

NOTICE OF MEETING

Licensing Panel Wednesday 2 August 2017, 2.00 pm Function Room, Fifth Floor, Easthampstead House, Town Square, Bracknell

To: The Licensing Panel

Councillors Allen, Thompson and Tullett

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: Lizzie Rich Telephone: 01344 352253 Email: lizzie.rich@bracknell-forest.gov.uk Published: 24 July 2017



Licensing Panel Wednesday 2 August 2017, 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

Maps

Declarations of Interest

1.

2.

Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.

Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.

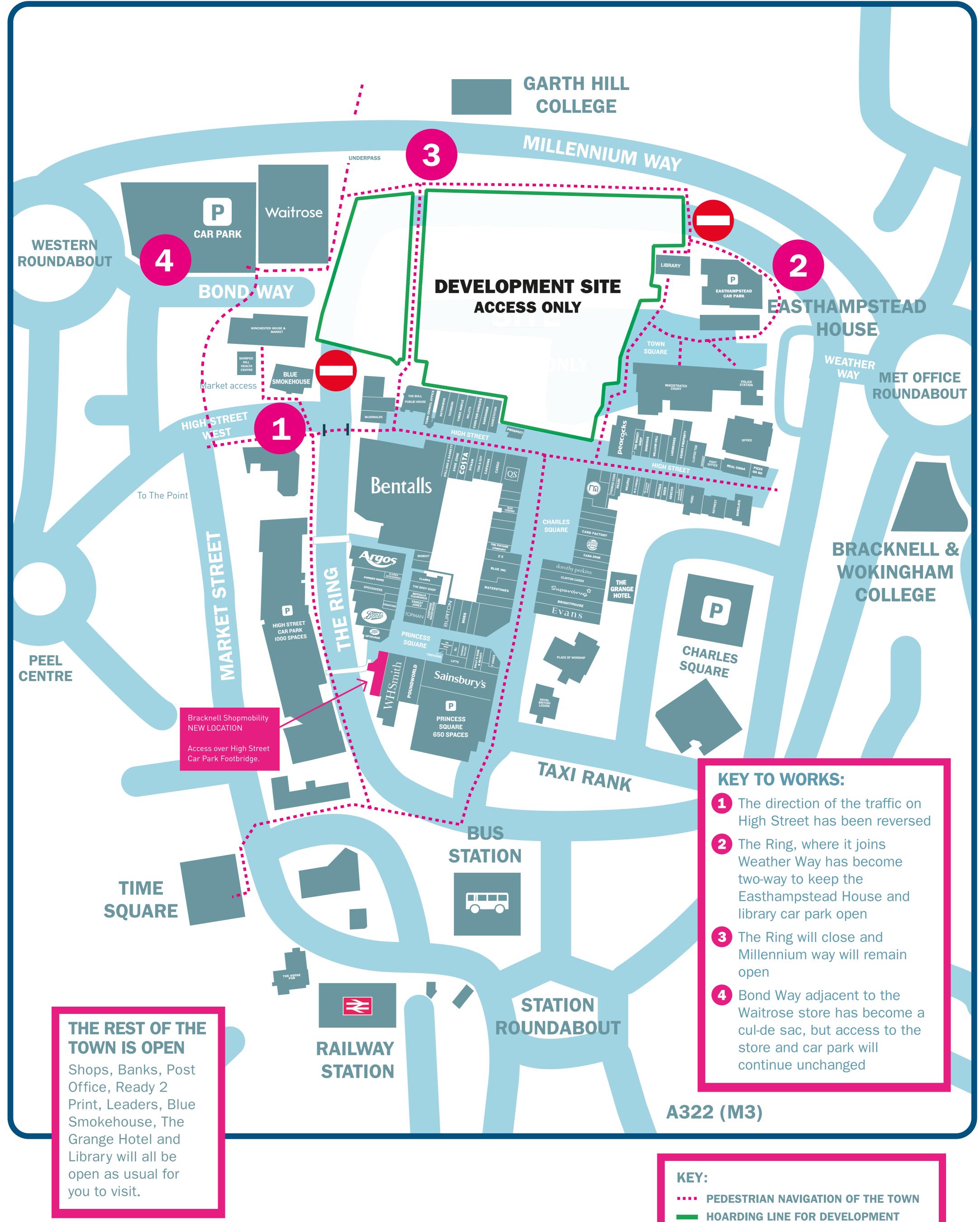
Any Member with an affected Interest in a matter must disclose the interest to the meeting and must not participate in discussion of the matter or vote on the matter unless granted a dispensation by the Monitoring officer or by the Governance and Audit Committee. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.

