



NOTICE OF MEETING

Licensing Panel

Thursday 18 June 2015, 2.00 pm

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

To: The Licensing Panel

Councillor Allen (Chairman), Councillors Brossard and Thompson

cc: Substitute Members of the Committee

Councillors Brunel-Walker, Finch, Finnie, Leake and Porter

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: 1 June 2015



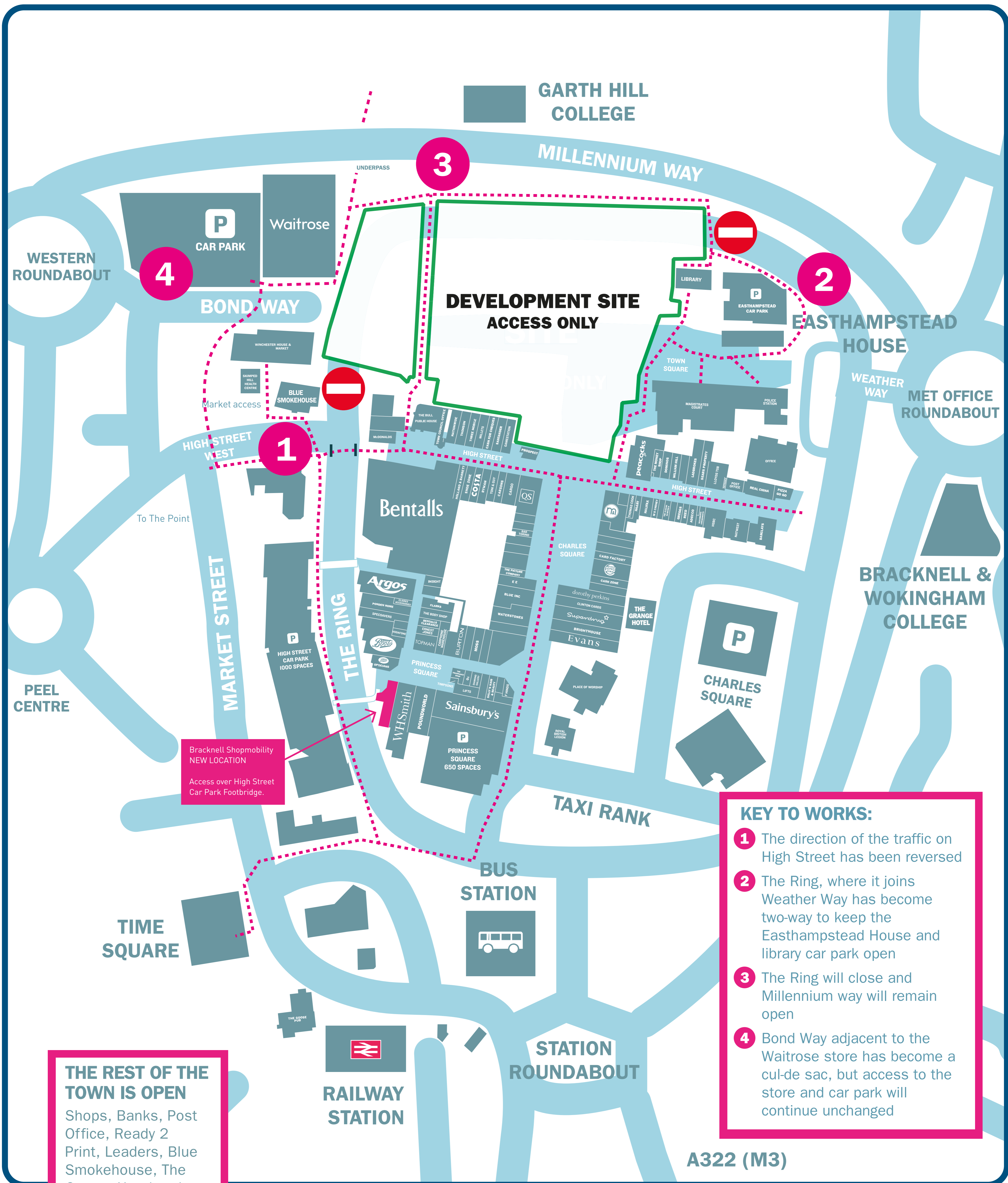
Licensing Panel
Thursday 18 June 2015, 2.00 pm
Function Room, Fifth Floor, Easthampstead House, Town
Square, Bracknell

Sound recording, photographing, filming and use of social media at meetings which are held in public are permitted. Those wishing to record proceedings at a meeting are however 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 any special arrangements can be made.

