Public Document Pack

Licensing/Appeals Sub-Committee

Agenda

Part One

Council Chamber - Town Hall

Wednesday, 29 April 2015 at 10.00 am

Membership

Councillors
Cllrs Mrs Hubbard, Newberry and Russell

Committee Co-ordinator: Jean Sharp (01277 312655)

Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex CM15 8AY
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Part I

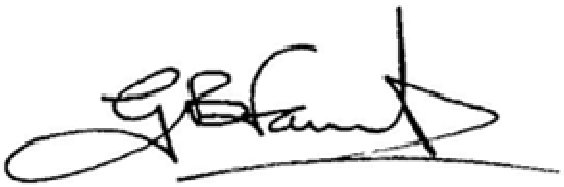
(During consideration of these items the meeting is likely to be open to the press and public)

1 **Appointment of Chair**

2 **Quasi-Judicial Function**

Members are respectfully reminded that, in determining the matters listed below, they are exercising a quasi-judicial function with the civil burden of proof, i.e. 'on the balance of probabilities'. The matter will be determined on the facts before the Sub-Committee and the rules of natural justice will apply.

3 **Application to Vary a Premises License – Licensing Act 2003.**
Papa John's, 106 High Street, Brentwood. CM14 4AP



Chief Executive

Town Hall
Brentwood, Essex
21.04.2015

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29 April 2015

Licensing and Appeals Committee

Licensing Sub-Committee Hearing in respect of an Application to Vary a Premises Licence – Licensing Act 2003

PAPA JOHNS, 106 HIGH STREET, BRENTWOOD CM14 4AP

Report of: *Ashley Culverwell – Head of Borough Health, Safety & Localism*

Wards Affected: *Brentwood South / Brentwood North*

This report is: *Public*

1. Executive Summary

1.1 This report provides information of an application for a variation to the premises licence in respect of ***Papa Johns, 106 High Street, Brentwood CM14 4AP***

1.2 Members are requested to determine the application having regard to the operating schedule, the representations received, the Council's Statement of Licensing Policy and the four Licensing objectives.

2. Recommendation(s)

2.1 Each application must be considered on its individual merits and, therefore, no recommendations may be made. However, the available options are:

i) To grant the application in full on the terms and conditions contained in the operating schedule along with any applicable mandatory conditions;
ii) To grant the application, modified to such extent as considered appropriate in order to satisfy any relevant representations and to promote the licensing objectives; or
iii) To reject the application in whole or in part

3. Introduction and Background

3.1 An authorisation is required in respect of any premises where it is intended to conduct one or more of the four licensable activities, these being:

- Sale of alcohol
- Supply of alcohol (in respect of a club)
- Regulated Entertainment
- Provision of Late Night Refreshment

3.2 An appropriate authorisation is either, a premises licence, a club premises certificate or a Temporary Event Notice.

3.3 Licence holders are required, when offering any licensable activity, to ensure that they promote the licensing objectives at all times. The operating schedule of the application contains details of the activities applied for and the control measures that the applicant will have in place in order to promote these objectives. Such measures will, where appropriate, be converted into enforceable conditions on any licence issued. Those pertaining to this particular application are reproduced in paragraph 5 of this report.

3.4 The four licensing objectives are;

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

No objective carries any more weight than any other.

3.5 Any representation must be able to demonstrate that on the balance of Probability the application in its current form will fail to adequately promote one or more of the licensing objectives. No other matters may be considered.

4. The Application

4.1 This application was received on 10 March 2015 from Mr Tofur Ali in respect of Papa Johns, 106 High Street, Brentwood CM14 4AP. A copy of the application is attached at ***appendix 1.***

4.2 The premises is a food take away and provides late night refreshment. A site map of the location is also attached at ***appendix 1.***

4.3 The applicant seeks to vary a premises licence for the provision of late night refreshment for the following hours;
23:00hrs-03:00hrs daily

5. Reasons for Recommendation

If Members are minded to grant the application:

5.1 The applicant has stated that:

- no children under 16 shall be admitted after 23:00hrs
- experienced staff shall be first aid trained
- CCTV will be in operation from opening to closing in accordance with Essex Police recommendations
- SIA registered doormen will be employed from 23:00-03:30 Monday to Sunday
- A register of security personnel employed will be maintained
- An Incident log shall be kept at the premises
- A manager shall be on duty for the duration of opening from 23:00-03:00
- The premises will subscribe to the Town link radio system
- Customers will be asked to respect residents rights by avoiding excessive noise
- Notices shall be displayed reminding visitors to use litter bins
- A dispersal policy is attached to the application
- regular testing of the integrated filtering system will take place to ensure that extraction does not create a public nuisance
- Staff will conduct street litter patrols at the end of the evening

All such proposals will be converted into conditions on any licence as may be granted.

6. Consultation

6. The regulations of the Licensing Act 2003 outline the requirements for the advertising of applications. These require the applicant to advertise the application:

(b) For a period of no less than 28 consecutive days starting on the day after the day on which the application is given to the relevant licensing authority or display a notice ... prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the premises...

(c) By publishing a notice in a local newspaper ... on at least one occasion during the period of ten working days starting on the day after the day on which the application was given to the relevant licensing authority.

6.2 Regulations also require that the applicant give a copy of the application to each responsible authority on the same day upon which it is given to the licensing authority.

6.3 There are no other statutory requirements for advertising of any application, however, the relevant Ward Councillors are notified and details of all applications received along with the time limit for receipt of representations is posted on the Council website.

6.4 Officers from the licensing authority have made checks on the display of notices on several occasions, including 27 March and 4 April. On each visit a single blue advertising notice was displayed in the front window.