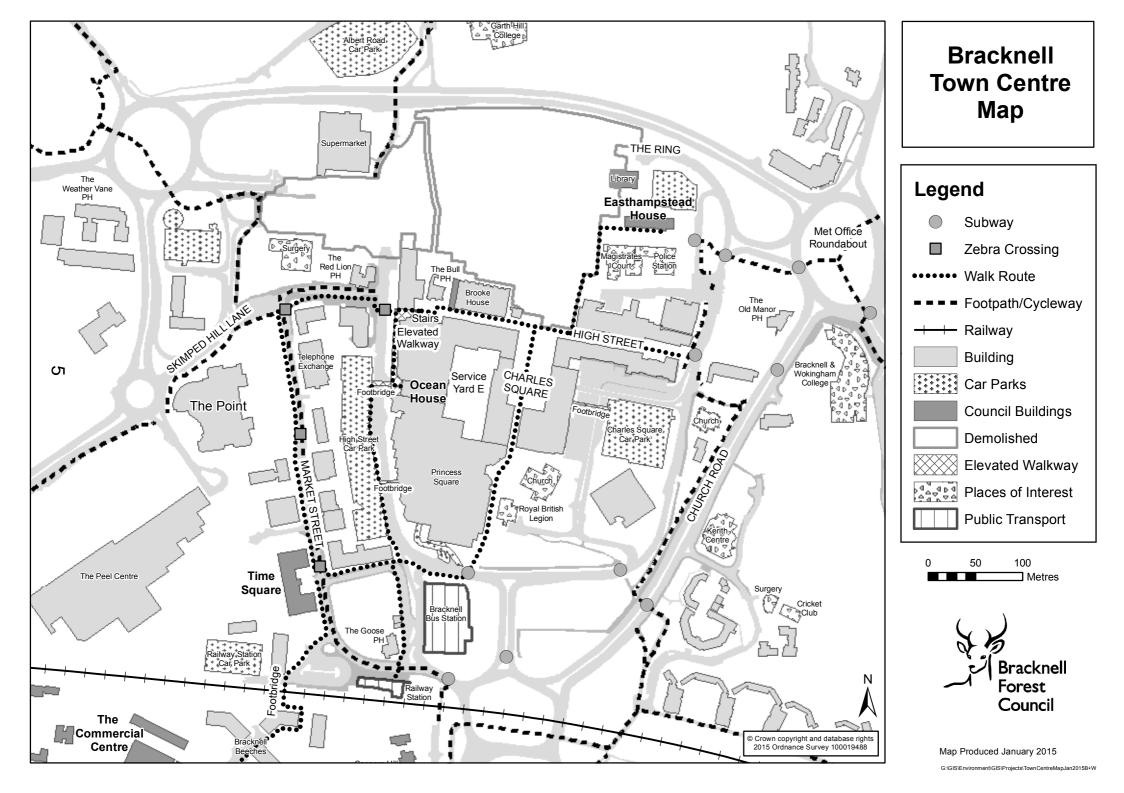
3.	The Procedure for Hearings at Licensing Panels	9 - 14
4.	Application for a new Premises Licence for Co-operative, Sparrowhawk Way, Jennett's Park, Bracknell	15 - 44