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. New Application - Pizza Hut, Unit 2 West View, Market Street, Bracknell, RG12 1JD Annex A – Premises Application Annex B – Pizza Hut Plan Annex C – Representation 1 (Thames Valley Police) Annex D – Representation 2 (Environmental Protection) Annex E – Map of Area Annex F – Proposed Conditions	13 - 42













BRACKNELL TOWN CENTRE OPEN AS USUAL DURING ROAD LAYOUT CHANGES

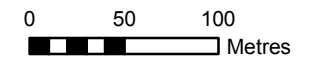


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Bracknell Town Centre Map

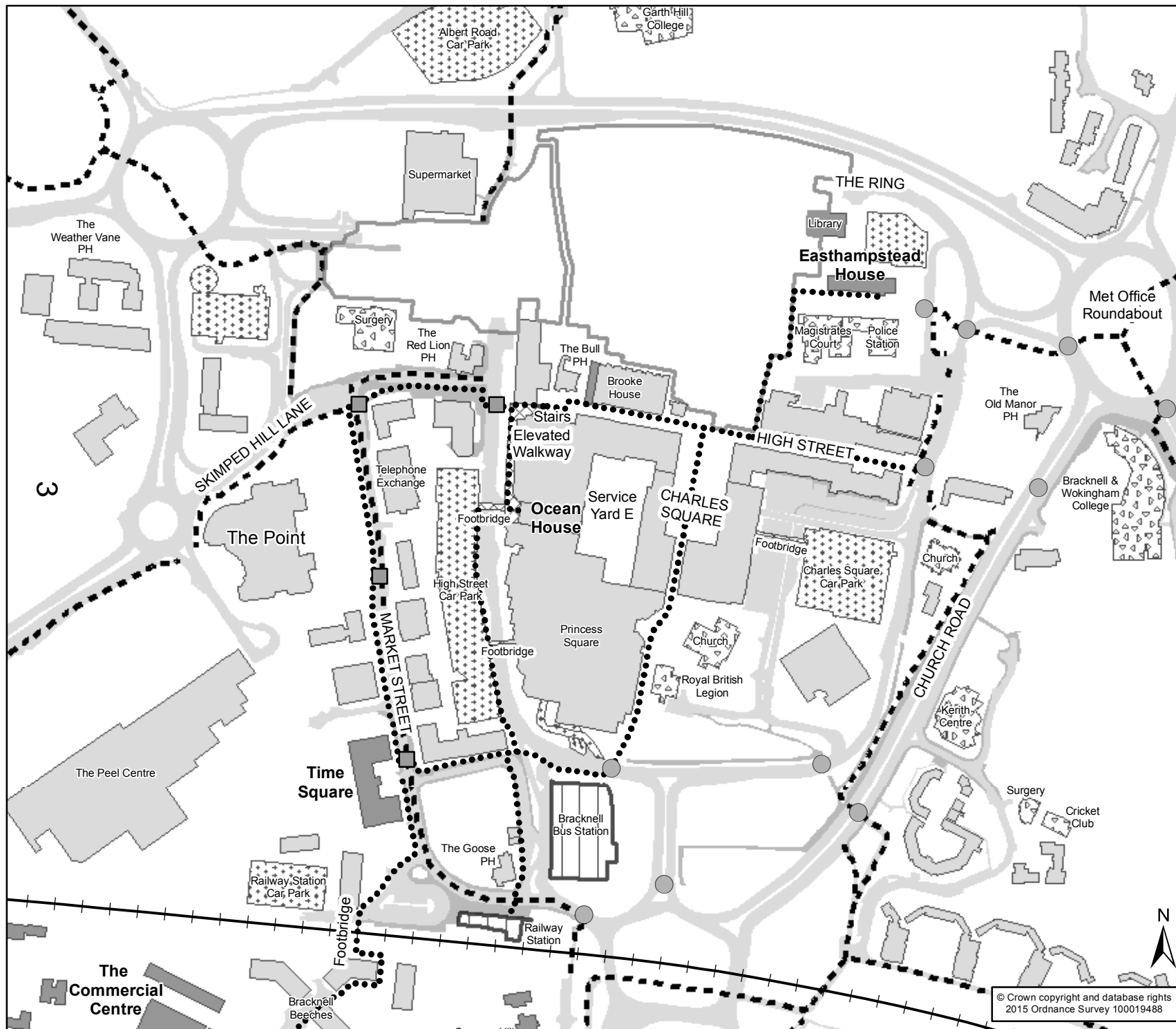
Legend

-  Subway
-  Zebra Crossing
-  Walk Route
-  Footpath/Cycleway
-  Railway
-  Building
-  Car Parks
-  Council Buildings
-  Demolished
-  Elevated Walkway
-  Places of Interest
-  Public Transport







