

Notice of Meeting

Licensing Sub-Committee

Monday 8th April 2013 at 10.00 am

in Council Chamber, Council Offices,
Market Street, Newbury RG14 5LD

Members Interests

Note: If you consider you may have an interest in any Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Wednesday, 27 March 2013

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

If you require further information about this Agenda, or to inspect any background documents mentioned in the reports, please contact Denise Anns - Tel: (01635) 519486 - Email: danns@westberks.gov.uk.

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk

(Co-op, 22 London Road, Thatcham, Berkshire RG18 4LQ)



Agenda - Licensing Sub-Committee to be held on Monday, 8 April 2013 (continued)

To: Councillors Jeff Beck (Chairman), Geoff Mayes and Andrew Rowles
Substitute: Councillor Mollie Lock

Agenda

Part I	Page No.
1 Declarations of Interest To receive any declarations of interest from Members.	
2 Schedule of Licensing Applications	
(1) Application No.13/00308/LQN - Co-op, 22 London Road, Thatcham RG18 4LQ Proposal: Vary a Premise Licence Location: Co-op, 22 London Road, Thatcham RG18 4LQ Applicant: Co-operative Group Food Limited	
(2) Application to vary a Licence	1 - 24
3 Existing Licence	25 - 26
4 Plans	27 - 28
5 Representations	29 - 32
6 Documentation provided by Solicitors Two documents provided: 1. Training Guide – The Co-operative Way 2. Recent Matthew Taylor case Both documents provided as hardcopies in addition and separately to the agenda.	

Andy Day
Head of Strategic Support

West Berkshire Council is committed to equality of opportunity. We will treat everyone with respect, regardless of race, disability, gender, age, religion or sexual orientation.

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



West Berkshire
C O U N C I L

13 FEB 2013

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

RECEIVED

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

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

I/We Co-operative Group Food Limited

(Insert name(s) of applicant)

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

013776

Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description

22 London Road

Thatcham

Post town	West Berkshire	Postcode	RG18 4LQ
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Telephone number at premises (if any)

Non-domestic rateable value of premises	£118,000
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Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	1 Angel Square
Post town	Manchester
Postcode	M60 0AG

Part 3 - Variation

Please tick as appropriate

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

Yes

No

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

DD		MM		YYYY			

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To vary the hours when licensable activities may take place Mon-Sun from 08.00-23.00 to 05.00-00.00. In all other respects the licence remains the same.

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 all that apply

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

B

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23.00	05.00	Please give further details here (please read guidance note 3) Consumption off the premises only		
Tue	23.00	05.00			
Wed	23.00	05.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23.00	05.00			
Fri	23.00	05.00	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	23.00	05.00			
Sun	23.00	05.00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption -- please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	05.00	00.00						
Tue	05.00	00.00						
Wed	05.00	00.00						
Thur	05.00	00.00				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	05.00	00.00						
Sat	05.00	00.00						
Sun	05.00	00.00						

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			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
			No opening hours prescribed

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.

Any embedded restrictions from the 1964 Act, including Good Friday and Christmas Day and further, any conditions which conflict with the terms of this application.

Please tick as appropriate

- 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 not enclosed the premises licence or relevant part of premises licence.

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 and e) (please read guidance note 9)

Having had regard to the four licensing objectives and the locality, the following conditions are appropriate.

b) The prevention of crime and disorder

1. The premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of one calendar month. Recordings shall be made available upon the receipt of a request by an authorised Officer of the Police or the Local Authority.
2. There shall be "CCTV in Operation" signs prominently displayed at the premises.
3. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.
4. The premises shall operate a proof of age scheme, such as a Challenge 25, whereby the only forms of acceptable identification shall be either a photographic driving licence, a valid passport or any other recognised form of photographic identification incorporating the PASS logo.
5. The premises will be fitted with a burglar alarm system
6. The premises will be fitted with a panic button system for staff to utilise in the case of an emergency.

c) Public safety

The premises licence holder shall ensure that the appropriate fire safety, and health and safety regulations are applied at the premises.

d) The prevention of public nuisance

The premises licence holder will, upon request, provide the telephone number of their Customer Relations Contact Centre.

e) The protection of children from harm

1. All staff will receive comprehensive training in relation to age restricted products and in particular the sale of alcohol. No member of staff will be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training.
2. An age till prompt system will be utilised at the premises in respect of age restricted products.
3. A refusals register (whether kept and written or electronic form) will be maintained at the premises and will be made available for inspection upon request by an authorised Officer of the Police or the Local Authority.

Checklist:

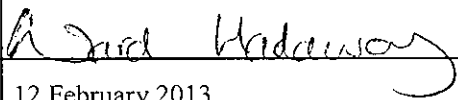
Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- 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	
Date	12 February 2013
Capacity	Solicitors for 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 note 12). 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)

Miss Gemma Craven
Ward Hadaway
Sandgate House
102 Quayside

Post town	Newcastle upon Tyne	Post code	NE1 3DX
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Telephone number (if any)	0191 204 4457
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Gemma.craven@wardhadaway.com

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 the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.

10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the 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.