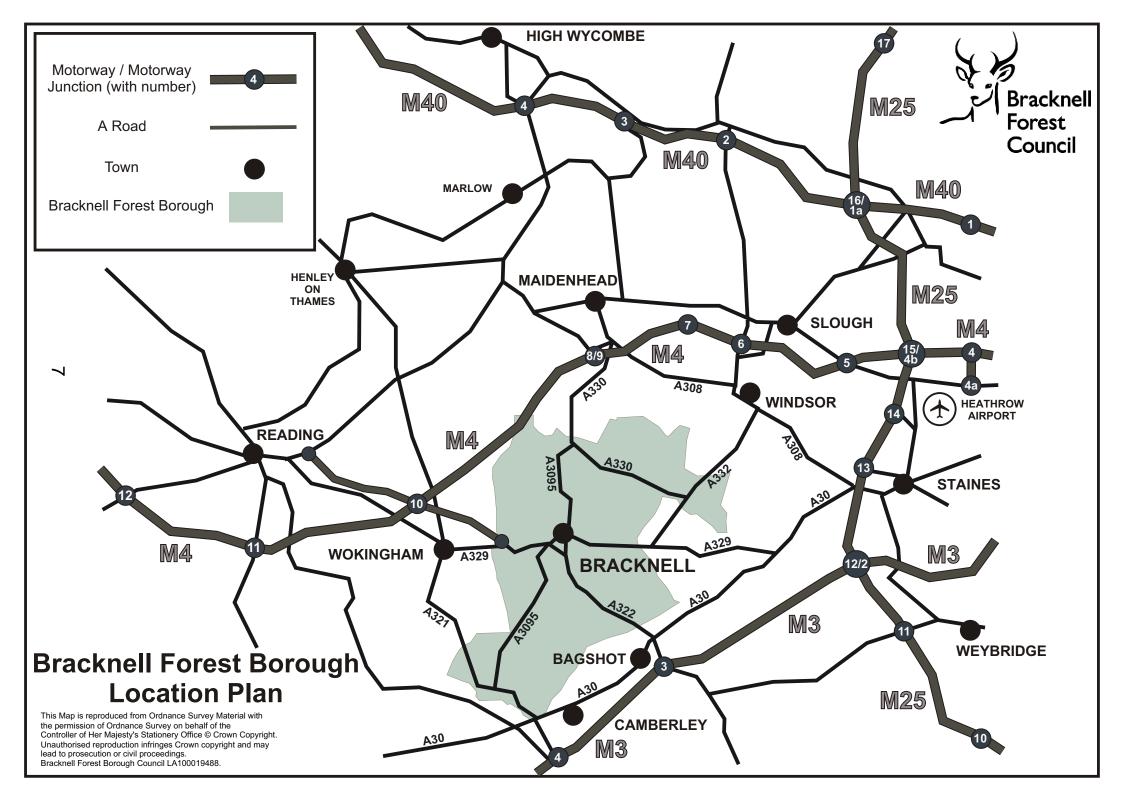
Page No

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BRACKNELL TOWN CENTRE OPEN AS USUAL DURING ROAD LAYOUT CHANGES







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.
- (I) 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: <u>laura.driscoll@bracknell-forest.gov.uk</u>

Democratic Services, Corporate Services Bracknell Forest Council Easthampstead House Town Square Bracknell Berkshire RG12 1AQ Tel: 01344 352253 e-mail: <u>lizzie.rich@bracknell-forest.gov.uk</u> Fax: 01344 352253

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

- 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 02 August 2017

LICENSING ACT 2003 CO-OPERATIVE, SPARROWHAWK WAY, JENNETT'S PARK, BRACKNELL APPLICATION FOR NEW PREMISES LICENCE (Chief Officer: Environment and Public Protection)

1 APPLICATION DETAILS

- 1.1 On 08 June 2017 an application was made by Co-operative Group Food Limited for a new premises licence for the above mentioned premises. The application is attached at **Annex A** and the proposed plan at **Annex B**.
- 1.2 The application is for the sale of alcohol between 06:00 23:00 Monday to Sunday.

2 SUPPORTING INFORMATION

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

3 **REPRESENTATIONS RECEIVED**

- 3.1 During the period for making representations from 09 June 2017 to 06 July 2017, three representations were received in respect of the application. Two objections are attached at **Annex E** and **Annex F**. One representation in support of the application, this is attached at **Annex G**. All of the representations are from members of the public.
- 3.2 The representations against the application raise concerns regarding the potential for an increase in crime and disorder and public nuisance as a result of the application.

4 RELEVANT BRACKNELL FOREST BOROUGH COUNCIL POLICIES

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

5 RELEVANT NATIONAL GUIDANCE

5.1 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their

existing representation. (9.37)

- 5.2 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
 - a) the steps that are appropriate to promote the licensing objectives;
 - b) the representations (including supporting information) presented by all the parties;
 - c) the Guidance issued under section 182 of the Licensing Act 2003;
 - d) its own statement of licensing policy. (9.38)
- 5.3 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. (10.8)
- 5.4 Licensing conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. They should be proportionate, justifiable and be capable of being met. (1.16)

6 **RECOMMENDATION**

- 6.1 The Licensing Authority must, having regard to the representations, take such steps as it considers necessary for the promotion of the licensing objectives, either:
 - a) to grant the licence subject to the conditions as proposed, or
 - b) to grant the licence subject to modified and/or additional conditions, or
 - c) to grant the licence but exclude any of the licensable activities sought, or
 - d) to reject the application.

Background Papers

Licensing Act 2003 Guidance issued under section 182 of the Licensing Act 2003 Regulations (cited as the Licensing Act 2003 [various] Orders 2005) Bracknell Forest Borough Council Licensing Policy (January 2016)

<u>Contact for further information</u> Charlie Fletcher, Licensing Officer - 01344 352550 <u>charlie.fletcher@bracknell-forest.gov.uk</u>

Annex A



Bracknell Forest Application for a premises licence Licensing Act 2003

For help contact licence.all@bracknell-forest.gov.uk Telephone: 01344 352000

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.					
System reference		Not Currently In Use	This is the unique reference for this application generated by the system.		
Your reference (L)STG.CX5.JQM.COO238.468		(L)STG.CXS.JQM.COO238.468	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.		
Are you an agent acti	ing on b	behalf of the applicant?	Put "no" if you are applying on your own		
(Yes	C	Νο	behalf or on behalf of a business you own or work for.		
Applicant Details					
* First name		Co-operative Group Food Limited			
* Family name		Co-operative Group Food Limited			
* E-mail		jasmine.mann@wardhadaway.com			
Main telephone num	ber	0191 204 4491	Include country code.		
Other telephone number					
Indicate here if	the app	olicant would prefer not to be contacted by te	lephone		
Is the applicant:					
 Applying as a business or organisation, including as a sole trader Applying as an individual 			A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.		
Applicant Business					
Is the applicant's business registered in the UK with Companies House?		Yes C No	Note: completing the Applicant Business section is optional in this form.		
Registration number		IP26715R			
Business name		Co-operative Group Food Limited	If the applicant's business is registered, use its registered name.		
VAT number GB 403314604		403314604	Put "none" if the applicant is not registered for VAT.		
Legal status		Private Limited Company			
		17			