6.5 There has been one valid representation received from the Responsible Authorities. Environmental Health Officer, Steve Blake, has submitted a representation relating to the potential noise and public nuisance issues and the effect on local residential properties that may arise should a premises licence be granted & is attached at ***appendix 2.*** A response to this from the applicant's agent Poppleston Allen is also attached.

6.6 The concerns relating to the licensing objectives are predominantly based on public nuisance matters to residents in the High Street caused by queuing customers and increased waiting times. There are no toilet facilities available for these customers. This increases the chances of impromptu urination in public places and is a direct result of the extended hours that retains people within the town centre.

6.7 The current premises licence, together with an OS Map and frontage images to better identify the location are attached at ***Appendix 3.***

7. Statement of Licensing Policy

7.1 There are no specific issues arising from this application in relation to the Councils' Statement of Licensing Policy.

7.2 The following extracts from the Councils' Statement of Licensing Policy are brought to the general attention of Members:

(1.4) Nothing in this Statement of Policy should be regarded or interpreted as an indication that any requirement of law may be over-ridden; each application will be considered and treated on its own merits.

(7.1) When considering applications, the Licensing Authority will have regard to:-

(a) The Licensing Act 2003, as amended and the licensing objectives.
(b) Government guidance issued under Section 182 of the Licensing Act 2003, as amended.
(c) Any supporting regulations.
(d) This Statement of Licensing Policy.

(9.1) Licensing is about the appropriate control of licensed premises, qualifying clubs, temporary events and the people who manage them or hold personal licences within the terms of the 2003 Act. Where relevant representations are made, the Licensing Authority will seek to make objective judgments as to whether conditions may need to be attached to various authorisations in order to secure achievement of the licensing objectives. Any conditions arising from the operating schedule or as a result of representations will primarily focus on the direct impact of the activities taking place at licensed premises on those attending the premises and members of the public living, working or otherwise engaged in normal activity in the area concerned. These conditions will cover matters that are within the control of individual licensees and others with relevant responsibilities.

(9.2) The Licensing Authority acknowledges that the licensing function cannot be used for the general control of nuisance or the anti-social behaviour of individuals once they are beyond the direct control of the licensee of any premises concerned. However, other mechanisms may be utilised, where appropriate, to tackle unruly or unlawful behaviour of consumers when beyond the control of the individual, club or business holding the licence, certificate or authorisation concerned. These include:

(a) Planning controls.
(b) Positive measures to create a safe and clean town environment in partnership with local businesses, transport operators and other services within the Local Authority.
(c) The provision of CCTV surveillance in town centres, ample taxi ranks, street cleaning and litter patrols.
(d) Powers of Local Authorities to restrict consumption of intoxicating liquor in designated public places other than Premises licensed for 'on' sales.
(e) Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices.
(f) The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk.
(g) The confiscation of alcohol from children and adults in designated areas.
(h) The power of the Police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.
(i) Action under the Violent Crime Reduction Act 2006.

(11.1) There can be confusion about the difference between "need" and the "cumulative impact" of premises on the licensing objectives. "Need" concerns the commercial demand for another pub or restaurant or hotel. This is not a matter for a licensing authority in discharging its licensing functions or for its Statement of Licensing Policy.

(16.6) The Licensing Authority considers the effective and responsible management of the premises, instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of all the licensing objectives. ***For this reason, these elements should be specifically considered and addressed within an applicant's operating schedule.***

8. Relevant Sections of the Secretary of State's Guidance

8.1 The following extract of the section 182 guidance as published by the Secretary of State are brought to the attention of Members.

(9.41) Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

(9.42) The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

(9.43) Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. Whilst this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

9. Legal Considerations

9.1 Conditions may be attached to the grant of any licence, the hours or activities may be amended as appropriate, or in some cases the application may be refused. However, any action taken must be appropriate and relevant to promotion of the licensing objectives having considered the full details of the application and representations including testimony from any interested party present at the hearing.

9.2 The justification behind any decision to grant or refuse a licence application or the attachment of conditions, or variation of terms applied for must be recorded and given to the applicant and any person that has made representation.

9.3 There is a right of appeal to Magistrates Court by any person or party aggrieved by any decision made by the Sub-Committee.

Appendices to this report

- Appendix 1 - Application Form
- Appendix 2 - Responsible Authority (EHO) Representation
  Plus Poppleston Allen & Applicant's Responses
- Appendix 3 - Papa John's Premises Licence & Street Plan

Report Author Contact Details:

Name: Dave Leonard
Telephone: 01277 312523
E-mail: dave.leonard@brentwood.gov.uk

APPENDIX 1

APPLICATION FORM

29 April 2015

PopplestonAllen

157000041 LAPRE

Cheq 108580 £315.00

Cheq 108585 £10.50

Date: 09 March 2015

Licensing Authority
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood
Essex
CM15 8AY

Our ref: NW/PAW/L11442-6
Doc Ref: 2144988542

Your ref:

E-mail: n.walton@popall.co.uk

Direct line: 0115 9487410

BRENTWOOD B.C. 10 MAR 2015 Received

BRENTWOOD BOROUGH COUNCIL 10 MAR 2015 ENVIRONMENTAL HEALTH & LICENSING

Dear Sirs

Papa John's, 106 High Street, Brentwood
Variation of Premise Licence - Hours

We act for Mars Global Limited. We have been instructed to vary the Premises Licence for the above premises.

We therefore enclose:-

1. Application Form
2. ~~Original Premises Licence~~
3. Cheque in the sum of £315
4. Certificate of Service

We also enclose a cheque for £10.50 being the requisite sum for a replacement copy licence.