Map Produced January 2015

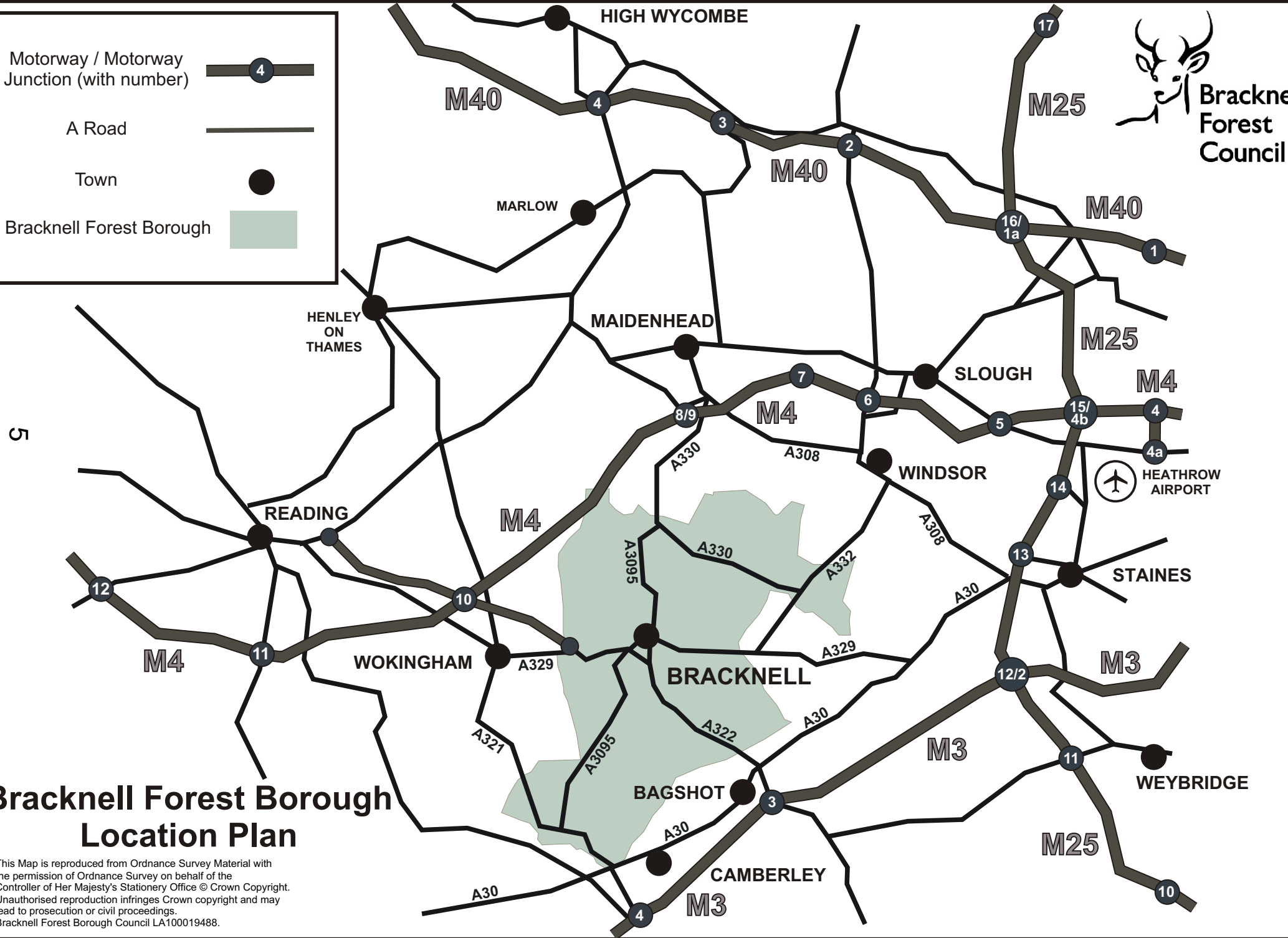
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2015 Ordnance Survey 100019488