Continued from previous page					
Applicant's position in the business	Director				
Dasiness		→ □ The country where the applicant's			
Home country United Kingdom		headquarters are.			
Registered Address		Address registered with Companies House.			
Building number or name	1				
Street	Angel Square]			
District]			
City or town	Manchester]			
County or administrative area]			
Postcode	M60 0AG				
Country	United Kingdom				
Agent Details					
* First name	Jasmine				
* Family name	Mann				
* E-mail	jasmine.mann@wardhadaway.com				
Main telephone number	0191 204 4491	Include country code.			
Other telephone number					
Indicate here if you wou	ld prefer not to be contacted by telephone				
Are you:					
An agent that is a busine	ess or organisation, including a sole trader	A sole trader is a business owned by one person without any special legal structure.			
C A private individual acting as an agent					
Agent Business					
ls your business registered in the UK with Companies House?	CYes C No	Note: completing the Applicant Business section is optional in this form.			
Is your business registered outside the UK?	(Yes (€ No				
Business name	Ward Hadaway	If your business is registered, use its registered name.			
VAT number GB	176080853	Put "none" if you are not registered for VAT.			
Legal status	Partnership				

Continued from previous page		
Your position in the business	Paralegal]
Home country United Kingdom		The country where the headquarters of your business is located.
Agent Business Address		If you have one, this should be your official
Building number or name Sandgate House		address - that is an address required of you by law for receiving communications.
Street	102 Quayside]
District]
City or town	Newcastle upon Tyne]
County or administrative area		
Postcode	NE1 3DX	
Country	United Kingdom	
Section 2 of 21	n e e estador e processo de la compactación de la compactación de la compactación de la compactación de la comp	ternen in den stander filter filtere stande en de service in de service de service de service de service de se
PREMISES DETAILS		
	pply for a premises licence under section 17 of th he premises) and I/we are making this applicati of the Licensing Act 2003.	
Premises Address		
Are you able to provide a post	al address, OS map reference or description of t	he premises?
Address	p reference C Description	
Postal Address Of Premises		
Building number or name	Co-operative (Ground Floor Unit on the corner of Sparrowhawk Way and Falcon Way)	
Street	Sparrowhawk Way	
District	Jennett's Park	
City or town	Bracknell	
County or administrative area Berkshire		
Postcode		
Country	United Kingdom	
Further Details		
Telephone number		
Non-domestic rateable value of premises (£)	0	

Section 3 of 21					
	LICATION DETAILS				
In wł	nat capacity are you app	lying for the premises licence?			
	An individual or individuals				
\boxtimes	A limited company / limited liability partnership				
\Box	A partnership (other th	an limited liability)			
	An unincorporated ass	ociation			
	Other (for example a st	atutory corporation)			
	A recognised club				
	A charity				
	The proprietor of an ed	lucational establishment			
	A health service body				
	· •	ered under part 2 of the Care Standards Act			
hannad	2000 (c14) in respect of	an independent hospital in Wales			
	A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England				
	The chief officer of police of a police force in England and Wales				
Conf	irm The Following				
\boxtimes	I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities				
	I am making the applica	ation pursuant to a statutory function			
E 1	l am making the applica virtue of Her Majesty's p	ation pursuant to a function discharged by prerogative			
Sectio	on 4 of 21				
NON	NDIVIDUAL APPLICAN	ITS			
		address of applicant in full. Where appropriate give any registered number. In the case of a nure (other than a body corporate), give the name and address of each party concerned.			
Non I	ndividual Applicant's I	Name			
Name		Co-operative Group Food Limited			
Detai	ls				
Regist applic	tered number (where cable)	IP26715R			
Descr	iption of applicant (for e	example partnership, company, unincorporated association etc)			
		20			

Continu <mark>ed from previous page</mark>				
Company				
Address				
Building number or name	1]		
Street	Angel Square			
District				
City or town	Manchester			
County or administrative area				
Postcode	M60 0AG			
Country	United Kingdom			
Contact Details				
E-mail	jasmine.mann@wardhadaway.com			
Telephone number	0191 204 4491			
Other telephone number				
* Date of birth	06 / 07 / 1964 dd mm yyyy			
* Nationality	British	Documents that demonstrate entitlement to workin the UK		
	Add another applicant			
Section 5 of 21				
OPERATING SCHEDULE				
When do you want the premises licence to start?				
If you wish the licence to be valid only for a limited period,// when do you want it to end dd				
Provide a general description of 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.				
(New Build) Convenience store the premises only.	open seven days a week selling groceries, sund	ry items and alcohol for consumption off the		