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Strictly Private and Confidential

Senior Licensing Officer,
West Berkshire District Council,
Public Protection,
Council Offices,
Market Street,
Newbury,
Berkshire,
RG14 5LD

Your Ref:

Our Ref: (L)STG.CO.GXC.CO0213.704

Document No: wh6509723v1

Date: 12 February 2013

Direct Line: +44 (0) 191 204 4507

Direct Fax: +44 (0) 191 204 4418

Email Address: Gemma.craven@wardhadaway.com

25100/10900/PREZ

Dear Sirs

Licensing Act 2003

Application to Vary a Premises Licence

Premises: Co-op, 22 London Road, Thatcham, West Berkshire RG18 4LQ

We represent the Co-operative Group Food Limited. We have been instructed to submit an application to vary the Premises Licence in respect of the above store.

Accordingly, please find herewith:

1. Application
2. Cheque representing the sum of £450.00
3. The Premises Licence
4. Copy Notice to appear on the premises and in the local press

Kindly acknowledge receipt

Yours faithfully


Gemma Craven
Paralegal

Enclosure(s)

Ward Hadaway Solicitors

Sandgate House, 102 Quayside, Newcastle upon Tyne NE1 3DX

Tel: +44 (0)191 204 4000 Fax: +44 (0)191 204 4001 DX: 730360 Newcastle upon Tyne 30

Email: legal@wardhadaway.com Web Site: <http://www.wardhadaway.com>

Also at: Leeds and Manchester

Authorised and Regulated by the Solicitors Regulation Authority (Registration Number 204387)

A list of Partners is available at all offices.



INVESTOR IN PEOPLE



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Licensing Act 2003
Notice of application to VARY a Premises Licence

Name of applicant: Co-operative Group Food Limited
Address of Premises: Co-op, 22 London Road, Thatcham, West
Berkshire RG18 4LQ

The premises currently has the benefit of a Premises Licence number 013776. The purpose of this application is to vary the hours when licensable activities may take place from Mon-Sun from 08:00 – 23:00 to 05:00 – 00:00. In all other respects the licence remains the same. Conditions will apply.

Anyone wishing to make a representation to this application may do so by **Wednesday 13 March 2013**.

A record of the application made to the Licensing Authority will be kept on a register at the address given below and the register may be inspected during normal office hours.

All representations regarding this application **MUST BE IN WRITING** and sent to:

West Berkshire District Council
Public Protection
Council Offices
Market Street
Newbury
Berkshire RG14 5LD

Or

www.westberks.gov.uk

It is an offence knowingly or recklessly to make a false statement in connection with an application and is subject to a maximum fine of £5000 on summary conviction for the offence.

Ward Hadaway

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Agenda Item 3

West Berkshire District Council

Property and Public Protection, Environmental Health & Licensing, Council Offices, Market Street, Newbury, Berkshire RG14 5LD
Tel: (01635) 519209 Fax (01635) 519172

Licensing Act 2003 Premises Licence Summary

Uniform Ref: 11/01722/LQN

Premises licence number	013776
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Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Co-op
22 London Road, Thatcham, West Berkshire, RG18 4LQ

Licensable activities authorised by the licence

Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Late Night Refreshment

Monday to Sunday From 23:00 to 05:00

Indoors and Outdoors

Further Details: Late night refreshment may be provided at the premises for consumption on or off the premises. When the shop doors are locked, service of late night refreshment will be through the night pay window. Late night refreshment will be in the form of hot drinks and/or hot snacks such as, but not exclusively, coffee, tea, hot filled baguettes and other bakery items.

Supply of Alcohol

Monday to Sunday From 08:00 to 23:00

Off the premises

Non standard timings: The applicant may elect not to open the store 24 hours but reserves the right to do so subject to statutory or operational restrictions.

The opening hours of the premises

Monday to Sunday From 00:01 to 00:00

Non standard timings: The applicant may elect not to open the store 24 hours but reserves the right to do so subject to statutory or operational restrictions.