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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:

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Environment, Culture and Communities
Bracknell Forest Council
Time Square
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Bracknell
Berkshire RG12 1JD
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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

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 18 JUNE 2015

LICENSING ACT 2003 PIZZA HUT, UNIT 2 WEST VIEW, MARKET STREET, BRACKNELL APPLICATION FOR GRANT OF NEW PREMISES LICENCE (Chief Officer: Environment and Public Protection)

1 APPLICATION DETAILS

- 1.1 On 20 April 2015 an application was made by Apnac Pizza Limited for a new premises licence. The application is attached at **Annex A** and proposed plan at **Annex B**.
- 1.2 The application is for late night refreshment, between the hours of 23:00-00:00 Sunday to Thursday and 23:00-02:00 Friday to Saturday. The premises proposes to operate as a take away premises offering food for collection and delivery, open between the hours of 11:00-00:00 Sunday to Thursday and 11:00-02:00 Friday to Saturday.

2 REPRESENTATIONS RECEIVED

- 2.1 During the period for making representations from 20 April 2015 to 18 May 2015, two representations were received in respect of the application. These representations are attached at **Annex C** and **Annex D** and are both from responsible authorities, namely Thames Valley Police and Environmental Protection.

3 SUPPORTING INFORMATION

- 3.1 A map showing the location of the premises is attached at **Annex E**.
- 3.2 The proposed conditions including both the mandatory conditions and those arising from the operating schedule are attached at **Annex F** of this report.
- 3.3 A mediation meeting was attended by the applicant on 21 May 2015. The conditions suggested by the responsible authorities were accepted but an agreement could not be reached in relation to the proposed closing time. Closing times of 23:30 Sunday to Thursday and 00:00 Friday to Saturday were suggested as a compromise but were not accepted by the applicant.

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 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 2011)

Contact for further information

Charlie Fletcher, Licensing Officer - 01344 352550

charlie.fletcher@bracknell-forest.gov.uk

[Bracknell Forest Council]

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Sanj Uppal

(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			
Pizza Hut Unit 2, Westview Market Street,			
Post town	Bracknell	Postcode	RG12 1JG
Telephone number at premises (if any)		01344 519013/ 01344 311119	
Non-domestic rateable value of premises		£ Not Known	

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 * | |
| i. as a limited company | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership | <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 please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Apnac Pizza Limited
Address 2 Lake End Court, Taplow Road, Taplow Maidenhead Berkshire SL6 0JQ
Registered number (where applicable) 02770856
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0 5	0 5	2 0 1 5

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)
 This is a brand new development sited at the new Westview building on market Street. It is a self contained unit that serves the purpose of providing deliveries and takeaways to the residents of Bracknell.

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

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

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

- | Provision of regulated entertainment | Please tick any 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

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
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 Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur								
Fri						<u>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</u> (please read guidance note 5)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>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</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
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 Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the playing of recorded music (please read guidance note 4)		
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 Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur								
Fri						<u>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</u> (please read guidance note 5)		
Sat								
Sun								

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Only the provision of deliveries & takeaway <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) n/a <u>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</u> (please read guidance note 5)		
Mon	11:00	00:00			
Tue	11:00	00:00			
Wed	11:00	00:00			
Thur	11:00	00:00			
Fri	11:00	02:00			
Sat	11:00	02:00			
Sun	11:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7) NO	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			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)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

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).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	00:00	
Tue	11:00	00:00	
Wed	11:00	00:00	
Thur	11:00	00:00	
Fri	11:00	02:00	
Sat	11:00	02:00	
Sun	11:00	00:00	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)			

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 9)

The location of the site is positioned within the new 'Westview' building on Market Street. This is largely a commercial location sited between the Peel Centre and the Main Car Park and hence very little residential closeby. I operate similar restaurants in Guildford & Reigate and am understood of the responsibilities that are required with this licence.

b) The prevention of crime and disorder

Firstly no alcohol is to be supplied and only the supply of light refreshments in the way of pizza and soft drinks such as pepsi and tango. Secondly we have installed CCTV external and internal to the premises that has the ability of recording up to 28 days. The ability of making copies can be provided and on request by the relevant authorities this will be made available and accessible.