Continued from previous page			
If 5,000 or more people are			
expected to attend the premises at any one time,			
state the number expected to			
attend			
Section 6 of 21			
PROVISION OF PLAYS			
See guidance on regulated entertainment			
Will you be providing plays?			
C Yes C No			
Section 7 of 21			
PROVISION OF FILMS			
See guidance on regulated entertainment			
Will you be providing films?			
C Yes G No			
Section 8 of 21			
PROVISION OF INDOOR SPORTING EVENTS			
See guidance on regulated entertainment			
Will you be providing indoor sporting events?			
C Yes (No			
Section 9 of 21			
PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS			
See guidance on regulated entertainment			
Will you be providing boxing or wrestling entertainments?			
C Yes			
Section 10 of 21			
PROVISION OF LIVE MUSIC			
See guidance on regulated entertainment			
Will you be providing live music?			
CYes C No			
Section 11 of 21			
PROVISION OF RECORDED MUSIC			
See guidance on regulated entertainment			
Will you be providing recorded music?			
C Yes C No			
Section 12 of 21			
PROVISION OF PERFORMANCES OF DANCE			
See guidance on regulated entertainment			
Will you be providing performances of dance?			

Continued from previous page				
Section 13 of 21				
PROVISION OF ANYTH DANCE	HING OF A SIMILAR	DESCRIPTION TO LIV	E MUSIC, REG	CORDED MUSIC OR PERFORMANCES OF
See guidance on regul	ated entertainment			
Will you be providing a performances of dance		ive music, recorded mu	sic or	
⊂ Yes	No			
Section 14 of 21	ny ang ng sing ng sing sing sing sing sing s		nder hanne kan stre	
LATE NIGHT REFRESH				
Will you be providing l	ate night refreshme	nt?		
C. Yes	No			
Section 15 of 21			n te gran te recag	and a second
SUPPLY OF ALCOHOL				
Will you be selling or su	upplying alcohol?			
Yes	(No			
Standard Days And Ti	mings			
MONDAY				Give timings in 24 hour clock.
	Start 06:00] End	23:00	(e.g., 16:00) and only give details for the days
	Start	End		of the week when you intend the premises to be used for the activity.
TUESDAY				
	Start 06:00	End	23:00	
	Start	End		
WEDNESDAY			22.00	
	Start 06:00	End	23:00	
	Start	End		
THURSDAY				
	Start 06:00	End	23:00	
	Start	End		
FRIDAY				
	Start 06:00	End	23:00	
	Start	End		
SATURDAY	L		L	
	Start 06:00	End	23:00	
	Start	End		

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Continued from previous page.	••			
SUNDAY				
Star	t 06:00	End 23:00		
Star	t	End		
Will the sale of alcohol be for	consumption:	L	If the sale of alcohol is for consumption on	
C On the premises	• Off the premises C	Both	the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.	
State any seasonal variations				
For example (but not exclusiv	vely) where the activity will occu	ur on additional da	iys during the summer months.	
Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.				
State the name and details of the individual whom you wish to specify on the licence as premises supervisor				
Name				
First name	Alison			
Family name	Mansfield			
Date of birth				

Continued from previous page.					
Enter the contact's address					
Building number or name					
Street					
District					
City or town					
County or administrative area					
Postcode					
Country	United Kingdom]		
Personal Licence number (if known)	LN/000043195]		
Issuing licensing authority (if known)	Wiltshire]		
PROPOSED DESIGNATED PRE	MISES SUPERVISOR CO	NSENT			
How will the consent form of t	he proposed designated	premises supervisor			
be supplied to the authority?					
	posed designated premis	es supervisor			
As an attachment to this	application				
Reference number for consent form (if known)			If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.		
Section 16 of 21					
ADULT ENTERTAINMENT					
premises that may give rise to	concern in respect of child	dren	nt or matters ancillary to the use of the		
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 etc gambling machines etc.					
NONE					
Section 17 of 21					
HOURS PREMISES ARE OPEN 1	O THE PUBLIC				
Standard Days And Timings					
MONDAY			Cive timings in 24 hours due t		
Start	06:00	End 23:00	Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days		
Start		25 nd	of the week when you intend the premises to be used for the activity.		