We are arranging for the notice to be displayed on the premises and in the local newspaper as if you have received the application two working days after we post it in accordance with the deemed service provisions contained within the Magistrates Court's Rules 1981.

If there is anything in the way that we have completed the attached forms that causes you concern, or if you believe there is some omission, please contact Nick Walton on the above number so we can discuss it with you.

We should be grateful if you would acknowledge safe receipt of this letter and the relevant enclosures.

Yours faithfully

Poppleston Allen

Partners • James R D Anderson Ltd • Nick Arron Ltd • Graeme Cushion Ltd • Clare Eames Ltd • Lisa Inzani Ltd • Lisa Sharkey Ltd • Jonathan M Smith Ltd
Associate • Andy Grimsey
37 Stoney Street, The Lace Market, Nottingham NG1 1LS • **T** 0115 953 8500 • **F** 0115 953 8501 • **W** popall.co.uk • **DX** 10100 Nottingham
Office also in London

Brentwood Borough Council

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

Premises licence number
PRM/437_001

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Papa John's 106 High Street			
Post town	Brentwood	**Post code**	CM14 4AP

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£54,343.00

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	Doshi Accountants Limited 6th Floor, Amp House Dingwall Road		
Post Town	Croydon	**Postcode**	CR0 2LX

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible? ☑

If not, from what date do you want the variation to take effect? Day Month Year

Please describe briefly the nature of the proposed variation (Please see guidance note
To extend the hours for the sale of hot food and beverages for consumption off the premises

until 03:00 daily Monday to Sunday.

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

Part 4 Operating Schedule

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

Provision of regulated entertainment		**Please tick yes**
a)	plays (if ticking yes, fill in box A)	☐
b)	films (if ticking yes, fill in box B)	☐
c)	indoor sporting events (if ticking yes, fill in box C)	☐
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	☐
e)	live music (if ticking yes, fill in box E)	☐
f)	recorded music (if ticking yes, fill in box F)	☐
g)	performances of dance (if ticking yes, fill in box G)	☐
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	☐
Provision of late night refreshment (if ticking yes, fill in box I)		☑
Sale by retail of alcohol (if ticking yes, fill in box J)		☐

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			**Please give a description of the type of entertainment you will be providing**		
Day	Start	Finish	**Will this entertainment take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	☐
Mon				Outdoors	☐
				Both	☐
Tue			**Please give further details here** (please read guidance note 3)		
Wed					
Thur			**State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)** (please read guidance note 4)		
Fri					
Sat			**Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list** (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			**Will the provision of late night refreshment take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	☑
Day	Start	Finish		Outdoors	☐
				Both	☐
Mon	01:00	03:00	**Please give further details here** (please read guidance note 3) To enable the provision of hot food and beverages for consumption off the premises		
Tue	01:00	03:00			
Wed	01:00	03:00	**State any seasonal variations for the provision of late night refreshment** (please read guidance note 4)		
Thur	01:00	03:00			
Fri	01:00	03:00	**Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list** (please read guidance note 5)		
Sat	01:00	03:00			
Sun	01:00	03:00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			**Will the supply of alcohol be for consumption (Please tick box)** (please read guidance note 7)		
				On the premises	☐
				Off the premises	☐
Day	Start	Finish		Both	☐
Mon			**State any seasonal variations for the supply of alcohol** (please read guidance note 4)		
Tue					
Wed					
Thur			**Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list** (please read guidance note 5)		
Fri					
Sat					
Sun					

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			**State any seasonal variations** (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	03:00	NONE
Tue	11:00	03:00	
Wed	11:00	03:00	
Thur	11:00	03:00	**Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list** (please read guidance note 5)
Fri	11:00	03:00	NONE
Sat	11:00	03:00	
Sun	11:00	03:00	

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

NONE

Please tick yes

- I have enclosed the premises licence ☐
- I have enclosed the relevant part of the premises licence ☐

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

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

We are unable to locate the original Premises Licence and therefore enclose a separate cheque to cover the cost of a copy licence of £10.50.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

1. The Premises currently open until 01:00 for the sale of hot food and beverages to be consumed off the premises.
2. The Premises have a Premises Licence to enable the delivery of hot food until 03:00. The dynamics of the late night economy on the High Street in Brentwood have changed and there is now a demand for hot food later in the evening and early morning. This application seeks to extend the availability of hot food from the premises until 03:00.
3. It is recognized that in order to ensure that the four licensing objectives are promoted that further conditions should be attached to the premises licence in order to ensure that the premises remain competent to provide service for their customers without adding to either crime and disorder or public nuisance in the locality of the premises.
4. The demographic of those customers waiting to enjoy the product of PAPA JOHNS are prepared to pay significantly more to enjoy the experience that those wishing to enjoy the other late night outlet on the High Street. In that respect the customers who frequent the premises tend to be more sophisticated and not given to rowdy or belligerent behaviour.
5. CCTV

   The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer. Download or export of CCTV should be in the native file format with the native player.

   A staff member from the premises who is conversant with the operation of the CCTV system shall be available at all times when the premises are open to the public. This

staff member must be able to show Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.

b) The prevention of crime and disorder

The premises will employ an SIA registered doorman from 23:00- 03:30 Monday to Sunday to ensure that customers are aware that the premises operate a strict policy in respect of not tolerating any disorder.

A register of security personnel employed on the premises shall be maintained in a legible format and made available to police upon reasonable request. The register should be completed by the duty manager at the commencement of work by each member of security staff and details recorded should include; full name, SIA, badge number, time of commencement of duties. The security operative should then sign their name against these details.

