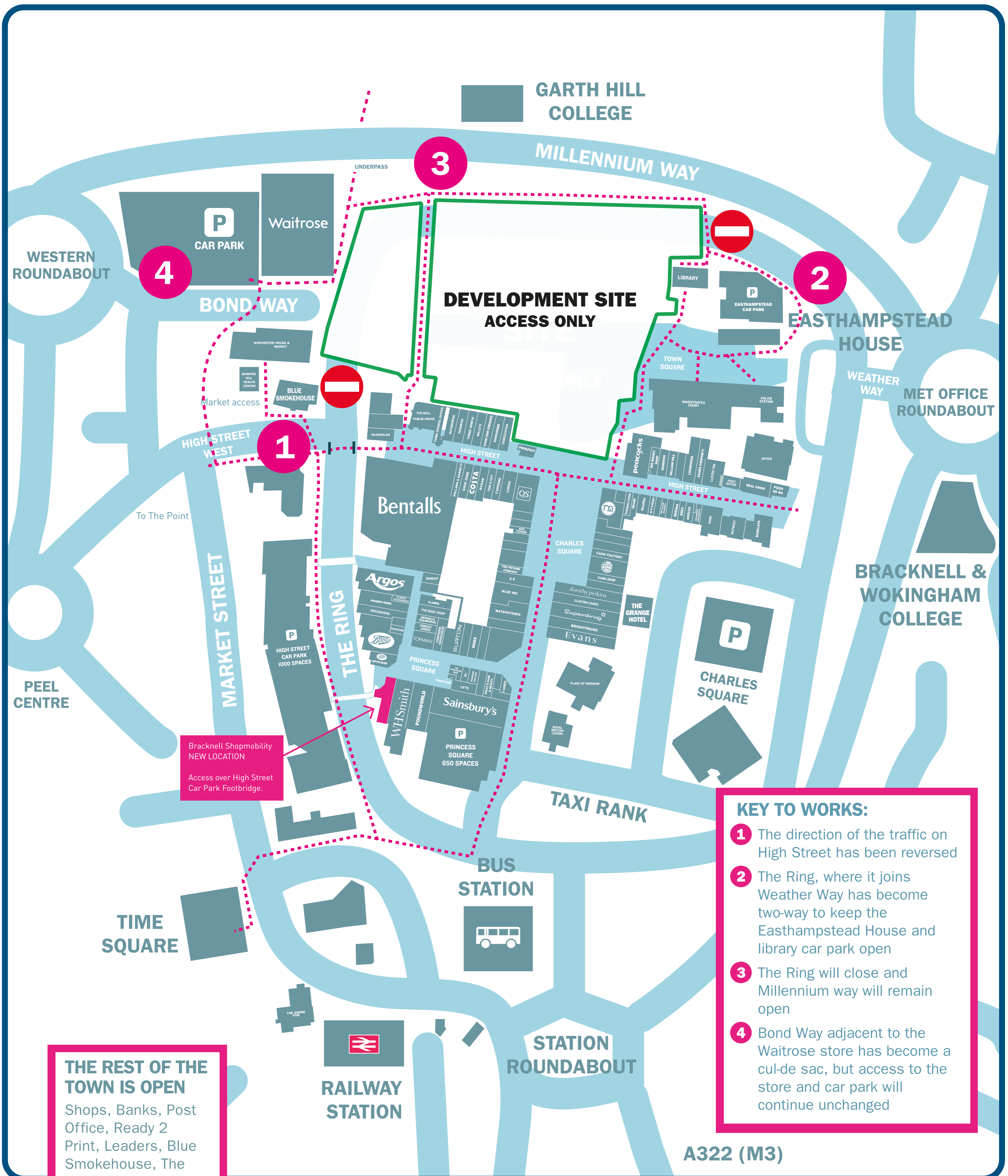
Licensing Panel
Wednesday 6 August 2014, 10.00 am
Function Room, Fifth Floor, Easthampstead House, Town
Square, Bracknell

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
4. Exclusion of Public and Press To consider the following motion: That pursuant to Section 100A of the Local Government Act 1972, as amended, and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of the following item which involves the likely disclosure of exempt information under the following category of Schedule 12A of that Act: (1) Information relating to any individual (Item 5).	
5. Report on Application for Chauffeur Driver Licence	13 - 30

BRACKNELL TOWN CENTRE OPEN AS USUAL DURING ROAD LAYOUT CHANGES



Bracknell Shopmobility
NEW LOCATION
Access over High Street
Car Park Footbridge.