Continued from previous page				
TUESDAY				
	Start 06:00	End 23:00		
	Start	End		
WEDNESDAY	LJ			
WEDNESDAT	Start 06:00	End 23:00		
	Start Start	End		
THURSDAY	Start 06.00	Frad 22.00		
	Start 06:00	End 23:00		
	Start	End		
FRIDAY	[]	[]		
	Start 06:00	End 23:00		
	Start	End		
SATURDAY				
	Start 06:00	End 23:00		
	Start	End		
SUNDAY				
	Start 06:00	End 23:00		
	Start	End		
State any seasonal varia	ations			
For example (but not exclusively) where the activity will occur on additional days during the summer months.				
Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below				
For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.				
Section 18 of 21				
LICENSING OBJECTIVES				
Describe the steps you intend to take to promote the four licensing objectives:				
a) General – all four licensing objectives (b,c,d,e) 26				

List here steps you will take to promote all four licensing objectives together.

The applicant has given thought to the potential impact of the grant of this application on the four licensing objectives and, having regarding to the locality, considers that the following conditions are appropriate, proportionate and necessary.

b) The prevention of crime and disorder

1. The Premises Licence Holder shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon the receipt of a request by an authorised Officer of the Police or the Local Authority.

2. There shall be "CCTV in Operation" signs prominently displayed at the premises.

3. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.

4. The Premises Licence Holder shall operate a proof of age scheme, such as a Challenge 25, whereby the only forms of acceptable identification shall be either a photographic driving licence, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the secretary of the state.

5. The premises shall be fitted with a burglar alarm system

6. The premises shall be fitted with a panic button system for staff to utilise in the case of an emergency.

c) Public safety

The Premises Licence Holder shall ensure that the appropriate fire safety, and health and safety regulations are applied at the premises.

d) The prevention of public nuisance

A complaints procedure shall be maintained by the Premises Licence Holder, details of which shall be made available in store and upon request.

e) The protection of children from harm

1. All staff shall receive training in relation to the sale of alcohol. No member of staff will be permitted to sell alcohol until such time as they have successfully completed the aforementioned training.

2. An age till prompt system shall be utilised at the premises in respect of alcohol.

3. A refusals register (whether kept in written or electronic form) shall be maintained at the premises and shall be made available for inspection upon request by an authorised Officer of the Police or the Local Authority.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an
 official document giving the person's permanent National Insurance number and their name issued by a
 Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity such as a passport,
 - evidence of their relationship with the European Economic Area family member e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

(i) any page containing the holder's personal details including nationality;

(ii) any page containing the holder's photograph;

(iii) any page containing the holder's signature;

(iv) any page containing the date of expiry; and

(v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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NOTES ON REGULATED ENTERTAINMENT

In terms of specific regulated entertainments please note that:

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

Recorded Music: no licence permission is required for:

- o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided 0 by or on behalf of the local authority:
 - any entertainment taking place on the hospital premises of the health care provider where the 0 entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or 0 on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling 0 circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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PAYMENT DETAILS

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

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out the non-domestic rateable value of a premises please go to the Valuation Office Agency site at http://www.voa. gov.uk/business rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee.

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college. If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00 Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00 Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

