

LICENSING SUB – COMMITTEE

21 March 2013

Report of the Head of Legal Services

Contact Officer: John Myall. Tel No: 01962 848443

Application: New Premises Licence

Premises: Domino's Pizza, 49 Upper Brook Street, Winchester

Part A. Report *Buff*

- 1 Application**
- 2 Responsible Authorities**
- 3 Interested Parties**
- 4 Observations**
- 5 Conditions**
- 6 Other Considerations**

Part B. Appendices

- | | |
|---|--------------|
| Appendix 1 Application | <i>White</i> |
| Appendix 2 Representations Other Persons | <i>Cream</i> |
| Appendix 3 Other Appendices | <i>White</i> |

Part A.**1. Application****Applicant:** Solent Pizza Delivery Limited**Premises:** Domino's Pizza, 49 Upper Brook Street, Winchester

- 1.1 This is an application made under Section 17 of the Licensing Act 2003 for a premises licence for Domino's Pizza, 49 Upper Brook Street, Winchester.
- 1.2 The purpose of the application is to supply late night refreshments from 2300 to 0500 every day.
- 1.3 The intention is to operate a take away service until 0100, and then a delivery service only from 0100 to 0500.
- 1.4 This premises previously had the benefit of a premises licence to allow such activities, however, owing to the premises licence holder's company being dissolved, the licence lapsed.
- 1.5 All of the responsible authorities received a copy of the application. No representations were received from them.
- 1.6 Notice of the application was displayed outside of the premises for a period of 28 days until 21 February 2013, and advertised in the Hampshire Observer on 30 January 2013.
- 1.7 Representations were received from five other persons.
- 1.8 These representations were mainly relating to public nuisance, but some covered the other licensing objectives.
- 1.9 The Operating Schedule, copied at Appendix 1, proposes the Relevant Licensable Activities.

Relevant Representations

2. Responsible Authorities

All of the Responsible Authorities have been served with a copy of the application. The representations received are as follows:

Head of Environment

No representations received.

Hampshire Constabulary

No representations received.

Hampshire Fire and Rescue Service

No representations received.

Child Protection Team

No representations received.

Head of Building Control

No representations received.

Head of Safety Standards

No representations received.

Public Health Manager

No representations received.

Licensing Authority

No representations received.

3. Interested Parties

1	Ms	C	Nimmo	1 Merchants Place	Upper Brook Street
2	Mr & Mrs	N	Mirchandani	13 Parchment Street	
3	Mr & Mrs	R	Backhouse	14 Parchment Street	
4	Mr	W	Sclater	58 Parchment Street	
5	Mr & Mrs	R	Weller	61 & 63 Upper Brook Street	

4. Observations

The Sub-Committee is obliged to determine this application with a view to promoting the Licensing Objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

In making its decision, the Sub-Committee is also obliged to have regard to the National Guidance and the Council's Licensing Policy.

The Sub-Committee must have regard to all of the representations.

The Sub-Committee must take such of the following steps it considers necessary to promote the Licensing Objectives:

1. Grant the licence subject to conditions in accordance with the operating schedule (modified to such extent as the authority considers necessary for the promotion of the licensing objectives) and the mandatory conditions;
2. exclude from the scope of the licence any of the licensable activities to which the application relates;
3. refuse to specify a person in the licence as the premises supervisor;
4. reject the application.

Terminal hours

The Sub-Committee should take account of the National Guidance and the Council's Licensing Policy with regard to terminal hours and take such steps as it considers necessary to promote the Licensing Objectives.

(Licensing Policy Part 4, A8)

Licensing Objectives.

Crime and Disorder

The Sub-Committee should consider any necessary conditions to prevent crime and public disorder relating to the premises having regard to the operating schedule and the representations.

(Licensing Policy 1.6, 2.11, 2.17)

Public Safety

The Sub-Committee should consider any necessary conditions relating to public safety having regard to the operating schedule and the representations.
(Licensing Policy Part 4, B3, B4)

Public Nuisance

The Sub-Committee should consider any necessary conditions to prevent public nuisance caused by noise and light pollution from the premises having regard to the operating schedule and the representations.

(Licensing Policy Part 4, Section C)

Protection of Children

The Sub-Committee should consider any necessary conditions for the Protection of Children having regard to the operating schedule and the representations.

(Licensing Policy Part 4, D6, D7)

Human Rights

It is considered that Articles 6 (right to a fair trial) 8 (right to respect for private and family life) and Article 1 of the First Protocol (right to peaceable enjoyment of possessions) may be relevant. As there is a right of appeal to the Magistrates' Court, it is considered that there would be no infringement of Article 6. Article 8 is relevant, insofar as the nearby residents could claim that this right would be infringed by disturbance from customers. This should be balanced against the applicants' right to use of their premises under Article 1 of the First Protocol. Interference with these rights is permitted, where this interference is lawful, necessary in a democratic society, and proportionate. Likewise, the residents may argue that their rights under Article 1 of the First Protocol would be infringed. If conditions are imposed, there should be no interference with any convention rights. To the extent that any interference may occur, it would be justifiable in a democratic society, and proportionate.

5. Conditions

Mandatory Conditions

1. Where individuals are required on premises to carry out security activities, they must be licensed by the Security Industry Authority.

Possible Additional Conditions

If the application is granted, the Sub-Committee may wish to consider the following conditions to reflect the Operating Schedule, which mirror the previous licence:

Operating Hours

The hours the premises may be used the provision of late night refreshment shall be:

- (i) **Mondays to Sundays 2300 to 0100**
- (ii) **Mondays to Sundays 0100 to 0500 for Deliveries only**

The hours the premises may open for other than Licensable Activities shall be:

- (i) **Mondays to Sundays 1000 to 0100**

All Licensing Objectives

[Dealt with in relevant sections below].

Crime and Disorder

1. All staff shall be trained to monitor all trading areas and report any suspicious incidents, criminal activity or disorder.
2. A CCTV system shall be installed and maintained. Cameras shall cover both inside and outside of the premises.

Public Safety

None

Public Nuisance

1. Staff shall be given appropriate instructions and training to encourage customers to leave the premises quietly and not to loiter in the vicinity of the premises so as to minimize disturbance to local residents.

2. All doors and windows shall be kept closed after 2300 to prevent transmission of noise.
3. Delivery drivers shall be instructed to enter and leave their vehicles quietly and considerately, not to leave engines running, to park considerately and at all times to have in mind the residents of neighbouring properties.
4. The Northern section of Upper Brook Street shall not be used by delivery vehicles after 2300 on any day.

Protection of Children

None

6. Other Considerations

Corporate Strategy (Relevance To:)

This report covers issues which affect the principles of Active Communities and a Prosperous Economy.

Resource Implications

A licence fee of £190 has been received. It is anticipated that an appropriate level of officer attendance will be provided within the existing budget.