Extra staff will be on duty to ensure that there are no delays between taking a customer order and providing the finished product. – From order to oven takes approximately two minutes.
Experienced staff shall be on duty in the late evening early morning hours who have been trained in first aid and are also able to assist door staff should the need arise.

A manager shall be on duty for the duration of opening from 23:00-03:00.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
(a) All crimes reported to the venue
(b) All ejections of patrons
(c) Any complaints received
(d) Any incidents of disorder
(e) Any faults in the CCTV
(f) Any visit by a relevant authority or emergency service.

The premises will subscribe to the Brentwood Town link radio system, enabling them direct contact with other venues, and CCTV operators.

The presence of door staff has stopped the incidence of urination by people on the high street. We do not intend to offer a toilet within the premises as it would become a flash point for people who are waiting to use the convenience. Customers who frequent PAPA JOHNS do so to obtain their chosen food and leave to consume the food either in the hotel or in their abode.

A dispersal policy is attached to this application.

Regular testing of the integrated filtering system takes place to ensure that extraction is not a public nuisance and does not create a public nuisance for neighbours in the near vicinity (copies of a report from the engineers responsible for the extraction system is attached)

Notices shall be displayed reminding visitors that packaging from PAPA JOHNS products should be discarded responsibly in litter bins.

Street litter patrols will take place at the end of the evening to ensure that no packaging from PAPA JOHNS products are left on the pavement

c) Public safety

Customer safety is of paramount importance to everyone who is employed at PAPA JOHNS. All staff will be trained to ensure that customers waiting for food do so in an orderly and risk free environment. Staff will assist the door staff to ensure that order is maintained within the premises should this be necessary.

Staff will be trained to respond to increases in tension if they occur and to ensure that flashpoints do not occur

Notices shall be displayed informing customers that public safety and their support in ensuring their wellbeing is requested.

The town radio will be used to ensure that communication is available in support of the management objective of maintaining public safety.

d) The prevention of public nuisance

It is recognized that there is likely to be increased footfall to the premises in the early morning hours should the Licence be granted.

Careful filtering of customers shall take place by door staff to ensure drunk or rowdy persons cannot gain entry to the premises

Door staff shall encourage visitors to the premises to leave quietly and proceed away from the high street to their homes or the hotel quietly.
Notices shall be displayed at the premises encouraging customers to leave the premises quietly and respect the needs of the residents in the area to sleep in peace.

Regular testing of the integrated filtering system takes place to ensure that extraction is not a public nuisance and does not create a public nuisance for neighbours in the near vicinity (copies of a report from the engineers responsible for the extraction system is attached)

Notices shall be displayed reminding visitors that packaging from PAPA JOHNS products should be discarded responsibly in litter bins.

Street litter patrols will take place at the end of the evening to ensure that no packaging from PAPA JOHNS products are left on the pavement. Any detritus will be swept and removed

Door staff shall be used at the end of trading to ensure that customers disperse responsibly and do not create a nuisance on the high street.

e) The protection of children from harm

Protection of Children from Harm - No persons under the age of 16 shall be admitted to the premises after 23:00hours.

Please tick yes

- I have made or enclosed payment of the fee or ☑
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☑
- I understand that I must now advertise my application ☑

- I have enclosed the premises licence or relevant part of it or explanation ☑
- I understand that if I do not comply with the above requirements my application will be rejected ☑

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

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

Signature	Poppleston Allen
Date	9 March 2015
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) Nick Walton Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
Post town	Nottingham	**Post code**	NG1 1LS
Telephone number (if any)	0115 9487410		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) n.walton@popall.co.uk			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

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

I, **Pauline Wells** in the firm of Messrs. Poppleston Allen, Solicitors of 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS refer to the following:-

1. Letter to Brentwood Borough Council dated 09 March 2015
2. Application Form
3. ~~Original Premises Licence~~
4. Cheque in the sum of £315

I HERBEY CERTIFY that I have served documents 1, 2 and 4 upon the following:-

1. Licensing Authority, Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, CM15 8AY

I FURTHER CERTIFY that I have served a true copy of documents 1 and 2 upon the following:-

2. Loughton Police Station, 158 High Road, Loughton, Essex, IG10 4BE

3. Licensing Authority, Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, CM15 8AY

4. Essex County Fire & Rescue Service, Basildon & Brentwood Service Delivery, c/o Fire Station, Broadmayne, Basildon, SS14 1EH

5. Health & Safety Team, Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, CM15 8AY

6. Childrens Safeguarding Service, Head of Child Protection (Licensing Applications), Essex County Council, 70 Duke Street, County Hall, Chelmsford, CM1 1YS

7. Essex Trading Standards (Weight and Measures), New Dukes Way Office, 2 Beaufort Road, Dukes Park Industrial Estate, Chelmsford, CM2 6PS

8. Planning Authority , Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, CM15 8AY

9. Pollution Team, Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, CM15 8AY

10. Public Health - Licensing Administration, North Essex Cluster, A1 Block, Market Road, Chelmsford, CM1 1QH

I effected service by sending the said documents to each and every one of them by first class post addressed to them on 09 March 2015.

SIGNED .....

DATED: 09 March 2015

Dave Leonard

From: Jonathan Smith [J.Smith@popall.co.uk]
Sent: 04 February 2015 15:15
To: dave leonard; 'Peter.Jones@essex.pnn.police.uk'; Stephen Blake
Subject: Papa John's. 106 High Street, Brentwood - Variation of Premises Licence
Attachments: APPLICATION.doc; Litter Policy - Papa Johns.doc; Dispersal Policy - Papa Johns.doc

Dear Sirs,

We refer to the above premises and would advise that our client is seeking to vary their Premises Licence. Accordingly, we attach a draft application (together with draft dispersal and litter policies for your information) and would be grateful if you could let us have your comments, prior to the application being formally submitted in the next few days.