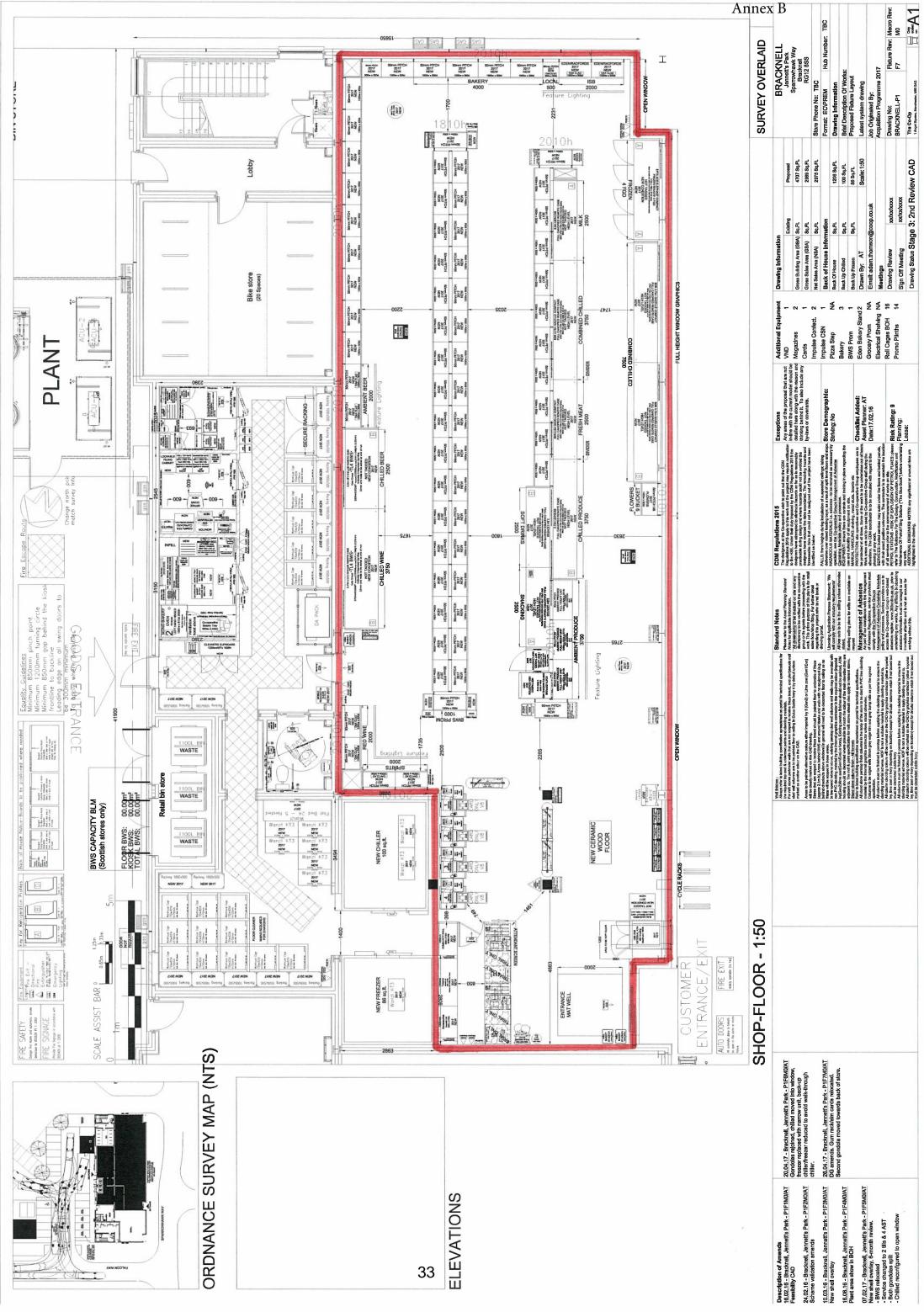
Capacity 90000 and over £64,000.00

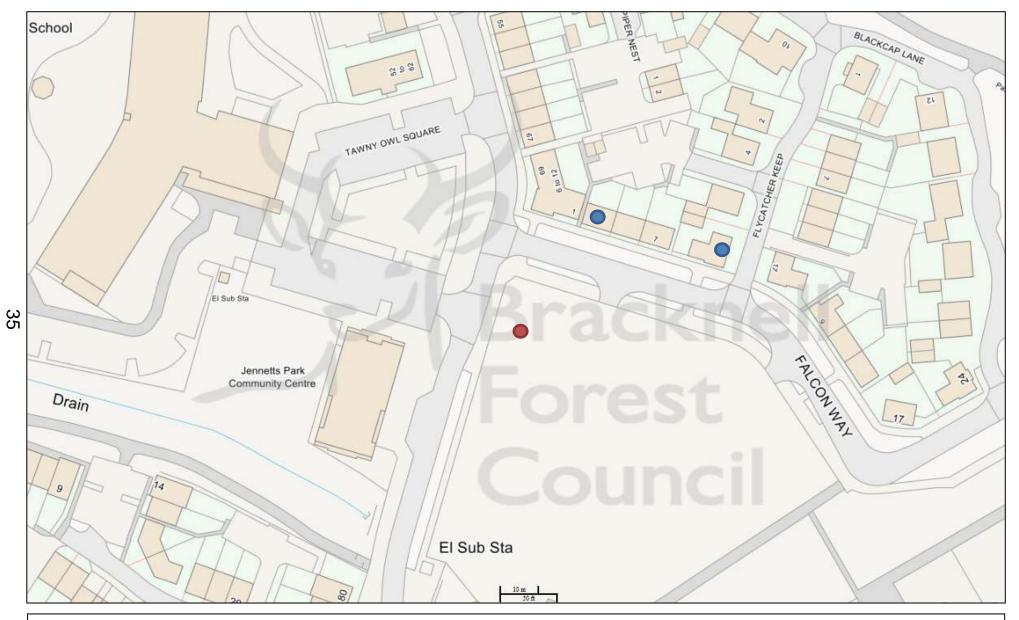
* Fee amount (£)

DECLARATION

315.00

Continued from previous page			
	nce, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the a false statement in or in connection with this application.		
Icking this box indica	tes you have read and understood the above declaration		
This section should be comple behalf of the applicant?"	eted by the applicant, unless you answered "Yes" to the question "Are you an agent acting on		
* Full name	Ward Hadaway		
* Capacity	Solicitors for the Applicant		
* Date	08 / 06 / 2017 dd mm yyyy		
	Add another signatory		
Once you're finished you need to do the following: 1. Save this form to your computer by clicking file/save as 2. Go back to <u>https://www.gov.uk/apply-for-a-licence/premises-licence/bracknell-forest/apply-1</u> to upload this file and continue with your application. Don't forget to make sure you have all your supporting documentation to hand.			
	SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE KE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION		
IT IS AN OFFENCE UNDER SEC KNOW, OR HAVE REASONAB THEIR IMMIGRATION STATUS CONDITIONS AS TO EMPLOY ASYLUM AND NATIONALITY	CTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY LE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF S. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO MENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN D IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE		





Location of Co-op, Sparrowhawk Way, Jennett's Park, Bracknell.