Appendices

1. Application by Solent Pizza Delivery Limited
2. Representations by Interested Parties
3. Map of premises location.

WINCHESTER CITY COUNCIL**Application for a premises licence to be granted
under the Licensing Act 2003****PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

I/We SOLENT PIZZA DELIVERY LIMITED apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
49 Upper Brook Street	
Post town	Post code
Winchester	SO23 8DG

Telephone number of premises (if any)

01962 890808

Non-domestic rateable value of premises

£ 12,500.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick ✓

- a) An individual or individuals* please complete section (A)
- b) a person other than an individual*
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales Please complete section (B)

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

Please tick ✓ yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharge by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

please tick ✓ yes

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

please tick

✓ Yes

Current postal
address
if different from
premises address

Post Town


Postcode

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS

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

Name	SOLENT PIZZA DELIVERY LIMITED
Address	CARNAC PLACE CAMS HALL ESTATE FAREHAM PO16 8UY
Registered number (where applicable)	02289394
Description of applicant (for example partnership, company, unincorporated association etc)	LIMITED COMPANY
Telephone number (if any)	
E-mail addresses (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
2	2	0	2	2	0	1	3

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

Day		Month		Year			

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

Please give a general description of the premises (please read guidance note 1)

Dominos Pizza Franchise - Late Hours Refreshment facility operating principally by delivery out to customer. The unit is situated in a small parade with at least other hot food outlet immediately adjacent to the main one-way system and central car parks.
Previously licensed under reference PREM424,

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

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 entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

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

D

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

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick [✓] (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for playing 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 entertainment 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			Please give further details here (please read guidance note 3)	Both	
Tue					
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 entertainment 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				Please give further details here (please read guidance note 3)	Outdoors
Tue			Both		
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 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					

Provision of facilities for making music			Please give a description of the facilities for making music you will be providing		
Standard days and timings (please read guidance note 6)			Will the facilities for making music be indoors or outdoors or both - please tick [✓] (please read guidance note 2).		
			Outdoors		
			Both		
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

J

Provision of facilities for dancing			Will the facilities for dancing be indoors or outdoors or both - please tick [✓] (please read guidance note 2)		
Standard days and timings (please read guidance note 6)			Indoors		
			Both		
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will this entertainment facility be indoors or outdoors or both - please tick [✓] (please read guidance note 2).	Indoors	
				Outdoors	
Mon				Both	
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or K (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within j or K at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

L

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	
Mon	23.00	05.00	Both		✓
Tue	23.00	05.00	Please give further details here (please read guidance note 3) As per previous Premises Licence PREM424: Monday to Sunday (inc) deliveries only (no public access) 01.00 until 05.00 on each day Deliveries from the front of the Premises only after 23.00 and otherwise in line with current planning conditions		
Wed	23.00	05.00			
Thur	23.00	05.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Fri	23.00	05.00			
Sat	23.00	05.00	Non-standard timings. Where you intend to use the premises for the provision of late night entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	23.00	05.00			

M

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	
Day	Start	Finish		Off the premises	
Mon			Both		
Tue			State any seasonal variations for the supply of alcohol (please read guidance note 4)		
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					

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

Name

Address

Postcode

Personal licence number (if known)

Issuing licensing authority (if known)

N

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)

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	10.00	01.00	Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list. (please read guidance note 5)
Tue	10.00	01.00	
Wed	10.00	01.00	
Thur	10.00	01.00	
Fri	10.00	01.00	
Sat	10.00	01.00	
Sun	10.00	01.00	

P

Describe the steps you intend to take in order to promote the four licensing objectives:

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

All steps taken to date in the conduct of these premises under PREM424 will be continued under the licence if re-granted. There are planning conditions in place to control deliveries to and from the premises and the use of the rear access.

Staff are well trained across all the Applicant's stores, including delivery drivers,. No mopeds are used for deliveries at any of the Applicant's stores.

b) The prevention of crime and disorder

All requirements of the Police to date have already been implemented at the premises. CCTV has been installed and is a system maintained by ADT. The locations of cameras which also cover outside the premises are shown on the updated plan.

c) Public safety

There has been no incident relative to public safety in the operation of the Premises to date and no particular issue is envisaged moving forward if the licence is re-granted

d) The prevention of public nuisance

The company takes its responsibilities within the neighbourhood very seriously and takes all steps to avoid undue nuisance including litter patrols in the vicinity of the store. The undertakings/conditions previously agreed in relation to minor variation reference 10/01199/LAPMV in relation to restrictions on the use of the Northern section of Upper Brook Street after 11.00pm are renewed in relation to this application. All current planning conditions will continue to apply - as referred to in Section L.

There has been only one substantive complaint regarding noise in 7 years of licensed trading at these premises and that matter was satisfactorily resolved so far as the Applicant is aware.

e) The protection of children from harm

The operation of a late hours refreshment facility supplying or delivering pizzas and associated comestibles is not of harm to children in terms referable to the Licensing Act 2003

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent you copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [AMOUNT], 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 or applicant's solicitor or other duly authorised agent. (See guidance note 11)
If signing on behalf of the applicant please state in what capacity.

Signature

Date 23/01/2013

Capacity

Solicitors for the Applicant

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

Signature

Date

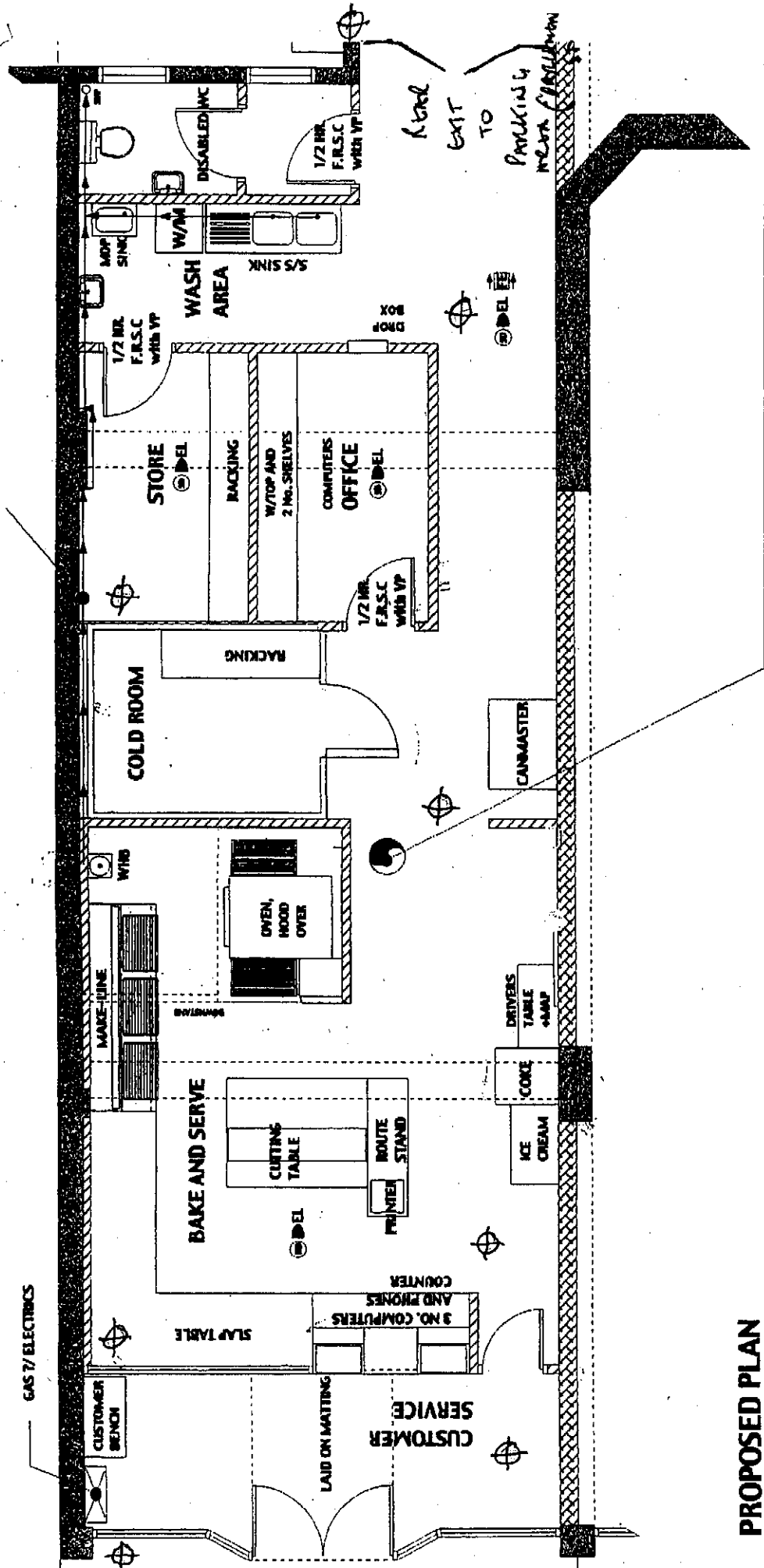
Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) ML LAW 146 Bournemouth Road Chandlers Ford Eastleigh	
Post town Eastleigh	Post code SO53 3AL
Telephone number (if any) 02380 600661	
If you would prefer us to correspond with you by e-mail put your e-mail address (optional) michael@mllaw.co.uk	

Notes for guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licencing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day ie Christmas Eve.
6. Please give timings in 24 hour clock (eg 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, 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.