We look forward to hearing from you as soon as possible.

Yours sincerely

Jonathan

Jonathan Smith | Partner

Poppleston Allen
E: J.Smith@popall.co.uk | T: 0115 9349 163 | M: 07768 845 695 | W: www.popall.co.uk

PIZZA PAPA JOHN'S

Better Ingredients.
Better Pizza.

LITTER POLICY

POLITE NOTICE TO ALL OF OUR CUSTOMERS

MEMBERS OF OUR TEAM CARRY OUT REGULAR LITTER PATROLS TO KEEP OUR STREETS AND PAVEMENTS CLEAN AND CLEAR OF RUBBISH IN THE VICINTY OF THESE PREMISES.

PLEASE DISPOSE OF YOUR FOOD CARTONS IN THE BINS PROVIDED BOTH AT OUR PREMISES, OTHER PARTS OF OUR NEIGHBOURHOOD OR TAKE IT HOME

PLEASE DO NOT CAUSE LITTER !

Cc: Each member of staff to comply with regular litter patrols and remind customers at point of sale for the need of their support.

Better Ingredients.
Better Pizza.

NOISE AND DISPERSAL POLICY

- All members of staff will monitor the customers arriving, ordering, collecting food and leaving the premises to ensure no undue noise or nuisance is caused to local residents and notices shall be displayed in a prominent position asking for customers to respect the needs of the local residents.

- All members of staff are to monitor at appropriate regular intervals the front of premises to politely discourage any behaviour likely to cause nuisance to local residents.

Aims and Objectives

- The team at Papa John's work very hard to ensure that local residents are not affected by nuisance caused by noise or anti social behaviour.

- We willingly will participate with enforcement agencies, local residents and businesses to ensure noise levels are realistic and manageble during trading hours.

Cc Copy to all members of staff for signature of acceptance of compliance.

PAPA JOHN'S, 106 HIGH STREET, BRENTWOOD CM14 4AP

APPENDIX 2

Representation

Responsible Authorities

Environmental Health

Steve Blake

And Responses from

Poppleston Allen & Applicant (Tofur Ali)

29 April 2015

dave leonard

From: Stephen Blake
Sent: 12 February 2015 16:51
To: 'Jonathan Smith'
Cc: licensing; dave leonard; Peter Jones (Peter.Jones@essex.pnn.police.uk); David Carter
Subject: RE: Papa John's, 106 High Street, Brentwood - Variation of Premises Licence

Dear Mr Smith,

The initial amendments this authority require relate to the prevention of public nuisance.

There is at present problems relating to public urination in the general area and there has been concern expressed by both residents and Members that this matter should be controlled and addressed.

With this in mind, the provision of a toilet for public use within the premises is essential to control this issue at source and the failure to provide this facility will be a failure to promote the public nuisance objectives adequately.

Whilst I can appreciate your comments on this matter, it is felt that if this situation is not addressed by the provision of this facility, control of public urination out in the streets will continue to be problematic. Subsequent collateral problems relating to inebriated customers wandering in the locality will result in disturbance to residents surrounding the premises.

I look forward to hearing your response on this matter.

Yours Sincerely,

Steve Blake

Stephen Blake | Environmental Health Officer | Brentwood Council
T 01277 312647 | F 01277 312743 | www.brentwood.gov.uk | stephen.blake@brentwood.gov.uk

---

From: Jonathan Smith [mailto:J.Smith@popall.co.uk]
Sent: 09 February 2015 12:08
To: dave leonard; 'Peter.Jones@essex.pnn.police.uk'; Stephen Blake
Subject: Papa John's, 106 High Street, Brentwood - Variation of Premises Licence

Dear Sirs,

I refer to my e-mail of 4th February in respect of the above matter (copy attached), and wonder if you have had chance as yet to consider the draft application, and whether you have any comments prior to its submission?

I look forward to hearing from you.

Yours sincerely

Jonathan Smith

Jonathan Smith | Partner

Poppleston Allen
E: J.Smith@popall.co.uk | T: 0115 9349 163 | M: 07768 845 695 | W: www.popall.co.uk

Nottingham Office : 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS T : 0115 953 8500 F : 0115 953 8501
London Office : 31 Southampton Row, London, WC1B 5HJ T : 0203 078 7485

BRENTWOOD
BOROUGH COUNCIL

Licensing Authority
Brentwood Borough Council
Town Hall
Brentwood
Essex CM15 8AY

Application Reference: 15/000041/LAPREM
Date: 2nd April 2015

Dear Sirs

Re: Papa John's, 106 High Street, Brentwood CM14 4AP

Vary of Premises Licence

Further to the above application of the 10th March 2015, I confirm that Environmental Health (Pollution Control and Food and Health and Safety) have a number of concerns. Therefore with regard to the above premises, the Environmental Health Authority wish to make representation against this application as the applicant has not satisfactorily addressed the steps they intend to take to promote the licensing objectives relating to The Prevention of Public Nuisance and Public Safety.

The reasons for our representation are detailed as:

The Prevention of Public Nuisance

- There is concern relating to the premises internal structure. At present, it is too small to cater for large amount of customers and it is highly likely that they will have to congregate outside the premises, in the street.
- The type of food prepared in the premises requires a slight time delay to prepare. This will exacerbate the waiting time for customers. This congregation of waiting customers around the premises will likely cause unrest and possible public nuisance to the residents in the High Street.