c) Public safety

Fire extinguishers are available that are contracted and maintained with MK Fire Limited. Additionally and I have a fully trained team that are aware of fire safety training and procedures.

d) The prevention of public nuisance

In terms of waste disposal there are 3 bins located outside the front of store and larger bins at the rear (only accessed by Pizza Hut team) if required to be utilised. The bins to the front of the store will be kept free of litter during the day and at close of business. A notice internally currently exists promoting good behaviour and respect to the neighbours.

e) The protection of children from harm

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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.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 4 – Signatures (please read guidance note 10)

Signature of applicant 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	S.Uppal
Date	03/03/2015
Capacity	Director

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

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

[REDACTED]

Post town

[REDACTED]

Postcode

[REDACTED]

Telephone number (if any)

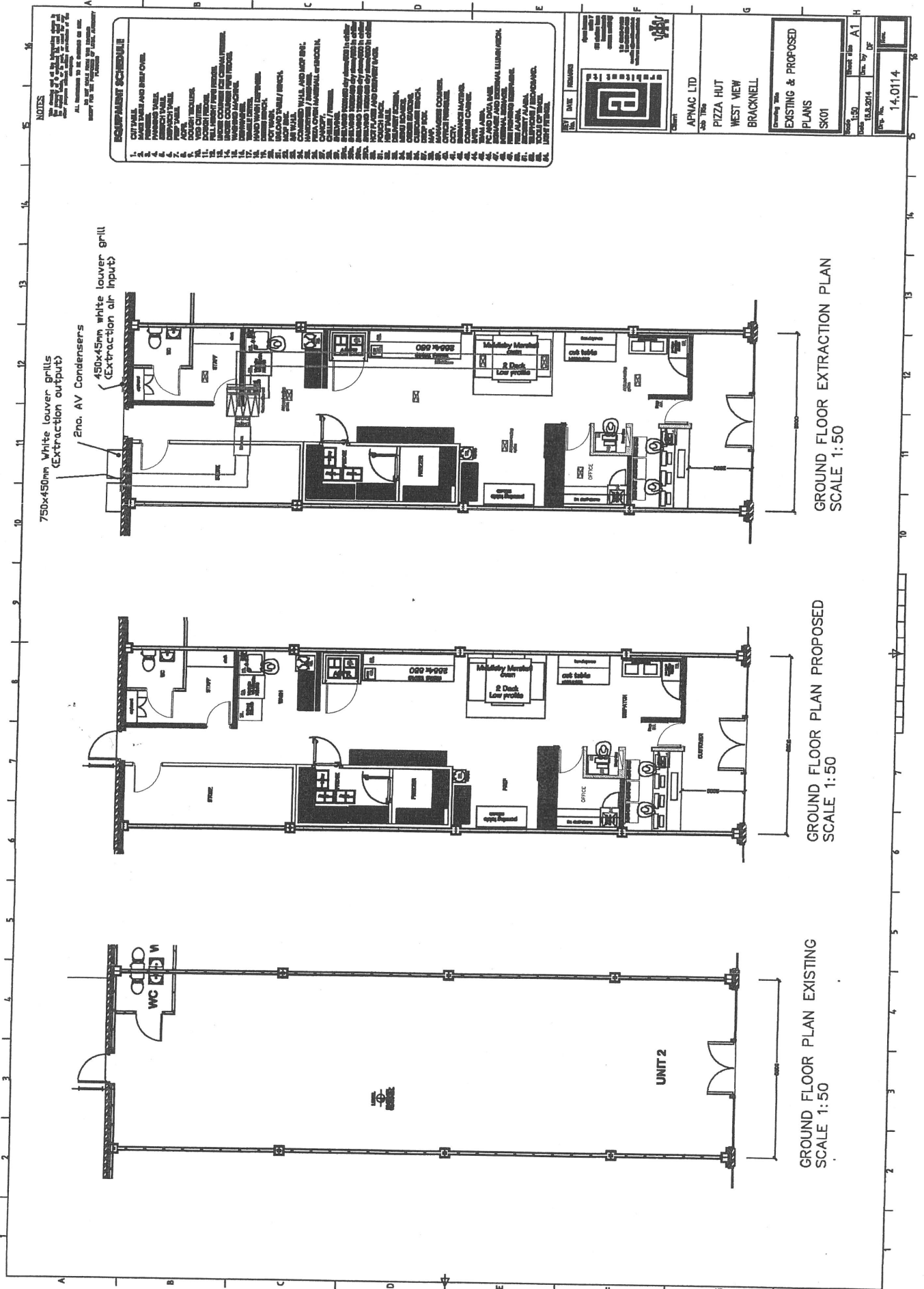
[REDACTED]