PREM 4224



PAVEMENT ON 4'S UPPER BLOCK &

PROPOSED PLAN

⊕ CCTV

NOTES:

DOOR FASTENINGS: on fixed exit doors use simple fastenings which are easily operable from the inside; all as documented B1, section 5 (para 5.18-5.13)

FIRE EXIT SIGNS: to be in accordance with approved document B - clause 5.34
Fire exit signs with 'Thursing'

EMERGENCY LIGHTING:

1. as in accordance with BS 5266: Part 1 (in basements, each room should have an emergency light).

NEW PARTITIONS: To be timber or metal stud with 12.5 mm pbd. Both sides with Lubricated Acoustical Wool.

WASTE/DRAINAGE:

New 50mm Dia. PVC waste/ All traps to be deep seal (75mm) Thru-floor traps existing WC outlet modified to be a stub stack with an Air Admittance Valve. The Valve may be at the head of the run. Ridding access to be provided at every change of direction.

SCHEDULE OF FINISHES

FLOOR	WALLS	CEILING
- Lp - tile - Preq - tile - stone	- P - to s	-

John Myall

From: Crystyna Nimmo [REDACTED]
Sent: 19 February 2013 21:27
To: Licensing
Subject: RE: I object to the granting of the license that will allow this take-away to stay open till 5am in the morning.

Attachments: DSCF2242_2.JPG

Dear Mr Myall

Thank you for your reply to my objection and please see my replies in red.

I would also be grateful if you would confirm what 'conditions' are being envisaged for a new licence for this premises if it was to be granted, I would also appreciate a copy of the applicant's application, including its operating schedule.

Yours sincerely

C Nimmo

From: JMyall@WINCHESTER.GOV.UK [mailto:JMyall@WINCHESTER.GOV.UK] **On Behalf Of** licensing@WINCHESTER.GOV.UK

Sent: 19 February 2013 10:53

To: [REDACTED]

Subject: RE: I object to the granting of the license that will allow this take-away to stay open till 5am in the morning.

Dear Ms Nimmo

Thank you for your representation. Just to clarify, the shop is allowed to supply hot food or drink up to 2300 on any day without any licensing. This application is to allow the activities that they were already undertaking until very recently. The premises already had the benefit of a premises licence which allowed the supply of late night refreshment (hot food and drink between the hours of 2300 and 0500). However, owing to an administrative error, the premises licence lapsed. Therefore this application is to restore what was already in place. *Many residents believe that the license should never have been granted in the first place; the fact that the licence has now lapsed is an ideal opportunity to put right a wrong, which is why I am writing to object to the granting of this license.*

Furthermore, the planning consent requires deliveries to be made from the front of the premises after 2300 so no noise nuisance should be caused at the rear of the premises. It is worthy of note that there no complaints since the extra hours were added in June 2011. *The noise nuisance referred to in my email was clearly in Upper Brook Street which is at the front of the premises not the rear.*

Thank you for attaching the photograph, however it looks as if that is a bin bag which has been burst and scattered. Unless there is evidence to prove that it was caused by Dominos providing late night refreshment, it is not relevant to the application. *The attached photograph was just one of many, I have now replaced it with a photograph which relates directly to Dominò Pizza and the safety aspect of this objection.*

Relevant representations will be forwarded to the applicant to enable them to respond and will form part of a public document, which includes names and addresses. The document will also be published on the Council's website. If you do not wish your details to appear, your representation cannot be considered. Please let me know as soon as

07/03/2013

possible if you do **not** wish your details to be published (**telephone numbers and email addresses will not be published**). In order for your representation to be valid you will need to provide your address. *My address is No1 Merchants Place, Upper Brook Street.*

Relevant representations relate to one or more of the four licensing objectives, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. They should also relate to matters that are within the control of the licence holder. *My email listed why all four of these objectives will be compromised by the granting of this license.*

When relevant representations are received for an application, the authority must hold a hearing to determine the application by the Licensing Sub Committee. The hearing will be held at Winchester Guildhall on a date to be arranged.

Any party making a relevant representation will be invited to the hearing and, subject to the return of a hearing notice, may address the Licensing Sub Committee. Oral representations must relate to the written representation. No new evidence may be introduced at the hearing. If you wish to continue with your representation, I will send you a notice of hearing in due course.

You may wish to look at <http://www.homeoffice.gov.uk/drugs/alcohol/alcohol-licences/community-involvement/> which gives some guidance for interested parties.

If the licence is granted, it is likely to contain conditions to address the licensing objectives.

If you have any queries, please contact this office.

Yours sincerely

Kind regards
John Myall MLO. ABII
Licensing Manager
Winchester City Council
City Offices
Colebrook Street
Winchester
SO23 9LJ

T 01962 848 443
F 01962 848 365



The City of Winchester

From: Crystyna Nimmo [redacted]
Sent: 18 February 2013 18:38
To: Licensing

07/03/2013

Subject: I object to the granting of the license that will allow this take-away to stay open till 5am in the morning.

Dear Sir/Madam

I object to the granting of the license that will allow this take-away to stay open till 5am in the morning.

According to the wording on your form: *'only written representations that relate to one or more of the four licensing*

objectives can be considered.

The licensing objectives are:

The prevention of crime and disorder,

Public safety,

The prevention of public nuisance,

The protection of children from harm'.

I will endeavour to show that all four of these objectives will be compromised by the granting of this license.

The fact that this license application states that the period from 1am to 5am is for 'deliveries' only and that there are no 'counter' sales is irrelevant for two reasons, both of which constitute a **public nuisance**; firstly the 'deliveries only' rule has already been flouted by customers who have been using nearby houses as places to deliver to, and secondly the associated noise not only of the shop itself but of the delivery vehicles driving through Upper Brook Street creates a **public nuisance** this is due to the fact that this street is a quiet residential street with small terraced houses which have front doors opening directly onto a narrow pavement and narrow, single track road with sleeping policemen.

Having a late night/early morning take-away at this location attracts groups of late night revellers who have already spent several hours in town and are usually a little worse for wear, as a resident I know from experience that this situation often ends with fighting, and with a take-away open till 1am for counter sales and 5am for 'home' deliveries, this will ignite an already delicate situation, creating an environment where **crime and disorder** become an issue in a quiet residential street.

Public safety would obviously be compromised as this take-away is on a hazardous corner, crossing the road here is always fraught with danger as so many people don't bother to look the check if a car is turning right into Upper Brook Street, this is made worse later in the evening due to the reasons previously mentioned. Both **Public safety, public nuisance and protection of children** are also compromised due to the establishment flouting the law vehicles parking illegally and by the amount of litter and food waste left in the vicinity.