- KEY TO WORKS:**
- 1** The direction of the traffic on High Street has been reversed
 - 2** The Ring, where it joins Weather Way has become two-way to keep the Easthampstead House and library car park open
 - 3** The Ring will close and Millennium way will remain open
 - 4** Bond Way adjacent to the Waitrose store has become a cul-de sac, but access to the store and car park will continue unchanged

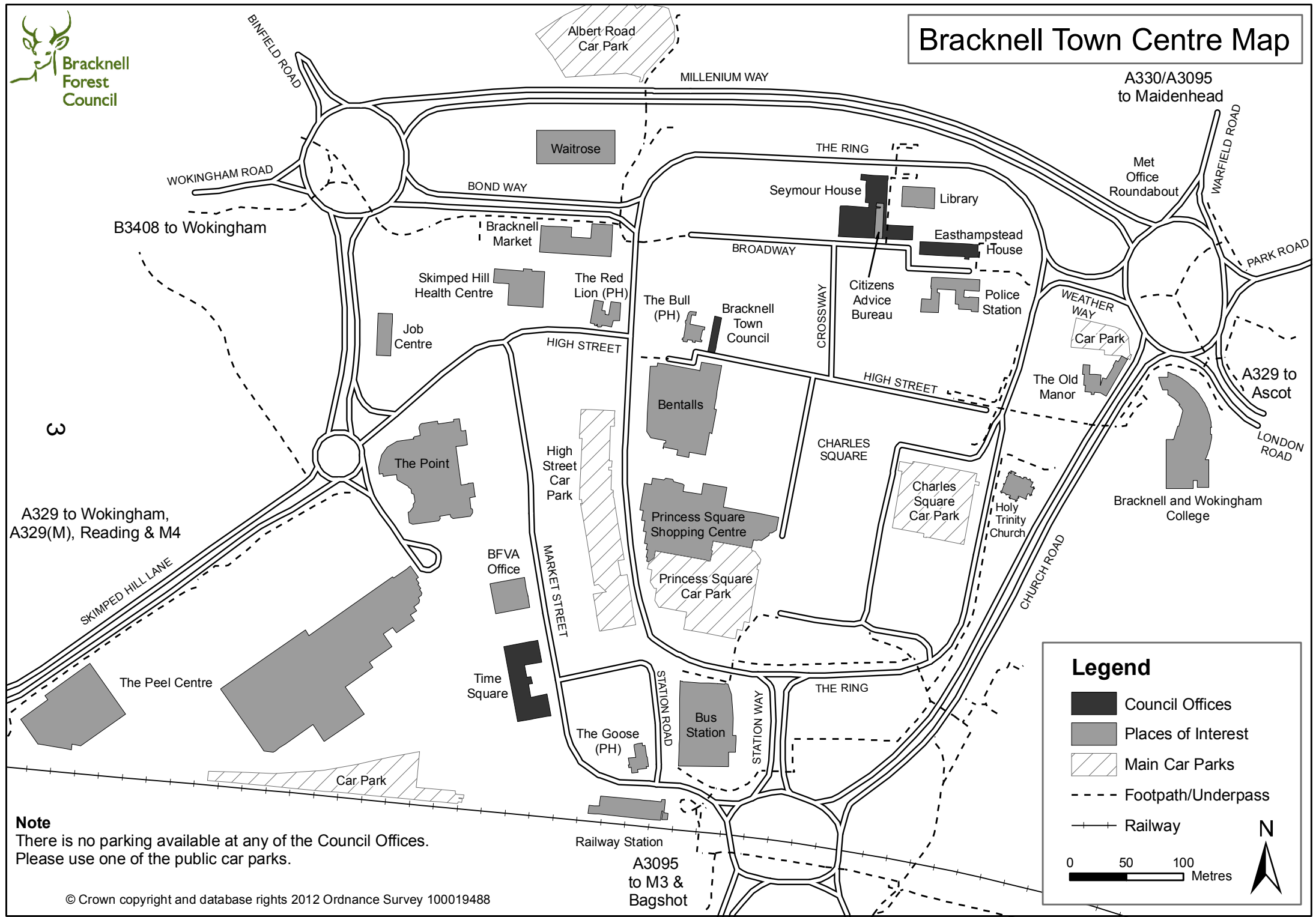
THE REST OF THE TOWN IS OPEN
Shops, Banks, Post Office, Ready 2 Print, Leaders, Blue Smokehouse, The Grange Hotel and Library will all be open as usual for you to visit.