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

[REDACTED]

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could 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 include a tent).
3. For example the 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 exclusively), 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 the 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 the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended 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 or 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, each of the applicant or their respective agent 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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Mr Mike King
Licensing Officer
Reading & Bracknell LPA
The Police Station
Castle Street
Reading
RG1 7TH

E-mail: mike.king@thamesvalley.pnn.police.uk

11 May 2015

Mr C Fletcher
Licewnsing Officer
Bracknell Borough Council
Market Street
Bracknell
Berkshire

Dear Mr Fletcher

Licensing Act 2003
Pizza Hut, Market Street, Bracknell

Thames Valley Police (TVP) wish to make a representation against the application for a premises licence for the above mentioned premises.

However, if the applicant fully accepts the attached two conditions then TVP will withdraw its representation.

If you require any further information or assistance then please do not hesitate to contact me where every assistance will be given.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Mike King'.

Mike King
| Licensing Officer | Thames Valley Police | Reading & Bracknell Local Police Area |
Telephone 101 | Internal 7516353 | Fax 01189 536353 |
Reading Police Station, Castle Street, Reading, RG12 7TH

Neighbourhood Policing and Partnerships (NP&P)

Incident Book

An incident book shall be used to record details of incidents that occur in and around the venue. The incident book shall truly reflect what has occurred and shall be specific in detail. If incidents involve members of staff, including any door supervisors their names shall be entered onto the log book. All incidents shall be signed off either by the Designated Premise Supervisor (DPS) or the nominated individual when the DPS is not on site.

All visits by an enforcement authority, all refusals of service, entry and capacity numbers whilst door supervisors are on duty shall be recorded and weekly review of the incident book shall be carried out and signed off by DPS. The incident book shall be retained for a period of six months and shall be made available on request to any authorised officer of Thames Valley Police (TVP) or an authorised officer of Bracknell Forest Council (BFC).

CCTV

A CCTV system shall be installed, in accordance with current or amended Home Office Guidelines relating to UK Police Requirements for Digital CCTV Systems. The system shall be maintained and operated correctly to the satisfaction of Thames Valley Police, ensuring **ALL** licensed areas of the premises (except toilet facilities) are monitored, including all entry and exit points enabling frontal identification of every person entering and in any light condition.

All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept and available for a minimum of 31 days with time and date stamping and except for mechanical breakdown beyond the control of the proprietor. Any breakdown or system failure will be notified TVP immediately and remedied as soon as practicable. Any request from TVP or BFC for a recording to be made for evidential purposes must be carried out within forty eight hours.

Recordings shall be made available to an authorised officer of TVP or an authorised officer of BFC together with facilities for viewing **with immediate access by a person qualified to operate the system.**

A sign advising customers that CCTV is in use shall be positioned in a prominent position at all access points.

It is the duty of the licence holder to register with the Information Commissioners Office as a data controller.

From: Charlie Fielder
To: Charlie Fletcher
Cc:
Subject: Pizza Hut Licence Condition

Sent: Tue 12/05/2015 08:22

Annex D

*** This message has been classified as UNRESTRICTED ***

Dear Charlie

As the West View area has residential flats located near to the pizza takeaway I am concerned that the late night takeaways and deliveries will cause disturbance to these residents. Mainly from cars/bikes pulling up, car doors opening and closing, engines left idling and people talking whilst waiting for the pizza. Therefore I object to the application in it's current form.

If the licensable hours were changed to 23:00 hours on Monday to Thursdays & Sunday, and 23.30 hours on Friday and Saturday and the following conditions were added, I would be happy to withdraw my objection.