Kind regards
C Nimmo

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John Myall

From: Nick Mirchandani [REDACTED]
Sent: 21 February 2013 22:06
To: Licensing
Subject: Dominos Pizza licensing application

Dear Sirs

We write to object formally to what we understanding is a current application to extend the opening hours of Dominos Pizza in Upper Brook Street until 5:00 am in the morning. As you will know, this is the latest in a series of applications, incrementally seeking to extend the approved opening hours. In our opinion such extended opening hours are entirely inappropriate in this location at the very edge of the central commercial zone. Both Upper Brook Street and Parchment Street (onto which Dominos Pizza deliveries emerge) are primarily residential and accommodate many families with young children for whom late night noise and nuisance are a particular issue.

We trust that you will therefore find this application unacceptable.

Yours faithfully

Nick and Sophia Mirchandani (█ Parchment Street)

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My wife and I wish to record our
opposition to any extension of the licence
to DOMINO PIZZA trading as Silent Pizza
Delivery, LTD.

This is not a service which is needed
in the residential heart of this city in the
early hours of the morning. The operators
are noisy and intrusive and as residents we
have found the company to be unconcerned
about the residents. Extended noise
throughout the night is unacceptable.
The enforcement of any breach is momentary
and insignificant.

Mr and Mrs R Backhouse

█ Parchment Street Winchester SO23 8BA

█
Fao John Myall, Winchester City Council licensing

Dear John

Re Dominos licence application

I understand from Christine Nimmo, a fellow member of the Upper Brook Street and Parchment Street Brook Street, that you have confirmed in a email over the last 2 days or so that her nuisance related objection to the above application is valid.

I also understand that in your 20 February 2013 email to her that you have said that the conditions that would be proposed for this licence by making by the licensing hearing (or with the agreement of the applicant) are:

- All staff shall be trained to monitor all trading areas and report any suspicious incidents, criminal activity or disorder.

- Staff shall be given appropriate instructions and training to encourage customers to leave the premises quietly and not to loiter in the vicinity of the premises so as to minimize disturbance to local residents.

- All doors and windows shall be kept closed after 2300 to prevent transmission of noise.

- Delivery drivers shall be instructed to enter and leave their vehicles quietly and considerately, not to leave engines running, to park considerately, and at all times to have in mind the residents of neighbouring properties.

- Delivery vehicles shall not be driven along the Northern part of Upper Brook Street after 2300.

I would also be grateful if you could confirm that other proposed conditions will be:

- (i) the conditions referred to in the June 2011 planning permission for this premises (ie reference 10/02996) and so that the license conditions are no less extensive than the planning permission conditions.

As we also know the licence was granted in 2010 (ie extended to the hours it was covering before the recent licence lapse) under the minor variations procedure (and so with the 10 days notice in a white piece of paper the window that no-one spotted and so there were no objections to justify further conditions).

As can also be seen from the planning officer's report for the June 2011 planning permission, this extended licence made the planning committee feel that they had no choice but to grant that 2011 planning permission.

Thus there is justification, together with the relevant objections you are receiving, for these further conditions tying in with that June 2011 planning permission.

I also note that 1.5 in the latest version of the Home Office guidance under Section 182 of the Licensing Act 2003 states that protecting the public and local residents from crime, anti-social behaviour and noise nuisance is a key objective of the licensing regime. Paragraph 2.33 in the Winchester City Council January 2011 Licensing Policy also states that stricter condition relating to noise control will be imposed in areas of denser residential accommodation.

- (ii) conditions for the installation and maintaining of CCTV to keep records on behaviour of customers (including ones getting into fights and causing nuisance) at/outside the premises. I see that this is justified both by the objections received (including those flagged up by Christina), and para 2.9 in the Home Office guidance. Also the CCTV paragraph on page 36 of the Winchester City Council January 2011 Licensing Policy.
- (iii) conditions in relation to the plant and machinery at the rear of the premises and to reduce their noise and odour.

Dominos has noisy fans at the back of the Dominos premises that abut residential properties and cause a noise nuisance (and also an odour nuisance. I can vouch for that being from a property near the back of the Dominos premises. Paragraph 1 on page 26 of the Winchester City Council January 2011 Licensing Policy states that conditions for switching off of fans etc after 11pm are reasonable.

Ditto (and following the noxious smells paragraph on page 47 of the Policy) conditions ensuring that the noxious smells from the premises are not permitted and the premises is properly vented.

As part of all this Dominos should be required through licence conditions (and as other operators in the vicinity including McDonalds) have done to replace their noisy ineffective ventilation plant with new quieter decent carbon filter systems.

I also see that C5 on page 25 of that Policy states that the applicant has to show that they are good neighbours to local residents. Not sure how as things stand that the applicant can show this. Ditto the requirement under page 46 of the Policy (under the Proximity to Residential Premises) section for the application to describe the location of the premises in relation to nearby residential premises and to assess the impact on these premises and appropriate mitigation/avoidance measures.

A whole raft of extensive noise nuisance related conditions (and including the few that you are currently referring to) are also justified by point e and f on page 27 of the Licensing Policy, and in the noise and vibration section of pages 47 and 47 of the Licensing Policy.

Ditto for instance paragraph 2.19 in the Licensing Policy and its reminder of the need to be very aware of the cumulative impact of licensed premises and its knock on in terms of nuisance and disorder.

Of course this Dominos premises is very near the Porthouse nightclub (and which although it is currently closed may well reopen again in the near future). If the Porthouse nightclub was never to reopen this is also a justification for the further conditions ie a late night use being even less appropriate for the area.

McDonalds, who are a few hundred metres away and away from any residential properties acknowledged in their application at the end of last year to vary their planning permission to be able to open at 6am rather than 7am stated in their noise assessment report (copy attached) that they did not want to be able to extend their opening hours after 12am because any opening after that encouraged anti social behaviour, and noise nuisance.

It is also telling that McDonalds, although they have planning permission to open to midnight, have not applied for a late night refreshments licence to open beyond 11pm. They acknowledge, and as this noise assessment report also shows, that opening beyond 11pm causes significant nuisance issues for the vicinity and not least the residents in the area.

As you will I am sure also know this licence for delivery through to 5am (and granted in 2010 as we know under the minor variations route and following nobody seeing the 10 days white notice and thus leaving your hands tied on that and in turn making the planning committee thinking they had no choice but to grant the 2011 planning permission) is by far the latest takeaway use in Winchester. As we know there are some 2am/3am closing times up on Andover Road/Stockbridge Road but nowhere near the 5am time here and of course those Andover Road/Stockbridge Road locations are not located very near densely populated residential areas like the Dominos location.

- (iv) further to the objections received and the above point, conditions reducing the hours of operation for this licensed premises.

As can also be seen from Dominos marketing material for this premises (ie the flyers they put through the doors) they are not in fact making deliveries after 3am.

Why do they need permission to deliver to 5am? One can see that point g on page 27 and 28 of the Licensing Policy gives the Council the power to reduce the licensed hours.

You will also see from the addendum to the agenda for the June 2011 planning officer's report that the Council acknowledges that the applicant has been in breach of conditions in the licence including only deliveries to recognised dwellings from the premises after 1am.

These breaches, as that report was acknowledging included delivering to customers waiting outside the premises and in doorways of the residential properties on Upper Brook Street. This I understand still goes on and as I understand Christina has relayed to you in an email.

That planning officer's report also acknowledged that there had been very extensive objection to the use permitted by the licence changed in 2010 and to the extensive nuisance it had caused.

There has also been a fairly recent petition signed (and back from memory towards the end of last year) about ongoing Dominos nuisance by a large number of houses in Upper Brook Street.

The Dominos premises and its use (including not least being open to 1am and deliveries after 1am) creates extensive litter and noise nuisance, and as Christina has reminded leads to fights between customers in the early hours.

Its customers wait around doorways and just outside residential properties on Upper Brook Street.

Council records will show that as an illustration of that problem last Summer the Council tried to stop, by making the surfaces less comfortable, Dominos customers sitting on the edge of raised flower beds in Upper Brook Street in the early hours of the morning.