- There are no toilet facilities available for these customers and it is likely that this may result in impromptu urination in Public spaces, particularly in the early hours of the morning. Urination in this area late at night often is carried out in shop enclosures or nearby ally ways and it is thought unlikely that the presence of door staff will address this current problem.

As there are issues that need to be considered it is thought that the matter can only be resolved by presenting the application in its entirety before a Licensing Sub-Committee.

If I can be of any further assistance in this matter please do not hesitate to contact me at the contact details below.

Yours Faithfully,

S.P.Blake

Environmental Health Officer.

Telephone: 01277 312647
Email: stephen.blake@brentwood.gov.uk

CC Poppleston Allen
37 Stoney Street,
The Lace Market,
Nottingham NG1 1LS

PopplestonAllen

Date: 08 April 2015

Our ref: NW/PAW/L11442-6
Doc Ref: 2145019500

Your ref:

E-mail: n.walton@popall.co.uk

Direct line: 0115 9487410

Mr Stephen Blake
Environmental Health Officer
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood
Essex
CM15 8AY

BRENTWOOD BOROUGH COUNCIL
9 APR 2015
ENVIRONMENTAL HEALTH & LICENSING

SENT BY POST & EMAIL stephen.blake@brentwood.gov.uk

BRENTWOOD B.C
9 APR 2015
Received

Dear Sirs

Papa John's, 106 High Street, Brentwood
Variation of Premise Licence - Hours

We are in receipt of the representation made by Environmental Health (Pollution Control and Food & Health & Safety).

We are surprised that a representation has been made in respect of the application relating to this premises and the reasoning behind the representation being the failure of the applicant to address the steps taken to promote the licensing objectives in relation to the application.

As Environmental Health are aware our client Mr Torfor Ali has operated the premises at 106 High Street for a significant period without incident. Currently deliveries from the premises take place until 03:00 with the shop frontage being available for takeaway until 01:00.

Our client is aware of the potential issues relating to public urination of visitors to the licensed premises on the High Street. This is not an issue of our client's making and public urination of people frequenting the licensed premises should be addressed to those premises.

Our client has taken voluntary steps in order to ensure that patrons using Papa Johns are not responsible for public urination by the deployment of SIA Registered Door Supervisors. Not only do the door supervisors operate within the hereditament of the shop but also act as voluntary street marshals on the high street to ensure that this in appropriate and unnecessary nuisance is not created in their presence.

Partners • James R D Anderson Ltd • Nick Arron Ltd • Graeme Cushion Ltd • Clare Eames Ltd • Lisa Inzani Ltd • Lisa Sharkey Ltd • Jonathan M Smith Ltd
Associate • Andy Grimsey
37 Stoney Street, The Lace Market, Nottingham NG1 1LS • **T** 0115 953 8500 • **F** 0115 953 8501 • **W** popall.co.uk • **DX** 10100 Nottingham
Office also in London
Authorised and Regulated by the Solicitors Regulation Authority (SRA no. 78240)

Our client is competent to differentiate his offer from that of other late night facilities on the High Street. Potential clients request a freshly prepared product which is specified in the application and which can be prepared and in the oven within two minutes of them taking the order. This currently is the position and has not led to any adverse congregation of potential clients outside of the premises; in fact, the reverse.

Accommodation of and speed of service within the premises by experienced staff ensures that the offer is diligently provided. The voluntary provision of door staff thus far has provided not only security for the operator but also confidence of the client that a trouble free nuisance free wait for the order can be guaranteed.

If we may on behalf of our client address your specific concerns identified in the representation:-

1. The internal structure of the premises has proved more than satisfactory for the provision of food in the late hours. Our client is not aware of any complaints either during the day or later in the evening in respect of capacity of the premises. Our client has not been made aware of any issues relating to capacity and with respect we have to say that the concern raised in the preliminary paragraph and at paragraph one of the representation is not supported by any real evidence.

2. The type of food prepared at the premises requires a slight delay. Clients choosing Papa Johns are aware that their order is prepared freshly for them and they accept not only that there will be a slight delay but also that they will pay a premium for the provision of that freshly prepared product. This delay however has not resulted in a congregation of customers outside the premises and is handled professionally both by staff and the voluntary door team deployed at the premises. The delay for example is considerably less than for the frying of a fresh fish and/or chips from order.

3. Toilet provision is not and never has been a requirement of a facility to provide late night refreshment. The availability of toilets within the premises creates a demand which is not otherwise there from both customers and those who believe it their right to be able to use facilities at will.

4. The impact of door staff at the premises to dramatically reduce public urination however, this is a social ill relating to those premises on the High Street offering the sale and consumption of alcohol to the point where their premises close. The absence of toilet facilities within any late night refreshment facility does not automatically mean that the general public will relieve themselves wherever they feel they can. The two issues are unrelated and our client confirms that having access to such a facility within the premises would create its own problems which are not necessary or desired in their provision of late night refreshment.

Given the voluntary conditions our client has offered within the operating schedule and the absence of crime and disorder and public nuisance associated with the premises, our client should be given the opportunity to operate until 03:00 for off sales of hot food and beverages. If problems result, as a Responsible Authority the Environmental Health Service can issue a Review of the Premises Licence. This step to be taken when real evidence is available to the service and the Licensing Sub-Committee.

The concerns of the EHO are not supported by any other Responsible Authority and we ask on behalf of our client that the you support this application and works with our client to ensure that any concerns identified are addressed with them.