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

OFF Sales

Name, (registered) address of holder of premises licence

Somerfield Stores Limited
1 Angel Square, Manchester, M60 0AG

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

623166

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Ms Carol Anne Brown

Date: 03rd December 2012

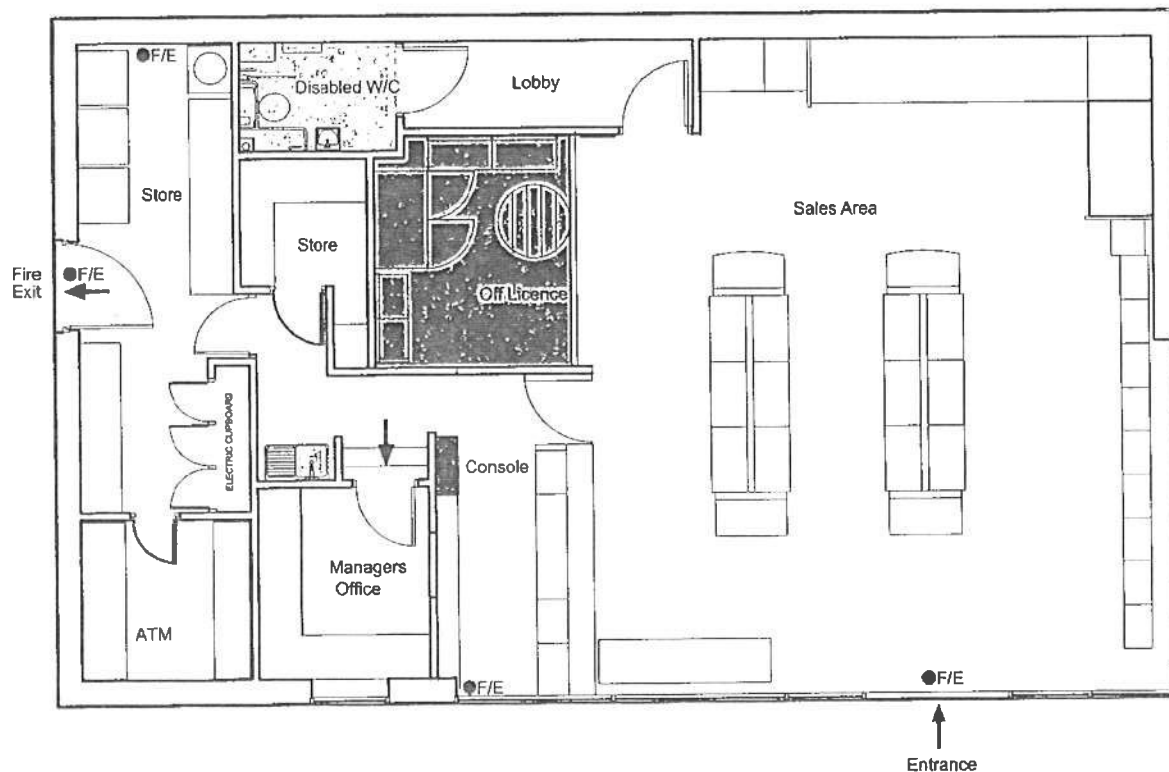
Signed:

Brian Leahy
Authorised Officer

Licence granted 07/04/2006
DPS Variation 03/04/2007
DPS Variation 06/08/2007
DPS Variation 14/09/2009
Change of name 10/12/2009
DPS Variation 05/10/2011
Change of Registered Office Address 19/11/2012

LEGEND

- F/E ● Fire Equipment
-  Kitchen Area
-  Off Licence
-  Raised Area/ Steps
-  W/C Areas



rev	description of revision	drapped	date



TEXACO

TEXACO LTD

1 WESTFERRY CIRCUS CANARY WHARF
LONDON E14 4HA
tel: 0207-719-3000 fax: 0207-719-5104

Location:
THATCHAM
22 LONDON ROAD
THATCHAM, BERKSHIRE

drawing title:
**OFF LICENCE
LICENCE PLAN**

drawing status: A4

scale 1:100 site no: 251102

by: 08 drawing no: rev.

date: MAY 2005 0590/75/OFF #

Agenda Item 4

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Licence Application Agenda Item 5

Inspector/NHPT	Inspector McKeown
Licensing Officer	Mike King

Application Type	New	Major Variation	Review
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Date Received	14 th February 2013	Date Due	14 th March 2013
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Premises	Co-operative						
Address	22 London Road, Thatcham, West Berkshire						
Category of Premises	A	B	C				
Licensable Activities	The Sale of Alcohol by Retail						
	The Supply of Alcohol in Club Premises						
	The Provision of Regulated Entertainment						
Finish Times	The Provision of Late Night Refreshment						
	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight
Content of Application:							
<p>The application seeks to: Retail alcohol between 05.00 and Midnight seven days a week. Provide Late Night Refreshment between 23.00 and 05.00 seven days a week.</p>							
Licensing Officer's Comments:							
<p>Thames Valley Police wish to make a representation against the application as it deems a 05.00 start time for alcohol is too early and request that a 08.00 start time for the sale of alcohol is more appropriate. In addition there is a problem with anti-social behaviour in the area in which the premise is situated which could be exacerbated if alcohol was available at such an early hour.</p>							
NHPT Comments:							
<p>Neighbourhood Inspector concurs.</p>							

NHPT

Signature:..... Date 22 02 2013

*No signature is required if responding by email, as there will be an electronic trail

Due to the timescales involved, if no reply has been received before the end of the consultation period, the Licensing Office will deal with the application based upon the initial licensing officer's comments. Every attempt will be made to ensure that the local inspector and NHPT are aware of the application.

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From: Linda Adams [mailto:linda.adams@thatchamtowncouncil.gov.uk]
Sent: 01 March 2013 15:56
To: Sharon Gavin
Cc: Elaine Hare; chris watts
Subject: FW: Co-operative, 22 London Road, Thatcham, RG18 4LQ

Dear Ms Gavin,

The above application was considered by this Council's Planning & Environment Committee on 28th February 2013 and members resolved that objection be raised as the proposal was likely to result in increased noise and disturbance on occupiers of nearby residential properties from anti-social behaviour.

Kind regards,

Linda Adams
Administrative Officer
Thatcham Town Council

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