- (vi) there will be conditions proposed to deal with the regular collection of litter from outside the premises and the vicinity and the placing of proper quite waste receptacles outside the premises.

There is a clear waste issue outside the premises caused by Dominos and which is causing a significant nuisance. Christina has as we know given further details on this.

Your fellow licensing officers in for instance London boroughs including Wandsworth/Putney (and with all their takeaway premises) will also be able to confirm that such waste related provisions are imposed as a matter of course on licence. One can see this from a google search of licence applications and the reports from the licensing officers it thing brings up.

One can also see that such conditions are justified by for instance the second bullet point on page 47 of the Licensing Policy.

- (v) further to an email from Dominos to some local residents on 24 January 2011 (copy attached and of course well after the licence variation in 2010) they said that as a recognition of the need not to disturb local residents they would not use the rear parking spaces (ie the Parchment Street) after 6pm, and would not use Parchment Street or Upper Brook Street after 11pm.

They also stated that this was because they did not want to cause inconvenience to the neighbours.

I am conscious that there is the condition in the 2011 planning permission that the rear of the premises (ie the Parchment Street) will not be used for deliveries after 9pm.

However there is no condition in that planning permission stopping the use of Parchment Street or Upper Brook Street after 11pm. I see that you are now proposing a condition for Upper Brook Street. There should be the same for Parchment Street (and in addition of course to the condition re the 9pm point (ie not using the rear of the premises after 9pm). Also a condition saying that Dominos will not use the rear for parking after 6pm. You have back up for these conditions because Dominos are in fact agreeing this.

As the above also shows (and further also to all the points made about existing nuisance/anti-social behaviour etc being created by Dominos use of the premises and not least after 11pm and following on from their 2010 licence they are seeking to renew), I object to this licence application.

I do hope that you will come back with positive confirmation on the above referred conditions, that Dominos will also agree these, and we can then find a way of resolving these matters. As ever the residents committee would be very happy to meet with Dominos. We can see that this is encouraged by paragraphs 2.5 and 2.6 in the Licensing Policy.

Kind regards

Yours sincerely


William Sclater

From Mr W Sclater

AOL Read

<http://mail.aol.com/33124-111/aol-1/en-us/mail/DisplayMessage...>

Reply Forward IM Action Delete Spam

Dominos Pizza Winchester

From: Charlotte Parker <[redacted]>

To: [redacted]

Add to: To Do, Cc

Cc: 'Tracey Matthews' <[redacted]>

Date: Mon, Jan 24, 2011 10:59 am

Dear Mr. Backhouse

Thank you very much for bringing your concerns to my attention. Firstly let me apologise for any inconvenience caused to you. We have two spaces attached to our location for use, however since the granting of our new opening hours, we have asked that the staff members do not use these spaces after 6pm. I am sorry that this has not been the case and the management team have been reminded this weekend. We have also told the staff that after 11pm neither Parchment Street and Upper Brook Street should be used for exactly the reasons you have stated in your email. We have no wish to cause any inconvenience to our neighbours and up until this time have had a good relationship.

I hope that I can convince you that the practises you outline will cease and that ALL management and team members are aware that ANY activity that you have brought to my attention is against our company policy and any further action on their behalf against this will result in disciplinary action against them.

Yours sincerely

Charlotte Parker
[redacted]

John Myall

From: robert.weller@blackspider.com
Sent: 16 February 2013 12:11
To: Licensing
Subject: domino pizza

Follow Up Flag: Follow up
Flag Status: Red

Dear Sirs,

It has been brought to our notice that Domino Pizza have applied for an extension of their trading licence to be extended to 3.00am. When the shop opened we were assured that trading would cease at 12 midnight. There are real people who live in the city centre and we should be entitled to some peace and quiet after this time. These people also have a vote and if asked they would all be opposed to disturbance continuing after this time. Apart from noise there would be the certainty of increased litter and anti-social behaviour, since some customers of take-away food are also customers of pubs and clubs. .

There is also an increase in cars exiting the car park from the entrance gate despite the 'No Exit' sign. It is only a matter of time before there is an accident - possibly fatal!! The legal ramifications of such an occurrence could be extremely serious for the local authority. Lastly to encourage eating of junk food in middle of the night would be against government policies regarding obesity and its cost to the NHS.

We would also remind the licensing authority that the inner city residents have a vote! The reputation of the Condem coalition is fragile to say the least, and this may well be reflected in the local elections. It is the duty of our council representatives to take the wisest decisions for us all, and allowing late night food outlets near council-tax paying residents is not wise? We have no problem with responsible trading within reasonable hours, but this idea is anti-social, anti-environmental and unhealthy!!!

Robert and Valerie Weller and Upper Brook Street 16t February 2013

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From: [REDACTED]
Sent: 12 March 2013 10:54
To: Licensing; John Myall
Subject: Fwd: 49 Upper Brook Street- Dominos-21 March 2013 hearing
Attachments: 0549_001.pdf; 0548_001.pdf.pdf; petition_001.pdf.pdf; 0551_001.pdf; photo.JPG.JPG

John/your colleague dealing with this whilst you are away this week

Re 49 Upper Brook Street- Dominos- 21 March 2013 licensing committee hearing

Following on from my 21 February 2013 objection letter (and its covering email) re this Dominos licence application and your 22 February 2013 letter, I have attached a copy of:

- (i) a petition signed last year by various residents on Upper Brook Street and with its specific mention of the noise being caused by the opening hours to 1am and deliveries after 1am being caused by Dominos (ie the hours that Dominos are seeking to get re- permitted by this licence application).

I mentioned this petition in point (v) of my 21 February 2013 letter

This petition, and also the works to the raised flower beds by the Council last year (and in response to a raft of complaints last year about noise nuisance from late night customers of Dominos), means that you cannot say in your 22 February 2013 letter there have not been complaints about the noise etc nuisance of Dominos since it was granted planning permission for such use in June 2011 (and following on from it being granted a licence for such use on the 10 days notice minor variations route in 2010).

- (ii) a flyer that has just come through from Dominos with its confirmation of deliveries through to 3am (and as opposed to 5am) – point (iv) in my 21 February 2013 letter refers to these- as that point (iv) said why does Dominos need to be able to deliver to 5am when their deliveries stop at 3am?
- (iii) A report from the Wandsworth Council licensing officer for a licensing committee hearing last year. This illustrates typical/reasonable conditions that can be imposed in relation to litter ie see point (i) (a) on its page 5. Also typical/reasonable conditions re notices to be displayed to remind departing patrons to respect the needs of local residents and to leave the premises and area quietly ie condition (i) (d) on page 5. In addition a typical/reasonable condition about the premises keeping a record of complaints made ie condition (i) (c) on page 5.

All of those conditions can easily be justified here.

Ditto a CCTV system (and point (i) (a) to (c) on page 4 of that Wandsworth Council report gives a typical/reasonable condition for that).

If, as you say in your 22 February 2013 letter Dominos have a CCTV system in any event what is unreasonable about there being a condition tying in with this.

As we know with the recent Bodega licence on 11a Parchment Street there was also a condition for CCTV imposed there and with its far less extensive opening hours than Dominos and with the Dominos site also being near a nightclub and more prone to disorder issues.

I mentioned this Wandsworth Council report (and as an illustration of how Wandsworth Council deal with these kinds of licensing applications and being a council having to deal with a whole raft of takeaway/late night) in point (vi) of my 21 February 2013 letter.

- (iv) As a further illustration of the Council work last year to raised flower beds in Upper Brook Street to seek to

stop people eating their Dominos there late at night (and in turn the noise nuisance that was causing for the Upper Brook Street residents and the acknowledgment of the Council of this), I have attached a photo of one of those raised flower beds taken with the last week or so showing this work of the Council last year.