Date: 07/07/2017

Location of those who have made representations

Mandatory Conditions

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

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

- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:
 - i) the holder of the premises licence,
 - ii) the designated premises supervisor (if any) in respect of such a licence, or
 - iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; and
- (d) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (e) (i) Sub-paragraph (ii) applies where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 (ii) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
- (4) (a) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (b) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (c) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either
 - (i) holographic mark or
 - (ii) an ultraviolet feature

Conditions consistent with operating schedule

(5) The licence holder shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon the receipt of a request by an authorised officer of the Police or the local authority.

- (6) There shall be 'CCTV in Operation' signs prominently displayed at the premises.
- (7) An incident log (kept in a written or electronic form) shall be retained at the premises and made available to an authorised officer of the Police or local authority.
- (8) The licence holder shall operate a proof of age scheme such as Challenge 25, whereby the only forms of acceptable identification shall be either a photographic driving licence, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo or any other form of identification from time to time approved by the secretary of state.
- (9) The premises shall be fitted with a burglar alarm system.
- (10) The premises shall be fitted with a panic button system for staff to utilise in the case of an emergency.
- (11) A complaints procedure shall be maintained by the licence holder, details of which shall be made available in store upon request.
- (12) All staff shall receive training in relation to the sale of alcohol. No member of staff shall be permitted to sell alcohol until such time as they have successfully completed this training.
- (13) An age till prompt system shall be utilised in respect of alcohol.
- (14) A refusals register (kept in a written or electronic form) shall be maintained at the premises and shall be made available for inspection by an authorised officer of the Police of local authority.

From: [mailto:] Sent: 04 July 2017 13:51 To: Charlie Fletcher Subject: Objection

Good afternoon

Ref: Application for New Premises Licence for: Co-operative, Sparrowhawk Way, Jennett's Park, Bracknell

I am writing to object against the above application.

Jennett's Park is a housing estate. The area surrounding the shop are houses, a community centre and a school. The Co-operative's request to sell alcohol from the hours of 6am to 11pm every day of the week is far to excessive given the area the shop is based in. My home is at the side of the shops but directly opposite the turning into the parking area for the shop. By allowing the sale of alcohol until 11pm this will cause increased traffic when we are sleeping. Jennett's Park currently is a quiet and peaceful neighbourhood and by allowing this we will experience noise from cars, people entering and leaving the shops and the noise that creates. Sound carries and more so at that time of night and this will disturb us. I'm also concerned that by allowing the shops to open that late will encourage youths to congregate in that area thus causing noise not only for us but the houses and flats that are located in the area currently being built upon.

Yours faithfully

Falcon Way Jennett's Park Bracknell Berkshire RG12

From: [mailto:] Sent: 30 June 2017 09:27 To: Licence All Subject: Fw: Objection

Dear Madam/Sirs

<u>Re Planning Application for a premises licence by the Co-op on Sparrowhawk Way,</u> Jennett's Park

I have a vested interest in this application that is more than the general public, because I live opposite the proposed shop.

The basis for my objection is that granting a licence for excessive opening hours will not promote the licensing objectives, particularly the prevention of crime, disorder and anti social behaviour. Enabling the Co- op to sell alcohol so early and late in the day would be detrimental to Bracknell Forest council aims and objectives - for example this does not promote "well-being and a healthy lifestyle", as quoted on your Homestart program. I would also like to point out that it is directly opposite a school and community centre, which also does not set a good example to the many young children passing the premises each day.

I am a resident who enjoys the benefits of living on a quiet estate and look forward to having access to a local shop, but am concerned that the long opening hours will result in more noise for us locals and affect the public safety. I fail to see the need to close so late, as there will be no passing trade as it seems likely that it will be a service for the locals.

I would urge the committee/panel to consider the findings of the Health Impact Assessment, referred to by residents in many towns in the UK, which gives evidence of the negative effects of the flexible licensing hours.

I would therefore like to recommend that the hours are reduced to a more reasonable opening time of 7.00-22.00 hrs

Kind Regards



Flycatcher Keep Bracknell RG12

From: [mailto:] Sent: 01 July 2017 12:54 To: Licence All Subject: Co-Op Shop Jennett's Park

Dear Madam Dear Sir,

This is just to let you know that I fully support the shop opening times from 6.00 am-11pm . kind regards

Kingfisher Chase RG12 Jennett's Park Bracknell