We look forward to hearing from you within due course and would hope that a light touch will prevail to enable our client to demonstrate to the Environmental Health Department and the public at large that this premises can operate without creating any crime and disorder or public nuisance.

Yours faithfully

Poppleston Allen

Dave Leonard

From: Claire [clairehumphrey2533@hotmail.co.uk]
Sent: 14 April 2015 16:01
To: Stephen Blake
Cc: tofur ali; Dave Leonard
Subject: Re: Papa Johns 106 High Street Brentwood

Importance: High

Dear Stephen,

As per telephone conversation please see below as requested.

With regards to the concerns raised regarding public urination. Firstly I would like to reassure you that I completely agree with your concerns as a local business we would not want to see any increase in such anti social behaviour. Sadly as previously mentioned we have noticed that such behaviour isn't restricted to early hours of the morning as we have witnessed individuals urinating in public during the afternoon and at other times during the day. It is a sad situation were some individuals in society deem it acceptable to behave in this manor. As explained earlier since our opening times extended to 1am we have noticed a dramatic decrease in public urination near our store, this is due to the staff members and door staffs presence which deter members of the public from urinating in surrounding areas. An example to reassure you that we do not tolerate any type of anti social behaviour is proven in our dispersal policy that we follow strictly. Since we were approached by your department a few years back regarding noise level, we immediately and effectively put this policy in place and have policed it successfully ever since. Speaking to yourself earlier I am happy and confident that we will be able to resolve this matter without taking this to the sub committee however if for any reason we cannot come to an agreement I am happy to look at carrying out a 6 month trail period to assess any impact on the surrounding environment during this time. Please be assured if at anytime we notice an incidence of such behaviour we will be the first to take appropriate action as we deem this completely unacceptable.

Please see contact details for myself and my Operations Manager below

If you require any further information or have any concerns in the future please do not hesitate to contact us as we are happy to hear and work on all feedback whether good or bad.

Kind Regards

Tofur Ali

Tofur Ali
07947 186730
tagali@live.com

Claire Clewley
07540 500151
clairehumphrey2533@hotmail.co.uk

PAPA JOHN'S, 106 HIGH STREET, BRENTWOOD CM14 4AP

APPENDIX 3

PAPA JOHN'S

Premises Licence

OS Street Map

Frontage Images

29 April 2015

BRENTWOOD
BOROUGH COUNCIL

Licensing Act 2003
Premises Licence

Premises licence number PRM/437_001

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description **Papa John's** **106,High Street**			
Post town	**Brentwood**	**Post code**	**CM14 4AP**
Telephone number	**01277 214343**		

Where the licence is time limited the dates **Not Applicable**

Licensable activities authorised by the licence **Provision of Late Night Refreshment**

The times the licence authorises the carrying out of licensable activities

Provision of Late Night Refreshment

Monday to Sunday 23.00 to 03.00

The opening hours of the premises

Monday to Sunday 11.00 to 01.00

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

N/A

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Mars Global Limited
106,High Street
Brentwood
Essex
CM14 4AP

Registered number of holder, for example company number, charity number (where applicable)
110191080

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol Not Applicable

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol Not Applicable

Dated 5th February 2013

for Licensing Authority

INFORMATIVE

THIS LICENCE DOES NOT CONFER ANY APPROVAL UNDER THE PLANNING ACTS OR BUILDING CONTROL REGULATIONS.

Annex 1 - Conditions consistent with the Operating Schedule

1. Staff employed at the premises will be required to provide evidence in the form of written statements in the event of any crime and disorder taking place

2. The Premises Licence holder will participate and work with any representative bodies who's aims are to reduce crime, disorder and antisocial behaviour

3. Staff will adopt policies to minimise drug related activity/incidents taking place within the immediate vicinity.

4. The Premises Licence Holder will participate in a radio or other communications system in accordance with guidance issued by Essex Police this to include Brentwood Town Link notices to this effect to be displayed to the public.

5. Terms and conditions of employment of all staff will include the requirement to provide evidence in the form of written statements relating to any incident of crime and disorder.

6. A Digital CCTV system to be installed so as retain images that are of a acceptable evidential value. The number of internal cameras to be 7 .Images will be retained for a minimum of 8 weeks and be will be made available to the statutory agencies as required.

7. Any incident of crime and disorder will be reported to the Police and a record of each incident will be recorded.

8. All members of staff will monitor customers arriving and exiting the premises to ensure that no undue nuisance is caused to local residents notices will be displayed in a prominent position requesting customers to respect the needs of local residents.

9. Delivery vehicles will operate to and from the rear of the premises until 12 midnight only.

10. The Premise Licence holder will adopt a litter policy in the immediate vicinity and supply suitable receptacles fit f

Annex 3 - Conditions attached after a hearing by the licensing authority

1. **Delivery vehicles will operate to and from the rear of the premises until 12 midnight only.**