Namely the putting in of pointed brickwork to seek to stop people sitting on these.

I of course mentioned all of this in the final paragraph of point (v) of my 21 February 2013 letter.

- (v) In relation to the support for a condition in the licence re noise/odour etc from the extraction fans at the rear of the Dominos premises which I mentioned in point (iii) of my 21 February 2013 letter, I have attached a circled copy of the relevant parts of para 1 on page 26 of the Winchester City Council January 2011 Licensing Policy and para on page 47 of that Policy which I mentioned in point (iii) of that 21 February 2013 letter.

Enquiries of Dave Ingram of Winchester City Council Environmental Health will also reveal that they have acknowledged nuisance issues of that Dominos ventilation (and including in relation to odour nuisance).

As the planning permission for Dominos (ie dating back to 2000 and at subsequent stages the hours have been extended) it predates the 2005 and 2010 DEFRA guidance re ventilation/extraction for fast food (and consequent planning conditions) and so it has not been dealt with on the planning permission.

All of this is further support for a consequent condition on the licence.

I would be very grateful if this email today (in addition of course to my 21 February 2013 letter which you will have annexed to that report) could be annexed to and referred to in the report for the 21 March 2013 meeting. As the above shows the above points were all touched upon in any event in my 21 February 2013 letter. The above points also follow on from a response received from you in your 22 February 2013 letter to my 21 February 2013 letter. Provisions such as para 10(15) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and caselaw such as the House of Lords case Belfast City Council v Miss Behavin Ltd 2007 also give support for this annexing to/reference to in the report of my email today .

Regards

William

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PETITION

We have created this new association, Parchment- Brooks Residents' Association, to challenge the recent influx of fast food chains into Upper Brook Street (and the extension of Dominos' opening hours and delivery times) and the nuisance and harm to us and our properties they are creating.

This influx and extension of opening hours has resulted in EXCESSIVE NOISE, OFFENSIVE SMELLS (FROM COOKING FUMES), UNRULY BEHAVIOUR AND LITTER IN OUR STREETS AND PROPERTIES' ENTRANCES. IT IS WAKING US UP AND CAUSING A GREAT DEAL OF STRESS AND UPSET.

We, the undersigned, petition the City Council and the building's owners (Mrs Lesley Cranham and her brother Roger Keith) to put a stop to this nuisance, not to allow any other fast food chain into Upper Brook Street (including at the Just for Fun site) and to return the Streets to the quiet enjoyment we previously had.

PLEASE SIGN (AND PRINT YOUR NAME AND ADDRESS) BELOW:

Signature	Print name	Address
-----------	------------	---------

This petition was signed by
58 persons.

PLEASE BE AWARE THAT BY ORDERING DOMINATOR™ THROUGH THE ONLINE FORMATS PLEASE CONTACT 01908 890000 TO DISCUSS YOUR NEEDS. ALTERNATIVELY PLEASE CONTACT YOUR LOCAL STORE WHO WILL BE HAPPY TO TALK THROUGH YOUR REQUIREMENTS. PLEASE BE AWARE THAT DOMINATOR™ IS NOT AVAILABLE IN ALL AREAS. PLEASE CONTACT 01908 890000 FOR A FULL EXPLANATION OF THE SERVICE. PLEASE BE AWARE THAT DOMINATOR™ IS NOT AVAILABLE IN ALL AREAS. PLEASE CONTACT 01908 890000 FOR A FULL EXPLANATION OF THE SERVICE.

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49 Upper Brook Street, Winchester, Hampshire SO23 8DG



Our fresh dough crust. £3.00 to your pizza price.
 Add into our famous fresh dough crust. £2.50 to your pizza price.
 With a hint of garlic & herb, in our form Add £1.50 Large Add £2.50 to



Classic Crust •
 Our famous, fresh dough base.
Thin & Crispy •
 Our Thin & Crispy dough base. Medium & large only.



Dominator™ •
 A layer of cheese & herb sauce sandwiched between our Thin & Crispy and Classic Crust. Large only. Add £2.50 to your pizza price.
Double Decadence™ •
 A layer of cheese & herb sauce sandwiched between two Thin & Crispy bases. Medium Add £1.50 Large Add £2.50 to your pizza price.



Gluten Free •
 Our Gluten free base. Avoid toppings containing gluten. Available in small.

Personal 4 slices	Small 6 slices	Medium 8 slices	Large 10 slices
4.49	8.99	10.99	12.99
80p	1.05 per extra topping	1.20	1.30
5.99	10.99	13.99	15.99

3. Fancy a bit on the side?

Tasty Chicken
 Our delicious range of chicken is now available in larger portion sizes, perfect for sharing!

FRANK'S® RedHot® Wings ••
 chicken wings coated in FRANK'S® RedHot® Sauce
 7 served with 1 FRANK'S® RedHot® dip 7 for 4.75
 14 & 21 served with 1 FRANK'S® RedHot® dip 14 for 8.50
 and 1 garlic & herb dip 21 for 10.99

Chicken Strippers® •
 chicken breast goujons, coated in crispy breadcrumbs
 7 served with 1 bbq dip 7 for 4.75
 14 & 21 served with 1 bbq & 1 garlic & herb dips 14 for 8.50
 21 for 10.99


Chicken Kickers™ •
 pieces of chicken breast in a mildly spicy, crispy coating
 7 served with garlic & herb dip 7 for 4.75
 14 & 21 served with 2 garlic & herb dips 14 for 8.50
 21 for 10.99

Chicken Wings •
 slightly spiced chicken wings
 7 served with 1 FRANK'S® RedHot® dip 7 for 4.75
 14 & 21 served with 1 bbq & 1 garlic & herb dips 14 for 8.50
 21 for 10.99

Kickers Combo™ •
 a full portion of Chicken Kickers™ and potato wedges, served with garlic & herb and FRANK'S® RedHot® dips 6.49
 2 for 11.99

Strippers Combo™ •
 a full portion of Chicken Strippers™ and potato wedges, served with bbq and honey & mustard dips 6.49
 2 for 11.99

Sumptuous Sides



Twisted Dough Balls™ • *New flavour* 2.99
 5 fresh dough pizza rolls brushed with garlic oil, filled with cheese and a choice of pepperoni, jalapeño or cheese & herb sauce. 2 for 4.99

Garlic Pizza Bread • 3.49
 a 6" base topped with 100% mozzarella cheese & Domino's own tomato sauce. 2 for 5.99

Potato Wedges • 3.49
 served with bbq dip 2 for 5.99

Garlic Mozzarella Sticks • 4.49
 5 breaded mozzarella sticks with a garlic & herb coating, served with a garlic & herb dip 2 for 7.99

Coleslaw • 1.99
 200g tub 2 for 2.99

Dips • 45p
 bbq, garlic & herb, honey & mustard and FRANK'S® RedHot® dip 4 dips for £1.25

Wrangz

WANDSWORTH BOROUGH COUNCIL

LICENSING SUB-COMMITTEE – 15TH MAY 2012

Report by the Assistant Director of Environment and Community Services (Planning and Environmental Services - as Chief Licensing Officer) on an application under the Licensing Act 2003 for the variation of the Premises Licence held in respect of the premises known as La Mancha, 32 Putney High Street, SW15 (Thamesfield).

DETAILS OF APPLICATION

1.
 - (a) Applicant: Mr Salvatore Cricchio
32 Putney High Street
SW15
 - (b) Premises: La Mancha
32 Putney High Street
SW15
 - (c) Application for: Variation of a Premises Licence (a copy of the application has been provided to the Sub-Committee).
 - (d) Proposed licensable activity:
 - (i) To allow the provision of regulated entertainment (live music) and entertainment facilities (dancing) within the premises; and
 - (ii) To extend the hours for the sale by retail of alcohol (on sales) and the provision of late night refreshment on Friday and Saturday only.
 - (e) Proposed hours of all named licensable activities: The hours of operation are set out in the Appendix to this report.
 - (f) Other proposed hours: None.
 - (g) Location: The premises are situated on Putney High Street on the south side of Putney Bridge A map showing the location of the premises is included in the papers provided to the Sub-Committee.

VARIATION APPLICATION

2. The premises hold a Premises Licence for the sale of alcohol for consumption on and off the premises, the provision of recorded music and the provision of late night refreshment. A copy of the current licence is included in the papers provided to the committee.

La Mancha

3. The applicant has applied to vary the Licence:-
- (a) To allow the provision of live music and facilities for dancing between 20.00 and 23.00 Sunday to Thursday, 20.00 and 02.00 on the mornings following Friday and Saturday;
 - (b) To extend the terminal hour for the sale of alcohol for consumption on the premises from 23.00 to 02.00 on the mornings following Friday and Saturday; and
 - (c) To extend the hours for the provision of late night refreshment from 23.30 to 02.00 on the mornings following Friday and Saturday.
4. The existing and the proposed hours are set out in the Appendix to this report. The applicant has not sought any change to the currently unrestricted opening hours.

CONSULTATION.

5. The responsible authorities have been notified of the application. The applicant has advertised the application, as required, by way of a poster in the window and by advert in a local newspaper. In addition some 70 letters of consultation were delivered to local residents and businesses in the immediate vicinity of the premises. The Licensing Authority can only consider representations if they relate to the promotion of the four licensing objectives. The following relevant representations have been received:-

(a) Responsible Authorities

The Metropolitan Police raised a representation seeking additional conditions be added to the licence. These were accepted by the applicant and incorporated into their operating schedule.

(b) Interested Parties

There have been 2 representations made by interested parties regarding public nuisance and crime and disorder issues.

In terms of public nuisance:

- (i) Noise from the entertainment proposed at the premises especially late at night and when windows and doors are left open, especially during warm evenings.
- (ii) Noise from patrons congregating outside of the premises.
- (iii) Noise disturbance to the properties adjoining the premises on either side.
- (iv) Lack of provisions to contain noise within the premises especially to the glass fronted first floor elevation.
- (v) Increase of detritus in the area particularly cigarettes.

In terms of crime and disorder:

- (vi) The fear of anti-social behaviour associated with patrons congregating outside the neighbouring properties.

These representations relate to the prevention of crime and disorder and prevention of public nuisance licensing objectives.

Copies of all representations have been forwarded to the applicant and have been made available to the Sub-Committee.

POINTS OF CLARIFICATION

6. The Licensing Act 2003 (Hearings) Regulations 2005 requires that a notice of hearing be sent to the applicant and responsible authorities and interested parties who have made relevant representations. This must contain, amongst other matters, the points on which the authority considers that it will want clarification at the hearing. No points of clarification have been sought in respect of this application.

POLICY CONSIDERATIONS

7.

(a) Licensing Objectives

The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives:-

- (i) the prevention of crime and disorder;
- (ii) public safety;
- (iii) the prevention of public nuisance; and
- (iv) the protection of children from harm.

(b) Policy Statement

The Licensing Act 2003 required the Council to publish a "Statement of Licensing Policy" that set out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act.

The Council made a number of policy decisions in its Statement of Licensing Policy. The following policy decisions are relevant to this application:-

- (i) Part 2 Section 4, paragraph 4.5 - Licensing hours;
- (ii) Part 2 Section 7, paragraph 7.1 Mandatory conditions
- (iii) Part 2 Section 8 - Crime and Disorder;
- (iv) Part 2 Section 10 - Public Nuisance.

(c) Statutory Guidance

In exercising its function the Licensing Authority must have regard to the Government's Statutory National Guidance. The following sections are relevant to this application:-

- (i) Chapter 1 paragraphs 1.2 – 1.4, 1.15, 1.16, 1.17 – 1.19
- (ii) Chapter 2 paragraphs 2.1 – 2.16 and Annex D Part 1 (Crime and Disorder);
- (iii) Chapter 2 paragraphs 2.32 – 2.40 and Annex D Part 4 (Public nuisance);
- (iv) Chapter 10 – conditions attached to premises licences and club premises certificates and in particular paragraphs 10.1 – 10.18; 10.19 – 10.20 (hours of trading) and 10.43 – 10.77 mandatory conditions.

Copies of the Council's Statement of Licensing Policy and the Government's Statutory Guidance will be available at the Sub-Committee meeting.

La Mancha

COMMENTS

8. In making their decision in respect of the application, the Sub-Committee are obliged to have regard to Statutory Guidance and the Council's own Statement of Licensing Policy as well as to the representations made and the evidence heard. However, the Sub-Committee must disregard any objections that do not relate to the promotion of the four licensing objectives.

The Sub-Committee must take such of the following steps as they consider necessary for the promotion of the licensing objectives as set out in paragraph 7(a) above:-

- (a) Grant the application as requested; or
- (b) Modify the conditions of the licence, by altering or omitting or adding to them; or
- (c) Reject the whole or part of the application.

The Sub-Committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because they consider it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

CONDITIONS

9. If granted, the licence would be subject to the mandatory conditions laid down in the Licensing Act 2003, (this information will be available at the Sub-Committee meeting).

In applying for a licence, the applicant is required to complete an operating schedule. This describes the proposed additional steps that he intends to take in order to promote the four licensing objectives if the application is granted. These steps will become conditions if the application is granted. The committee does not have to reach a decision regarding the conditions drawn from the operating schedule as they will automatically be added if the licence is granted. They are shown for your information, as these conditions may relate to problems raised by public representations.

(a) Conditions arising from applicants Operating Schedule (not for decision by the Sub-Committee)

(i) The prevention of crime and disorder

- (a) That a closed-circuit television (CCTV) system shall be installed at the premises shall be maintained in effective working order.
- (b) All CCTV tapes/recordings shall be kept for a minimum of 31 days.
- (c) At all times the premises is open to the public a minimum of one member of staff on duty will be able to operate the CCTV system.

- (d) Drinks may not be taken from the premises in sealed or open containers after 23.00 hours.

(ii) The prevention of public nuisance

- (a) The premises shall maintain an arrangement with a mini-cab/taxis company with a view to providing a service directly to the premises. The premises shall encourage their customers to use this service wherever possible.

(iii) The protection of children from harm

- (a) Evidence of age in the form of a photo ID shall be requested from any person appearing to those selling or supplying alcohol to be under the age of 21 and who is attempting to buy alcohol.
- (b) Examples of appropriate ID include a passport, new style driving licence and the Proof of Age Standards Scheme (PASS) approved age cards.
- (c) Access of persons under the age of 16 shall not be permitted to the premises unless accompanied by a responsible adult

(b) Suggested conditions arising from relevant representations

In addition to the operating schedule conditions, the Sub-Committee may add further conditions, based on the representations received from the interested parties, where they are necessary to uphold the four licensing objectives.

If the Sub-Committee are minded to modify or add conditions to this licence, the following conditions could be considered:-

(i) The prevention of public nuisance

- (a) The Licensee shall arrange for suitable and effective clearance of all detritus such as cigarettes in the immediate vicinity of the premises upon closing.
- (b) That all windows remain closed at all times and that all doors remain closed except during access and egress whenever the premises are used for live music, and in any event, after 23.00 hours.
- (c) The licensee shall maintain and make available for inspection by the Environmental Services Department a log of all complaints received from local residents concerning the operation of the premises
- (d) Clear legible notices are to be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
- (e) Live music shall be restricted to the ground floor of the premises only.