Pizza Hut - conditions

- The licensee shall ensure that the footway and public space in the vicinity of the premises is swept and kept free of litter at regular intervals whilst the premises are open and at the close of business, and litter and sweepings disposed of in an appropriate manner.
- The premises will be able to operate up to 23:00 hours on Monday to Thursdays & Sunday, and 23.30 hours on Friday and Saturday, this includes all off site deliveries to help prevent causing a nuisance to the local residents.
- A management policy shall be implemented to manage the noise and conduct of customers, within the vicinity of the premises.
- Notices shall be displayed at the exits requesting that customers should leave the premises quietly and to respect local neighbours.
- Doors and windows to the premises shall not be kept open except when in use for access and egress by customers and staff so as to prevent transmission of noise.
- All extraction and ventilation equipment shall be installed and maintained in accordance with Building Regulation Standards, and shall be operated to ensure that there is no nuisance caused to neighbouring properties.
- Staff shall monitor and take appropriate action for any anti-social behaviour captured on the CCTV.
- Delivery drivers employed by the licence holder will be instructed to enter and leave their vehicles quietly, not to leave the engines running whilst making deliveries and to park considerately at all times.
- Waste collection and commercial deliveries shall not happened outside the hours of 07:00 hrs to 22:00 hrs Monday to Saturday, and no deliveries on a Sunday or Bank Holidays.

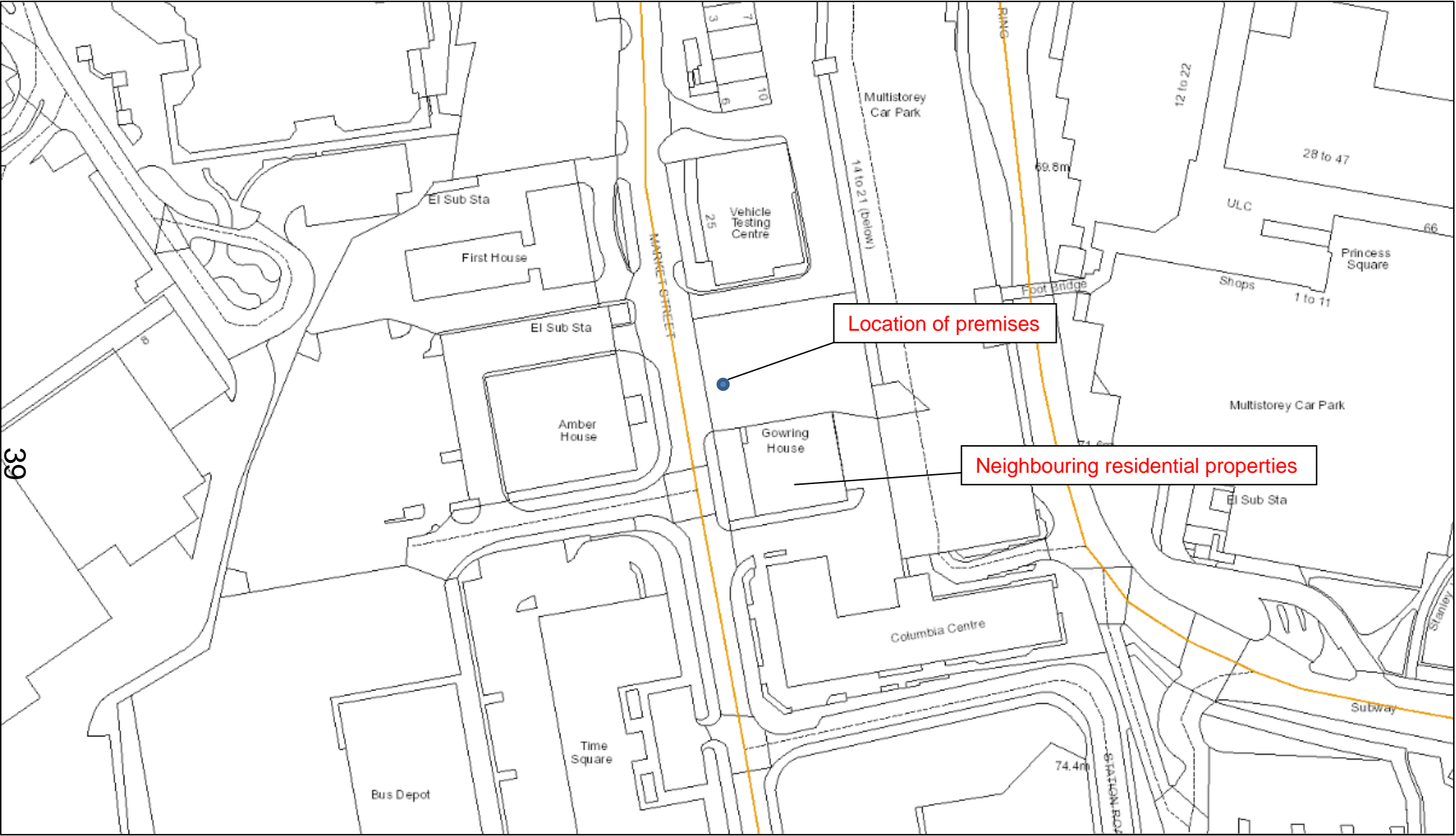
Kind regards

Charlie

Charlie Fielder (MSc)
Environmental Health Officer (MCIEH)