KEY:

- PEDESTRIAN NAVIGATION OF THE TOWN
- HOARDING LINE FOR DEVELOPMENT





This page is intentionally left blank

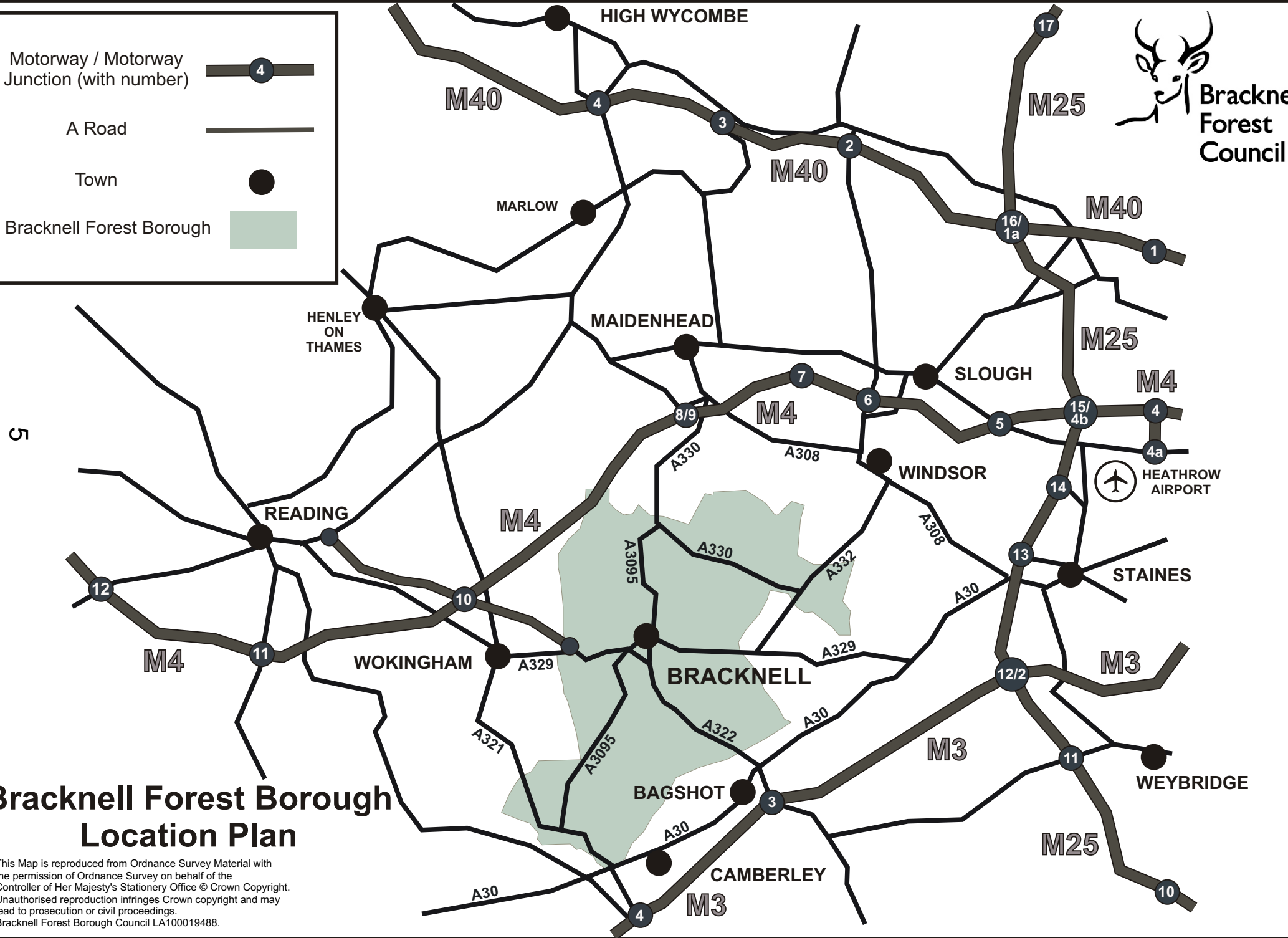
Bracknell Town Centre Map



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

This page is intentionally left blank

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



Bracknell Forest Borough Location Plan

This Map is reproduced from Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
Bracknell Forest Borough Council LA100019488.

This page is intentionally left blank

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
Fax: 01344 353251

This page is intentionally left blank

HEARINGS – REPRESENTATIONS AND SUPPORTING INFORMATION

1. Members of the Panel may ask any question of any party or other person appearing at the hearing.
2. 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.

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

- (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

This page is intentionally left blank

Agenda Item 5

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank