

NOTICE OF MEETING

Licensing Panel Wednesday 26 July 2017, 2.00 pm Council Chamber, Fourth Floor, Easthampstead House, Bracknell

To: The Licensing Panel

Councillors Ms Gaw, Leake and Thompson

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

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Published: 17 July 2017



Licensing Panel Wednesday 26 July 2017, 2.00 pm Council Chamber, Fourth Floor, Easthampstead House, Bracknell

Sound recording, photographing, filming and use of social media at meetings which are held in public are permitted. 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

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1.	Maps	3 - 8
2.	Declarations of Interest	
	Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.	

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

Any Member with an affected Interest in a matter must disclose the interest to the meeting 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.

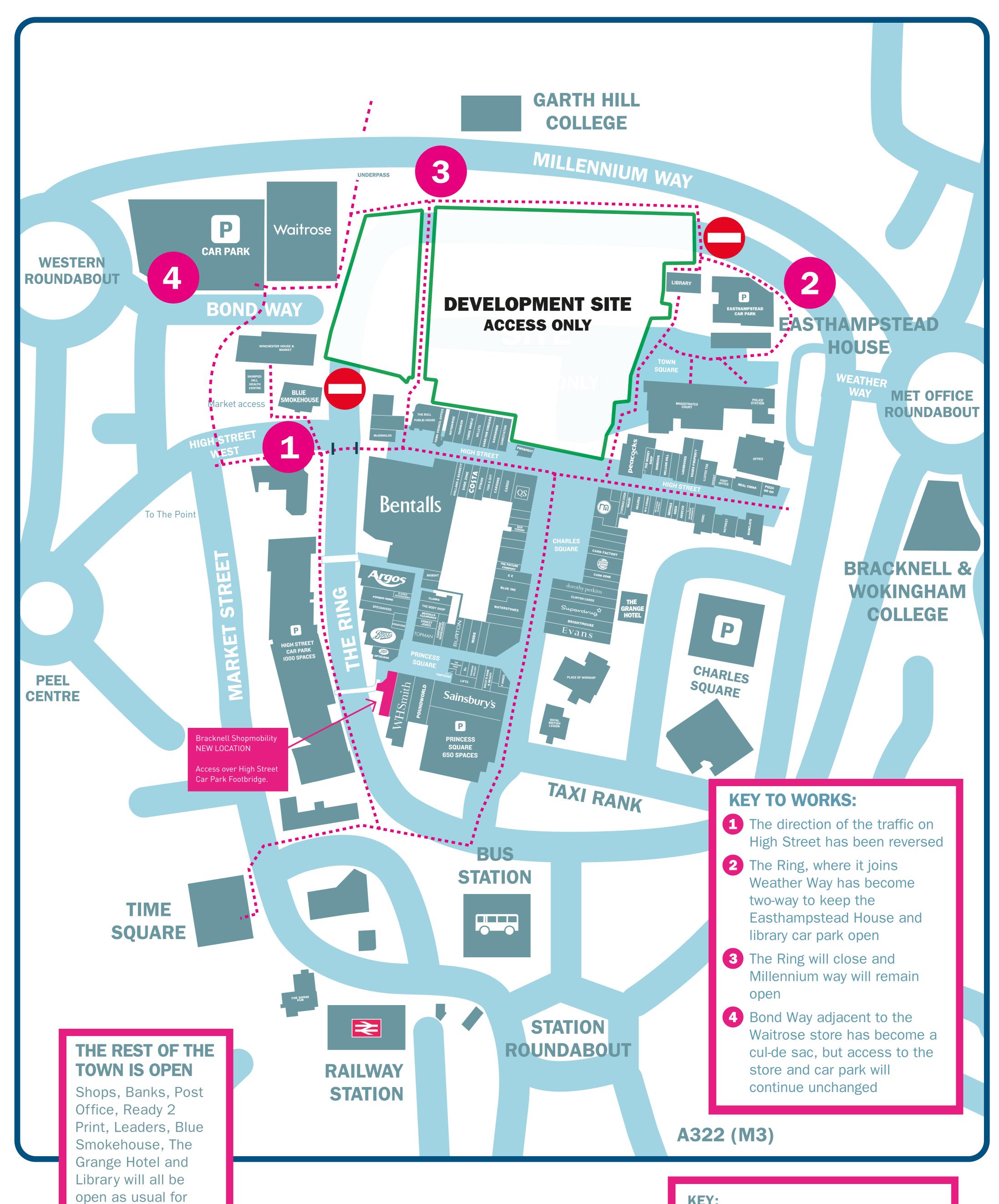
3. The Procedure for Hearings at Licensing Panels

9 - 14

4. Application for a variation of Premises Licence for Shell Filling Station, 102 Yorktown Road, Sandhurst, GU47 9BH

Annex A – Application Form	17- 28
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BRACKNELL TOWN CENTRE OPEN AS USUAL DURING ROAD LAYOUT CHANGES



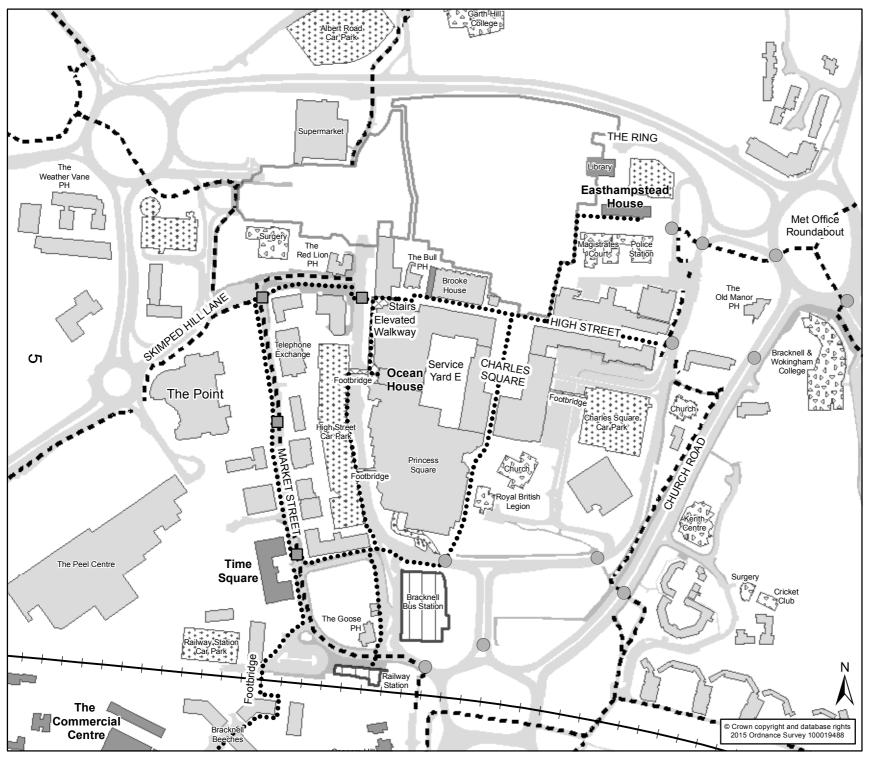
you to visit.

KEY:

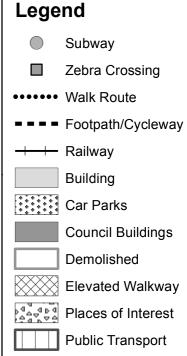
PEDESTRIAN NAVIGATION OF THE TOWN

HOARDING LINE FOR DEVELOPMENT





Bracknell Town Centre Map





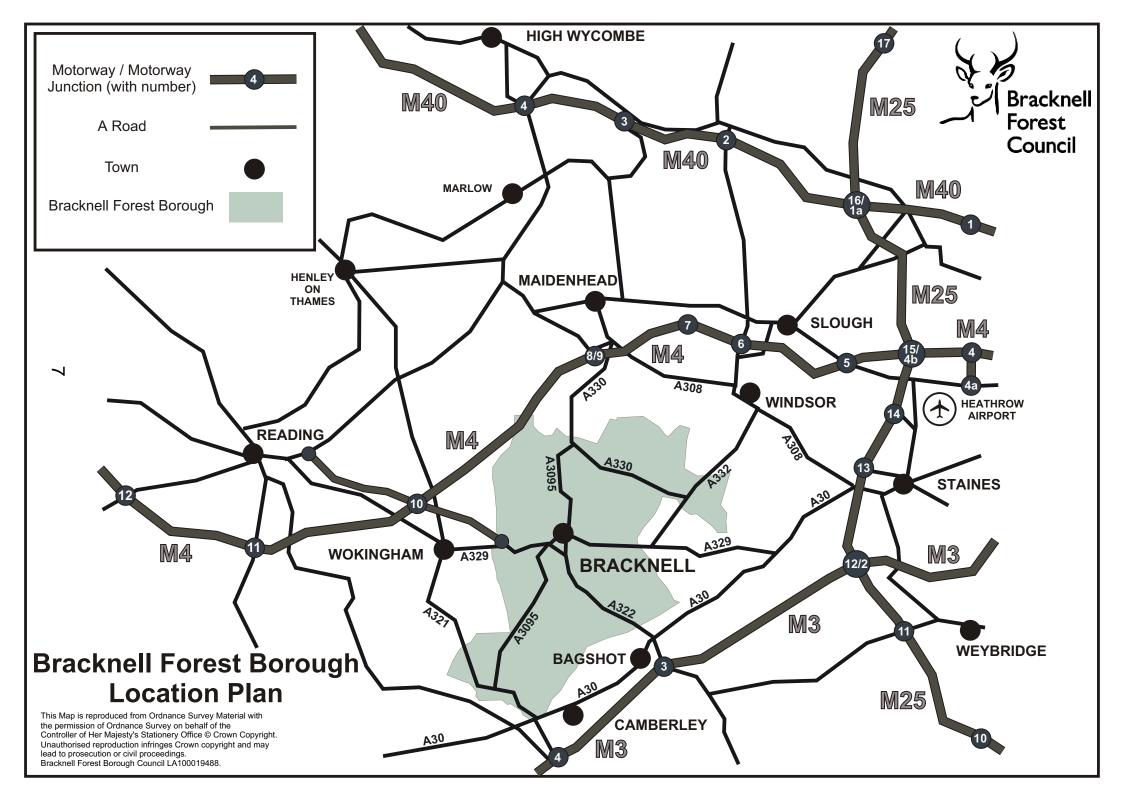
100

☐ Metres

Map Produced January 2015

Council

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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.
- (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.

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Environment, Culture and Communities
Bracknell Forest Council
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Market Street
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Berkshire RG12 1JD

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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	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.

<u>LICENSING ACT 2003</u> 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 26 July 2017

LICENSING ACT 2003 SHELL FILLING STATION, 102 YORKTOWN ROAD, SANDHURST, GU47 9BH APPLICATION FOR VARIATION OF A PREMISES LICENCE (Chief Officer: Environment and Public Protection)

1 APPLICATION DETAILS

- 1.1 On 01 June 2017 an application was made by Motor Fuel Limited to vary the premises licence for the above mentioned premises. The application is attached at **Annex A** and an amended plan at **Annex B**.
- 1.2 The application is to:
 - Vary the licensable hours for the supply of alcohol from 06:00 to 23:00 Monday to Sunday to 24 hours a day, seven days a week.
 - Add the licensable activity of provision of late night refreshment between 23:00 to 05:00 seven days a week.
 - Deposit an updated plan.

2 SUPPORTING INFORMATION

- 2.1 The current licence is attached at **Annex C** and the current plan at **Annex D**.
- 2.2 The premises licence was varied in 2015 to extend the opening hours of the premises to be 24 hours a day, seven days a week and to extend the licensable hours for the supply of alcohol from 08:00 to 23:00 Monday to Saturday and 10:00 to 22:30 on Sunday to 06:00 to 23:00 Monday to Sunday.
- 2.3 A map showing the location of the premises is attached at **Annex E**.
- 2.4 The proposed conditions including both the mandatory conditions and those arising from the operating schedule are attached at **Annex F** of this report.

3 REPRESENTATIONS RECEIVED

- 3.1 During the period for making representations from 02 June 2017 to 29 June 2017, three representations were received in respect of the application. These representations are attached at **Annex G**, **Annex H** and **Annex I**. All of the representations are from members of the public.
- 3.2 The representations 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)

Contact for further information

Charlie Fletcher, Licensing Officer - 01344 352550 charlie.fletcher@bracknell-forest.gov.uk



Bracknell Forest Application to vary a premises licence Licensing Act 2003

For help contact

<u>licence.all@bracknell-forest.gov.uk</u>

Telephone: 01344 352000

Section 1 of 17		
You can save the form at an	y 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	SANDHURST	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 acting on • Yes	behalf of the applicant? No	Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
Applicant Details		
* First name	MOTOR FUEL	
* Family name	LIMITED	
* E-mail	aime.parsons@motorfuelgroup.com	
Main telephone number	44 01727 898890	Include country code.
Other telephone number		
	oplicant would prefer not to be contacted by te	lephone
Is the applicant:		
Applying as a businesApplying as an individual	ss or organisation, including as a sole trader dual	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?	YesNo	Note: completing the Applicant Business section is optional in this form.
Registration number	5206547	
Business name	MOTOR FUEL LTD	If the applicant's business is registered, use its registered name.
VAT number -	123 4141 61	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	LIMITED COMPANY	
Home country	United Kingdom	The country where the applicant's headquarters are.
Registered Address		Address registered with Companies House.
Building number or name	BUILDING 2 ABBEY VIEW	
Street	EVERARD CLOSE	
District		
City or town	ST ALBANS	
County or administrative area	HERTS	
Postcode	AL1 2QU	
Country	United Kingdom	
Agent Details		•
* First name	CHRIS	
* Family name	MITCHENER	
* E-mail	chris@licensingsolutions.org.uk	
Main telephone number	44 07831 159 450	Include country code.
Other telephone number	44 01489 583 932	
☐ 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.
 A private individual actir 	ng as an agent	
Agent Business		
Is your business registered in the UK with Companies House?		Note: completing the Applicant Business section is optional in this form.
Is your business registered outside the UK?		
Business name	LICENSING SOLUTIONS	If your business is registered, use its registered name.
VAT number -	566 4798 82	Put "none" if you are not registered for VAT.
Legal status	Sole Trader	

O					
Continued from previous page		1			
Your position in the business	OWNER				
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	32	address - that is an address required of you by law for receiving communications.			
Street	CHURCH ROAD				
District	LOCKS HEATH				
City or town	SOUTHAMPTON				
County or administrative area	HAMPSHIRE				
Postcode	SO31 6LU				
Country	United Kingdom				
Section 2 of 17					
APPLICATION DETAILS					
vary substantially the premis you should make a new prem	sed to vary the licence so as to extend the pe ses to which it relates. If you wish to make th hises licence application under section 17 of ing the premises licence holder, apply to vary a	at type of change to the premises licence, the Licensing Act 2003.			
	mises described in section 2 below.	r promises nooned under section of or the			
* Premises Licence Number	LN/200500384				
Are you able to provide a posta	al address, OS map reference or description of t	the premises?			
AddressOS ma	p reference O Description				
Postal Address Of Premises					
Building number or name	SHELL SANDHURST				
Street	102 YORKTOWN ROAD				
District					
City or town	SANDHURST				
County or administrative area	BRACKNELL FOREST COUNCIL				
Postcode	GU47 9BH				
Country	United Kingdom				
Premises Contact Details					
Telephone number					
	19				

Continued from previous page	•	
Non-domestic rateable value of premises (£)	34,500	
Section 3 of 17		
VARIATION		
Do you want the proposed variation to have effect as soon as possible?	• Yes ON	0
Do you want the proposed va introduction of the late night	riation to have effect in relation t levy?	o the
○ Yes	No	You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend		
Describe Briefly The Nature	Of The Proposed Variation	
could be relevant to the licens	sing objectives. Where your appli	eneral situation and layout and any other information which cation includes off-supplies of alcohol and you intend to st include a description of where the place will be and its
1	ED ON A FORECOURT - EXTEND T EFRESHMENT AND DEPOSIT A MO	HE HOURS FOR THE SALE OF ALCOHOL AND ADD THE DDIFIED PLAN
Section 4 of 17		
PROVISION OF PLAYS		
Will the schedule to provide p vary is successful?	lays be subject to change if this a	pplication to
○ Yes	No	
Section 5 of 17		
PROVISION OF FILMS		
Will the schedule to provide fi vary is successful?	lms be subject to change if this a	pplication to
○ Yes	No	
Section 6 of 17		
PROVISION OF INDOOR SPO	RTING EVENTS	
Will the schedule to provide in this application to vary is succ	ndoor sporting events be subject essful?	to change if 20

Continued from previous page.				○ Yes	•	No
Section 7 of 17						
PROVISION OF BOXING OR V	WRESTLING	ENTERTAINMENTS				
Will the schedule to provide I to change if this application t	-	•	oe subject			
○ Yes	No					
Section 8 of 17						
PROVISION OF LIVE MUSIC						
Will the schedule to provide I application to vary is success		subject to change if thi	S			
○ Yes	No					
Section 9 of 17						
PROVISION OF RECORDED N	MUSIC					
Will the schedule to provide rapplication to vary is success		sic be subject to change	e if this			
○ Yes	No					
Section 10 of 17						
PROVISION OF PERFORMAN	ICES OF DAN	ICE				
Will the schedule to provide p		s of dance be subject to	change if			
○ Yes	No					
Section 11 of 17						
PROVISION OF ANYTHING C DANCE	OF A SIMILAF	R DESCRIPTION TO LIV	E MUSIC, REC	CORDED MUSIC OR PERF	ORMAN	CES OF
Will the schedule to provide a performances of dance be su successful?	, ,					
○ Yes	No					
Section 12 of 17						
PROVISION OF LATE NIGHT	REFRESHME	NT				
Will the schedule to provide I this application to vary is such	-	reshment be subject to	change if			
Yes	○ No					
Standard Days And Timing	s					
MONDAY				Provide timings in 24 ha	ur clock	
Star	t 00:00	End	05:00	Provide timings in 24 ho (e.g., 16:00) and only giv	e details	
Star	t 23:00	21 End	24:00	of the week when you ir to be used for the activit		premises

Continued from previous	page				
TUESDAY					
	Start	00:00	En	od 05:00	
	Start	23:00	En	24:00	
WEDNESDAY					
	Start	00:00	En	od 05:00	
	Start	23:00	En	d 24:00	
THURSDAY					
	Start	00:00	En	od 05:00	
	Start	23:00	En	24:00	
FRIDAY					
	Start	00:00	En	od 05:00	
	Start	23:00	En	24:00	
SATURDAY					
	Start	00:00	En	d 05:00	
	Start	23:00	En	24:00	
SUNDAY					
	Start	00:00	En	od 05:00	
	Start	23:00	En	24:00	
Will the provision of late both?	e night	refreshment tal	ke place indoors o	or outdoors or	
Indoors		Outdoors	○ Bo	oth	Where taking place in a building or other structure select as appropriate. Indoors may include a tent.
State type of activity to exclusively) whether or					further details, for example (but not
PROVISION OF HOT DRI	NKS OI	NLY			
State any seasonal varia	ntions				
_		ely) where the ac	ctivity will occur o	on additional d	ays during the summer months.

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Continued from previous	page				
Non standard timings. those listed above, list		the premises	will be used for the pro	ovision of lat	e night refreshment at different times from
For example (but not ex	xclusive	ely), where yo	ou wish the activity to g	jo on longer	on a particular day e.g. Christmas Eve.
Section 13 of 17					
SUPPLY OF ALCOHOL					
Will the schedule to sup vary is successful?	oply alc	ohol be subj	ect to change if this ap	plication to	
Yes		○ No			
Standard Days And Ti	mings				
MONDAY					Provide timings in 24 hour clock
	Start	00:00	End	24:00	(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	00:00	End	24:00	
	Start		End		
WEDNESDAY					
	Start	00:00	End	24:00	
	Start		End		
THURSDAY					•
	Start	00:00	End	24:00	
	Start		End		
FRIDAY					
	Start	00:00	End	24:00	
	Start		End		
SATURDAY	otart		LIIG		
SATURDAT	Start	00:00	End	24:00	
		00.00	 	24.00	
	Start		End		
SUNDAY	. .	00.00		04.00	
	Start	00:00	End	24:00	
	Start		23 End		

Continued from previous	s page			
Will the sale of alcohol	be for consumption?			
On the premises	Off the pre	emises (Both	If the sale of alcohol is for consumption on 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 vari	ations.			
For example (but not e	xclusively) where the ac	tivity will occ	ur on additional d	ays during the summer months.
Non-standard timings. list below.	Where the premises wil	l be used for t	the supply of alcol	nol at different times from those listed above,
For example (but not e	xclusively), where you w	vish the activi	ty to go on longer	on a particular day e.g. Christmas Eve.
Section 14 of 17				
ADULT ENTERTAINME				
	tertainment or services, e rise to concern in respe			nt or matters ancillary to the use of the
give rise to concern in	respect of children, rega	irdless of whe	ether you intend cl	illary to the use of the premises which may nildren to have access to the premises, for oups etc gambling machines etc.
NONE				
Section 15 of 17				
HOURS PREMISES ARE	OPEN TO THE PUBLIC			
Standard Days And T	imings			
MONDAY				Provide timings in 24 hour clock
	Start 00:00		End 24:00	(e.g., 16:00) and only give details for the days of the week when you intend the premises
	Start		End	to be used for the activity.
TUESDAY				
	Start 00:00		End 24:00	
	Start		End	

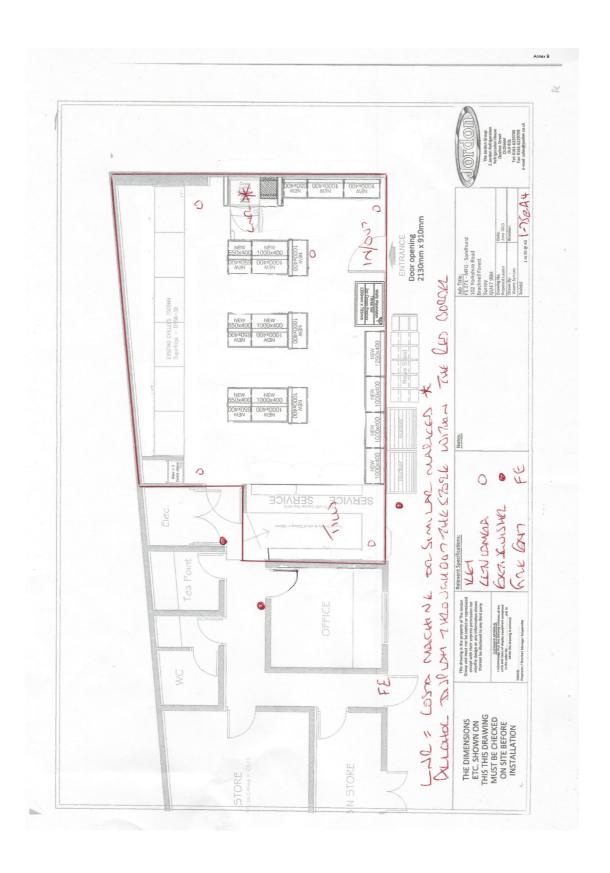
Continued from previous page.			
WEDNESDAY			
Star	t 00:00	End	24:00
Star	t	End	
THURSDAY			
Star	t 00:00	End	24:00
Star	t	End	
FRIDAY			
Star	t 00:00	End	24:00
Star	t	End	
SATURDAY			
Star	t 00:00	End	24:00
Star		End	21.00
		LIIU	
SUNDAY	+ 00.00	Гnd	24:00
Star		End	24:00
Star		End	
State any seasonal variations.			
For example (but not exclusive	vely) where the activity will occ	cur on	additional days during the summer months.
Non standard timings. Where	e vou intend to use the premise	es to b	e open to the members and guests at different times from
those listed above, list below	•	00 10 10	
For example (but not exclusive	vely), where you wish the activ	ity to g	go on longer on a particular day e.g. Christmas Eve.
		مام ا مار در	
proposed variation you are se		which	you believe could be removed as a consequence of the
ADJUST ALCOHOL HOURS CO	ONDITION		
	mises licence 28	5	

Continued from previous page
☐ I have enclosed the relevant part of the premises licence
Reasons why I have failed to enclose the premises licence or relevant part of premises licence.
Section 16 of 17
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) List here steps you will take to promote all four licensing objectives together.
MANDATORY AND OTHER CONDITIONS TO REMAIN INCLUDING ALARM SYSTEM, CCTV SYSTEM WITH RECORDING FACILITIES, TRAINED STAFF WITH RECORDED ONGOING ALCOHOL TRAINING REGIME, CHALLENGE 25 AND PROOF OF AGE INITIATIVE EMBRACED, INSTORE CHALLENGE SIGNAGE, REFUSALS SYSTEM WITH REFUSALS BOOK AND INCIDENT LOG, ACCESS TO THE SHOP AT THE DISCRETION OF THE CASHIER 23.00 TO 05.30, LNR WILL BE LIMITED TO HOT DRINKS ONLY
b) The prevention of crime and disorder
ALARM SYSTEM, CCTV SYSTEM WITH RECORDING FACILITY, TRAINED STAFF, CHALLENGE 25, REFUSALS SYSTEM AND INCIDENT LOG
c) Public safety
STAFF TRAINED IN FIRE SAFETY PROCEDURES AND THE USE OF FIRE SAFETY EQUIPMENT, FIRE FIGHTING EQUIPMENT
d) The prevention of public nuisance
STAFF TRAINED TO DEAL WITH SITUATIONS, USEABLE WASTE BINS PROVIDED ON THE FORECOURT
e) The protection of children from harm
FULL ALCOHOL TRAINING REGIME IN USE, ONGOING RECORDED ALCOHOL TRAINING WITH REFRESHER TRAINING TO BE CARRIED OUT EVERY 6 MONTHS, CHALLENGE 25 TRADING INITIATIVE EMBRACED, CHALLENGE SIGNAGE, REFUSALS SYSTEM AND REFUSALS BOOK
Section 17 of 17
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. Variation 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

Continued from previous page					
Band A - No RV to £4300 £100.0					
Band B - £4301 to £33000 £190					
Band C - £33001 to £87000 £31					
Band D - £87001 to £125000 £4					
Band E - £125001 and over £63					
•	•	ises is primarily used for the consumption of alcohol on the premises then			
you are required to pay a higher					
Band D - £87001 to £125000 £9					
Band E - £125001 and over £1,9					
	are subject to ac	dditional fees based upon the number in attendance at any one time.			
Capacity 5000-9999 £1,000.00 Capacity 10000 -14999 £2,000.0	20				
Capacity 15000-14999 £4,000.0					
Capacity 20000-19999 £8,000.0					
Capacity 30000-39999 £16,000.0					
Capacity 40000-49999 £24,000					
Capacity 50000-59999 £32,000					
Capacity 60000-69999 £40,000					
Capacity 70000-79999 £48,000					
Capacity 80000-89999 £56,000					
Capacity 90000 and over £64,00					
. ,		1			
* Fee amount (£)	315.00				
DECLARATION					
* I/we understand it is an offen	ce, liable on conv	viction to a fine up to level 5 on the standard scale, under section 158 of the			
licensing act 2003, to make a	false statement ir	n or in connection with this application.			
M +					
☐ Ticking this box indicate	es you nave read	and understood the above declaration			
This section should be complet	ed by the applica	ant, unless you answered "Yes" to the question "Are you an agent acting on			
behalf of the applicant?"					
* Full manage	CLIDIC MITCHENI	rn.			
* Full name	CHRIS MITCHENE	ER			
* Capacity	DULY AUTHORIS	SED AGENT			
, ,					
* Date	01 / 06 /	2017			
	dd mm	уууу			
	Add	l another signatory			
Once you're finished you need to do the following:					
1. Save this form to your computer by clicking file/save as					
		icence/premises-licence/bracknell-forest/change-1 to upload this file and			
continue with your application.					
Don't forget to make sure you have all your supporting documentation to hand.					
		NVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD			
SCALE, UNDER SECTION 158	OF THE LICENSIN	NG ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION			

WITH THIS APPLICATION

OFFICE USE ONLY					
Applicant reference number	SANDHURST				
Fee paid					
Payment provider reference					
ELMS Payment Reference					
Payment status					
Payment authorisation code					
Payment authorisation date					
Date and time submitted					
Approval deadline					
Error message					
Is Digitally signed					
< Previous <u>1</u> <u>2</u> <u>3</u> <u>4</u>	<u>5</u> <u>6</u> <u>7</u> <u>8</u> <u>9</u> <u>10</u> <u>11</u> <u>12</u> <u>13</u> <u>14</u> <u>15</u> <u>16</u> <u>17</u> Next >				





LICENSING ACT 2003

PART A - PREMISES LICENCE

Granted by Bracknell Forest Borough Council as Licensing Authority

Premises L	icence Number :	LN/200	500384			
Part 1 – Premises Details Postal address of premises :						
Premises Name :	Shell Sandhurst					
Address :	102 Yorktown Road Sandhurst GU47 9BH					
Telephone Number :	N/A					
Where the licence is tir	ne limited the dates :		N/A			
The licensable activities authorised by the licence and the times the licence authorises the carrying out of those activities :						
Licensable A	activities :	Authorised Times :				
Sale by retail of alcohol		Monday - Sunday: 06:00 - 23:00				
The opening hours of the premises :		24 hours a day, 7 days a week				
Where the licence auth whether these are on a		cohol	Off supplies			
Part 2 Name and (registered) address of holder of premises licence :						
Name:	Motor Fuel Limited					
Address :	Clock House Court 5-7 London Road St Albans AL1 1LA					
Telephone Number :	01727 898890					
e-mail :	administration@motorfuelgroup.com					
Registered number of holder (where applicab			5206547			

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

Name: Elankaznathan Senthuran

Address: 10 Lonsdale Avenue

Wembley HA9 7EQ

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

Personal Licence Number: 223536061

Issuing Authority : London Borough of Brent

Signed:

for Chief Officer – Environment and Public Protection

Date: 4th January 2017

Licensing Team, Bracknell Forest Council, Time Square, Market Street, Bracknell, RG12 1JD

Telephone: 01344 352000

Email: licensing@bracknell-forest.gov.uk

Annex 1 - Mandatory Conditions:

- (1) No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence 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

Annex 2 – Conditions consistent with the Premises Operating Schedule:

- (5) Alcohol shall not be sold in an open container or be consumed in or on any part of the licensed premises; which includes all buildings, the forecourt area and entire curtilage of all of that premises which is known as 102 Yorktown Road, Sandhurst, GU47 9BH.
- (6) A CCTV system shall be installed that ensures all areas of the licensed premises are monitored, including all entry and exit points, and external areas to the front and rear of the premises and which enables frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with correct time and date stamping. Recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. All staff should be trained on data retrieval and viewing from the CCTV system. Any breakdown or system failure will be notified to the Police immediately and remedied as soon as practicable. A sign advising customers that they are on CCTV shall be positioned in a prominent position.
- (7) The licensee shall adopt and maintain a Challenge 25 Policy as part of their policy relating to alcohol sales. Clear signage relating to the policy shall be displayed.
- (8) Only a valid driver's licence showing a photograph, a valid passport, a UK nationally approved proof of age card showing the 'Pass' hologram (or any other similarly nationally recognised scheme) or a current UK Military Identity card are to be accepted as identification.
- (9) All staff employed in the sale of alcohol shall be trained in respect of the law relating to the sale of alcohol, the company's proof of age policy and the procedure on handling and recording refusals. Training must be documented and details made available upon request by Thames Valley Police or authorised officers of the Council. This training shall formally take place once every six months. Training shall be reviewed and updated on a regular basis.
- (10) An alcohol refusal register shall be maintained at the premises and kept up to date. The register is to be made available upon request by Thames Valley Police or authorised officers of the Council. The register will contain the following information:
 - a) Date
 - b) Time
 - c) Member of staff
 - d) What was requested
 - e) What ID was produced

A responsible member of staff will review and sign the refusals register at least once a week.

- (11) Any incident at the premises which impacts on the crime and disorder licensing objective shall be recorded in a register kept at the premises. The register will contain the following information:
 - a) Time and date
 - b) Exact location
 - c) Nature of incident
 - d) Name of staff members or door supervisors involved
 - e) Name of any offender
 - f) Action taken as a result of the incident

This record must be retained at the premises for a period of not less than six months and be made available upon request by Thames Valley Police or authorised officers of the Council.

(12) An appropriate number of waste bins will be provided on the forecourt.

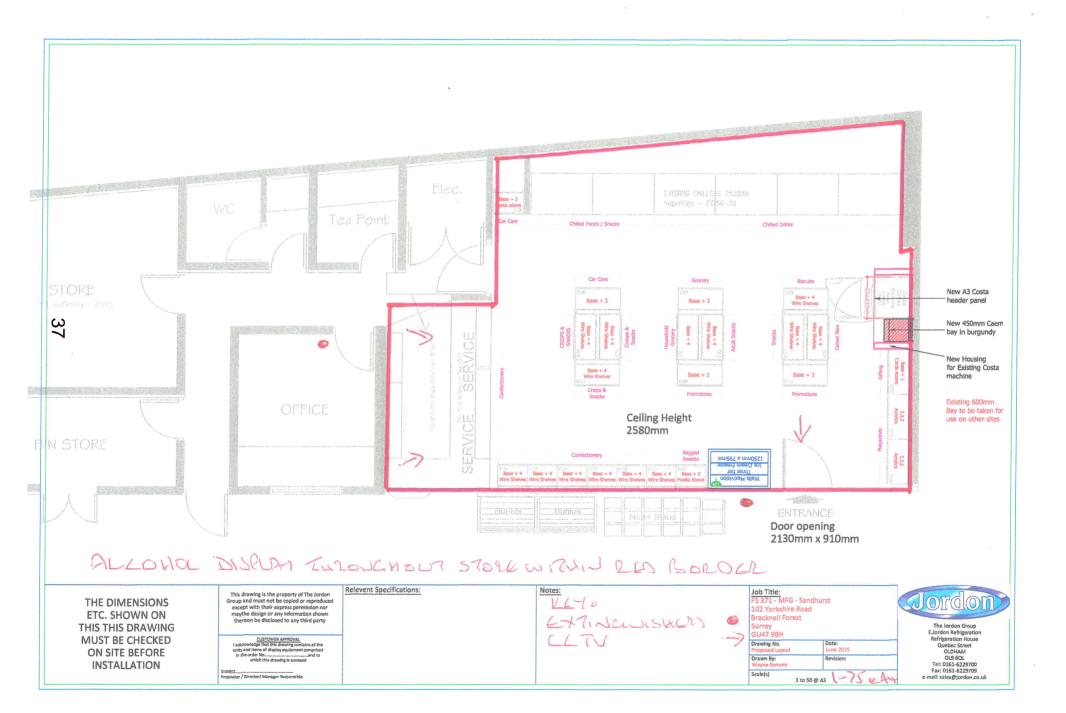
Annex 3 – Conditions attached after a hearing by the Licensing Authority:

N/A

Annex 4 - Plans:

Site Plan dated May 2015





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Date: 05/07/2017



Location of Shell, 102 Yorktown Road, Sandhurst, GU47 9BH

Location of those who have made representations

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Mandatory Conditions:

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 - c) Member of staff
 - d) What was requested
 - e) What ID was produced

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 - a) Time and date
 - b) Exact location
 - c) Nature of incident
 - d) Name of staff members or door supervisors involved
 - e) Name of any offender
 - f) Action taken as a result of the incident

This record must be retained at the premises for a period of not less than six months and be made available upon request by Thames Valley Police or authorised officers of the Council.

- (12) An appropriate number of waste bins will be provided on the forecourt.
- (13) Access to the shop between the hours of 23:00 to 05:30 will be at the discretion of the cashier.
- (14) The provision of late night refreshment shall be limited to hot drinks only.
- (15) Staff shall be trained to deal with any incidents of public nuisance associated with the premises.