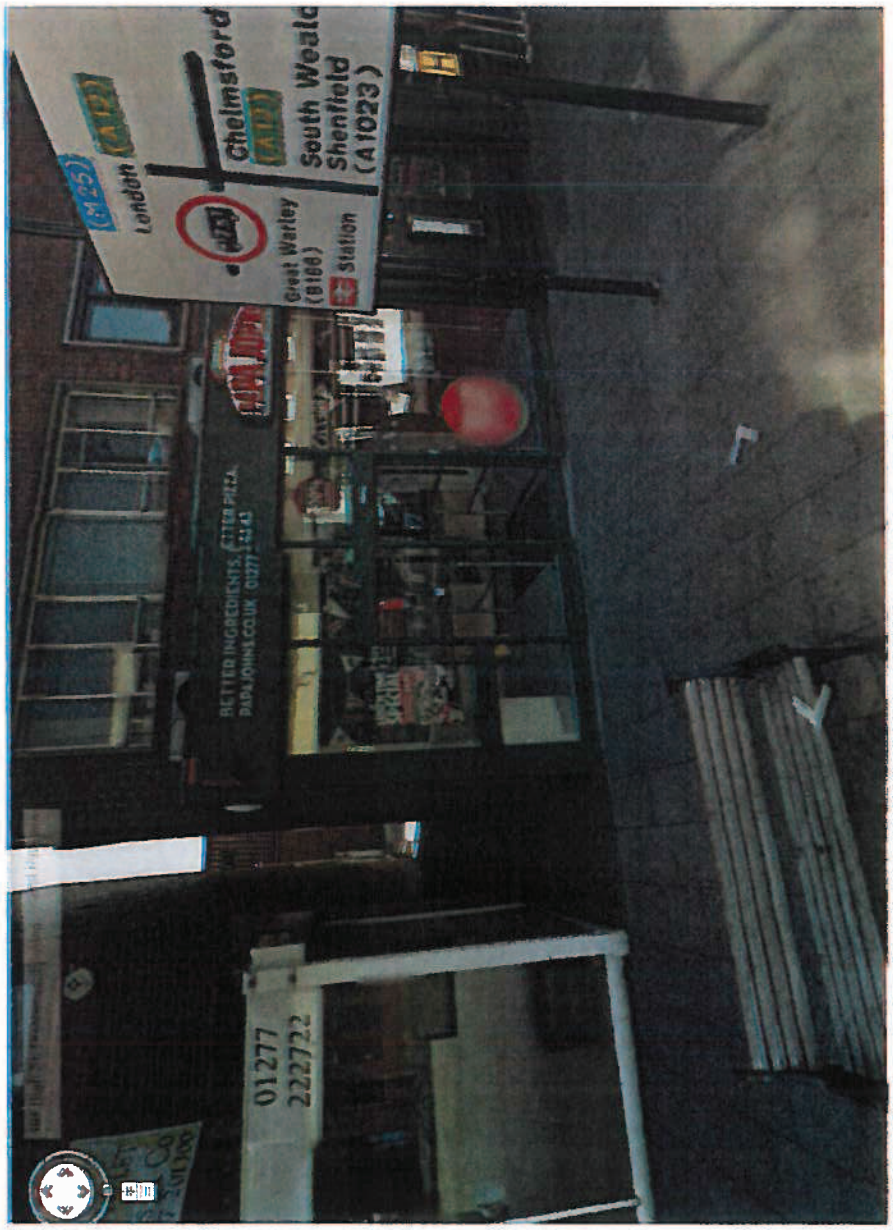
2. **The supply of Late Night Refreshment after 1am shall only be for external deliveries only there shall be no supply of Late Night Refreshment to customers attending the premises.**

3. **The rubbish/refuse shall not be placed outside of the premises building after midnight.**

Annex 4 – Plans

This licence is issued subject to the following attached plans:


195 High St, Brentwood, England, United Kingdom
FOOD MART


M25
London
A127
Chelmsford
A12
Great Warley
(B186)
Station
South Weald
Shenfield
(A1023)
01277
222722


LUNCH TIME
SPECIAL
100%
Great

Papa Johns

Service ICT

Scale 1:500 at A4 **Drawn by OSJ** **Date 8th December 2014**

BRENTWOOD BOROUGH COUNCIL

Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

  A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

  You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

  If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

  - participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
  - participate in any vote or further vote taken on the matter at the meeting.

  These prohibitions apply to any form of participation, including speaking as a member of the public.

  - **Other Pecuniary Interests**

  Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

  If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A ‘relevant person’ is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Licensing Committee
Terms of Reference

General Powers of Committees

This scheme of delegation sets out the functions of the Council to be discharged by its Committees and Sub- Committees and includes the terms of reference of statutory and non statuary bodies set up by the Council.

Each committee or sub committee will have the following general powers and duties:

(a) To carry out the duties and powers of the Council within current legislation;

(b) To comply with the Council's standing orders and financial regulations;

(c) To operate within the budget allocated to the committee by the Council.

(d) To guide the Council in setting its policy objectives and priorities including new initiatives, and where appropriate make recommendations to Council

(e) To develop, approve and monitor the relevant policies and strategies relating to the Terms of Reference of the Committee;

(f) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;

(g) To consider and approve relevant service plans;

(h) To determine fees and charges relevant to the Committee;

Licensing Committee

(a) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Licensing Act 2003.

(b) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Gambling Act 2005.

(c) To determine all fees and charges relevant to matters disposed by the Licensing Committee.

(d) To be responsible for all the Council's licensing and registration functions as detailed in Part B of Schedule 1 Local Authorities (Functions and Responsibilities)(England) Regulations 2000 (as amended) in so far as they pertain to matters concerned with:

1. Trading Requirements
2. All functions relating to hackney carriage drivers and vehicles and private hire drivers vehicles and operators
3. Animal Welfare and Security
4. Skin Piercing, Acupuncture, Electrolysis and Tattooing
5. Sex establishments (including Sex Entertainment Venues (SEV))
6. Pavement Permits
7. Charitable Collections
8. Camping, Caravan Sites and Mobile Homes
9. Scrap Metal
10. Game Dealers

(e) Any other matters relating to licensing as may be referred to the committee for consideration.

(f) To hear and determine licensing applications and appeals where objections and /or representations have been received in relation to any of the above functions.

(g) To manage and monitor the budgets in respect of licensing and vehicle licensing