Regulatory Services
Bracknell Forest Borough Council
Time Square
Market Street
Bracknell
Berkshire
RGB BJE

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Map showing location of Unit 2, West View, Market Street, Bracknell, RG12 1JG

Date: 21/05/2015

Annex 1 - Mandatory Conditions:

N/A

Annex 2 - Conditions consistent with the Premises Operating Schedule:

- (1) No alcohol is to be supplied at any time.
- (2) Fire extinguishers shall be available and maintained regularly.
- (3) All staff shall be trained in fire safety.
- (4) Bins located to the front of the store shall be regularly emptied during the day and at the close of business

Conditions suggested by the responsible authorities – agreed at mediation

- (5) The licensee shall ensure that the footway and public space in the vicinity of the premises is swept and kept free of litter at regular intervals whilst the premises are open and at the close of business, and litter and sweepings disposed of in an appropriate manner.
- (6) A management policy shall be implemented to manage the noise and conduct of customers within the vicinity of the premises.
- (7) Notices shall be displayed at the exits requesting that customers should leave the premises quietly and to respect local neighbours.
- (8) Doors and windows to the premises shall not be kept open except when in use for access and egress by customers and staff so as to prevent noise nuisance.
- (9) All extraction and ventilation equipment shall be installed and maintained in accordance with Building Regulation Standards, and shall be operated to ensure that there is no nuisance caused to neighbouring properties.
- (10) Staff shall monitor and take appropriate action for any anti-social behaviour captured on the CCTV.
- (11) Delivery drivers visiting the premise will be instructed to enter and leave their vehicles quietly, not to leave the engines running whilst making deliveries and to park considerately at all times.
- (12) Waste collection and commercial deliveries shall not happen outside the hours of 07:00 to 22:00 Monday to Saturday, with no waste collection or commercial deliveries on a Sunday or Bank Holidays.
- (13)
 - (a) An incident book shall be used to record details of incidents that occur in and around the venue.
 - (b) The incident book shall truly reflect what has occurred and shall be specific in details. If incidents involve members of staff, including any door supervisors, their names shall be entered onto the log book.
 - (c) All incidents shall be signed off either by the licence holder or another nominated individual
 - (d) All visits by an enforcement authority, all refusals of service, entry and capacity numbers whilst door supervisors are on duty shall be recorded and weekly reviews of the incident book shall be carried out and signed off by the licence holder or other nominated individual.
 - (e) The incident book shall be retained for a period of six months and shall be made available on request to any authorised officer of the Police or an authorised officer from Bracknell Forest Council
- (14)
 - (a) A CCTV system shall be installed in accordance with current or amended Home Office guidelines relating to UK Police Requirements for Digital CCTV Systems.

- (b) The system shall be maintained and operated correctly to the satisfaction of Thames Valley Police, ensuring all licensed areas of the premises (except toilet facilities) are monitored, including all entry and exit points, enabling frontal identification of every person entering and in any light condition.
- (c) All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept and available for a minimum of 31 days with time and date stamping, except for mechanical breakdown beyond the control of the proprietor. Any breakdown or system failure will be notified to Thames Valley Police immediately and remedied as soon as practicable.
- (d) Recordings shall be made available to an authorised officer of Thames Valley Police or Bracknell Forest Council with facilities for viewing with immediate access by a person qualified to operate the system.
- (e) Any request from Thames Valley Police or Bracknell Forest Council for a recording to be made for evidential purposes must be carried out within forty eight hours.
- (f) A sign advising customers that CCTV is in use shall be positioned in a prominent position at all access points.

Condition suggested by Environmental Protection – not agreed at mediation

The premises will be able to operate up to 23:00 hours on Monday to Thursdays & Sunday, and 23.30 hours on Friday and Saturday, this includes all off site deliveries to help prevent causing a nuisance to the local residents.

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

TBC

Annex 4 - Plans:

TBC