From:

Sent: 16 June 2017 09:41

To: Licence All

Subject: Licence application to vary premises licence for Shell, 102 Yorktown Road, Sandhurst

Good morning,

I am getting in touch having recently received a letter informing me that an application is pending to extend the licencing hours for sale of alcohol and refreshments at the Shell garage located at 102 Yorktown Road. I am a resident of Yorktown Road and live directly opposite these premises. I would like to register my objection to this proposal due to the impact that the associated late night operating of this service and the visitors it would therefore attract would have upon my home. The causes of my concern are as follows:

- Currently, with the premises open up until 11am, my household is often disturbed late at night by visitors to the garage, people speaking loudly and shouting to one another across the forecourt or just outside the station, as well as the beeping of car horns and heavy revving engines. In addition, use of the tanoy by staff speaking to visitors carries and is clearly heard by neighbours late at night providing another form of disturbance. Currently, this is not a major issue as the station closes at the reasonable time of 11pm, however the above issues would occur throughout the night were this application approved and would therefore create a source of significant late night disturbance for households.
- The petrol station attracts groups of people who may be purchasing alcohol or visiting after a night out at one of the local pubs. These groups are often loud and create a disturbance. They are often anti social and aggressive, wondering into people's gardens and urinating, sometimes in the street and sometimes in people's gardens or driveways. If these premises are open later, then such groups are likely to make use of the facility later at night and therefore create disturbances throughout the night, engaging in anti social behaviour, crime and disorder and disturbing local residents and the wider community.
- The petrol station lights create light pollution for surrounding properties, and if these are kept on full all night rather than dimmed then this will create additional disturbance to sleeping patterns throughout the night.
- A not insignificant amount of litter is currently created by these premises. Those houses immediately opposite (including mine) have a large amount of litter which blows across the road from the premises and into our garden, including food waste and wrappers, plastic gloves from the pumps etc. If the hours of use are extended then more waste and litter will be created having a further impact upon the immediate environment and residents.

In addition I would question the need for such an extension of hours and the strength of this request when set against the wishes and concerns of the immediate neighbouring residents who are likely to have their households and right to peace disturbed. Sandhurst does not have a bustling late night trade, and Yorktown Road is primarily made up of residential properties who will be at increased risk of disturbance should the licence be extended in this

manner. A 24/7 Tesco store is available little more than a mile away from this precise location and therefore any benefit to either the Shell garage or Sandhurst residents is likely to be minimal, and in the case of local residents more than offset by the associated disturbances. This licence application would not be providing any facility or access to goods that is not already locally available in a more appropriate location. I feel that the current opening hours up until 11pm are in keeping with the desire to provide a service to the community whilst also respecting the rights of that community to not be at risk of anti social behaviour or noise pollution.

In summary, and in view of the above, I would like to object to this licencing application on the grounds of preventing public nuisance and preventing crime and disorder.

I would be very grateful if you could acknowledge receipt of this communication and accept it as a representation against this application. please notify me should you require any additional details, or to advise on the future progress of this licencing application.

My contact details are as follows:





Best wishes,

From:

Sent: 19 June 2017 18:57 **To:** Charlie Fletcher **Subject:** application

Ref: LI/17/00532/LAPRES

Officer: Charlie Fletcher

Dear Charlie,

I have just received the letter regarding the proposed extension to a 24hour alcohol/opening operation at SHELL, 102 Yorktown Road, Sandhurst.

I would like to strongly protest AGAINST this application being granted for a number of reasons. I live at Yorktown, directly across from the garage. since the alcohol license has been in place there has been a notable increase in issues from the garage at nights. From 9-10pm onwards there is regularly a lot of noise coming from the garage from people visiting for alcohol, as you can imagine they are frequently intoxicated and use foul language that can be heard from my house. Add to that several instances where I have found people urinating in my driveway and you can imagine my frustration at this garage selling alcohol and enticing people in from the street.

I have a young family and my child goes to sleep early but we are finding she will wake with the sounds of cars wheelspinning or screeching out of the garage until it closing at 11.pm. If a 24hour license is granted this noise will become unbearable! I can see why the meadows has a 24hour license as it doesn't have neighbours to worry about but anyone in the surrounding area of the garage will hear every car rev and unnecessarily noise at all hours.

The garage also employ a method of communicating with customers via tanoy system that bellows out on the forecourt. From all the front rooms in our house we can hear every shout from the employees at the till and this only increases at night!

Finally if you check social media you will find regular posts and conversations about the SHELL garage discussing issues with shortchanging customers, card cloning (unsubstantiated) and other unsavoury business practices that should be taken into account.

I didn't have any objections when the application was made to increase the license to sell alcohol in 2015 but in hindsight I probably would have done due to the increased disturbance this has caused.

Please can you let me know what the next course of action is in this application as if needed I will escalate this to a wider audience and will certainly discuss this with my neighbours.

Yours sincerely





From: [mailto: **Sent:** 21 June 2017 10:23

To: charlie.fletcher@bracknell-forect.gov.uk; Licence All

Subject: License application regarding Shell Petrol Station, Yorktown Road,

Dear Sir,

I am writing re the proposed extension for a 24 hour alcohol/opening operation at the Shell Petrol station on Yorktown Road in Sandhurst.

I have only been informed of this following discussion with my immediate neighbour who received written information about this. I was enquiring because of the increased noise and lights on all night that has been disturbing our sleep lately.

Firstly, I am wondering why all neighbouring dwellings have not been officially informed of this proposal re the extended licensing hours and also how extended hours can be granted without any notification or respect for people within the immediate vicinity.

Last night alone I was awoken by two men using foul language on the garage forecourt and the constant noise of car doors being slammed shut and engines starting up.

I would also be interested to know if this application includes night time tanker deliveries.

I strongly oppose any application, be it for the sale of alcohol 24 hours or the extended opening to 24 hours. I feel this will have severe impact on sleep for the residents in the immediate area leading to poor physical and mental well being.

Yours faithfully,