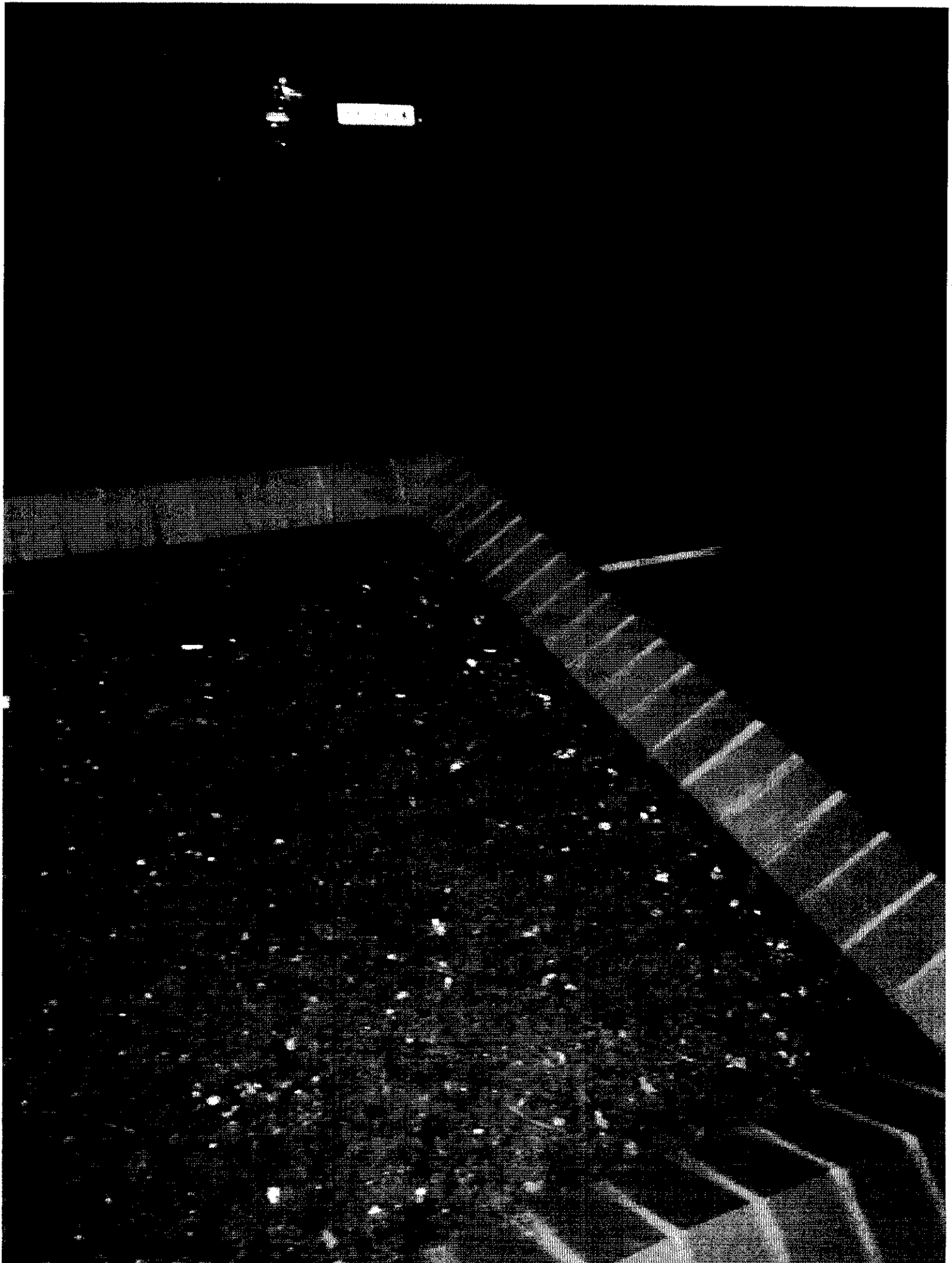
Reed House
Frogmore Complex
SW18

Seema Manchanda
Assistant Director of Environment and
Community Services (Planning and
Environmental Services - as Chief Licensing
Officer)

2nd May 2012

APPENDIX TO PAPER NO. 12-294

CURRENT LICENCE		PROPOSED LICENCE				
Day	Sale of Alcohol (on sales)	REGULATED ENTERTAINMENT Recorded Music	REGULATED ENTERTAINMENT Live Music	ENTERTAINMENT FACILITIES Dancing	Late night Refreshment	Opening hours
Sunday	12.00-22.30	19.00-22.30	20.00-23.00	20.00-23.00	No change	No restriction
Monday	10.00-23.00	10.00-23.00	20.00-23.00	20.00-23.00	No change	No restriction
Tuesday	10.00-23.00	10.00-23.00	20.00-23.00	20.00-23.00	No change	No restriction
Wednesday	10.00-23.00	10.00-23.00	20.00-23.00	20.00-23.00	No change	No restriction
Thursday	10.00-23.00	10.00-23.00	20.00-23.00	20.00-23.00	No change	No restriction
Friday	10.00-23.00	10.00-23.00	20.00-23.00	20.00-23.00	No change	No restriction
Saturday	10.00-23.00	10.00-23.00	20.00-23.00	20.00-23.00	No change	No restriction
Festive Variations Good Friday 12.00-22.30 Christmas Day 12.00-15.00 & 19.00-23.30 New Year's Eve From the end of authorized hours on New Year's Eve to the start of authorized hours on the following day.						



premises under worst-case conditions and identify suitable additional measures required to meet the inaudibility criteria.

where there is no issue with noise, or where the applicant proposes appropriate alternative measures, the Council will expect the applicant to identify any areas of sound leakage from the premises and include in the Operating Schedule measures for addressing any areas so identified, such as:

- Keeping doors and windows closed and providing adequate mechanical ventilation
- Reducing sound levels and installing a sound limiting device to prevent sound exceeding the appropriate level
- Installing soundproofing measures to contain sound and vibration

C.9 In all cases the Council will expect the applicant to propose practical steps as to how disturbance to local residents will be prevented and the following general issues should be covered in the operating schedule:

- The establishment of an appropriate noise assessment procedure
- The establishment of monitoring systems to demonstrate compliance with noise policies and with any specific noise restrictions
- The establishment of an internal communications procedure for dealing with noise issues
- The establishment of methods for logging and responding to noise complaints within appropriate time limits
- The provision of general advice and training on noise control to employees

Temporary Premises and Outdoor Festivals

C.10 For events of short duration at temporary venues, such as outdoor music festivals, where it is impractical to ensure compliance with such a condition, bespoke noise criteria may be specified to ensure the protection of residents from noise nuisance. Such conditions will be based on current relevant National and International noise guidelines. The applicant may be required to appoint an acoustic consultant to demonstrate that compliance with the noise criteria can be met.

Noise Controls (2) Plant and Machinery

- a. Fixed plant and machinery such as refrigeration equipment, air conditioning plant and cooking extraction systems, if not properly located, designed, constructed and maintained, can cause noise disturbance. The noise produced may not be a problem during the early evening but may cause disturbance to local residents later at night when they are trying to sleep, i.e. after 23:00. The total noise energy (LAeq), background noise (LA90) and tonal content of the noise are important. Premises which will be operating such plant and machinery should demonstrate in their Operating Schedules that airborne and structure-borne noise produced will not cause disturbance to local residents and this could include measures such as switching off fans and ventilation not required for public areas at 23:00.

Reason

The licensable activities represent a potential at some venues for enhanced noise levels. Conditions specifically designed to reduce the nuisance that such events may cause to others are therefore required.

- The use of explosives, pyrotechnics and fireworks of a similar nature, which could cause a disturbance in surrounding area are restricted.
- The placing of refuse - such as bottles - into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.

6. Noxious smells

In certain premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration might be given to conditions that ensure that:

- Noxious smells from licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.

7. Light pollution

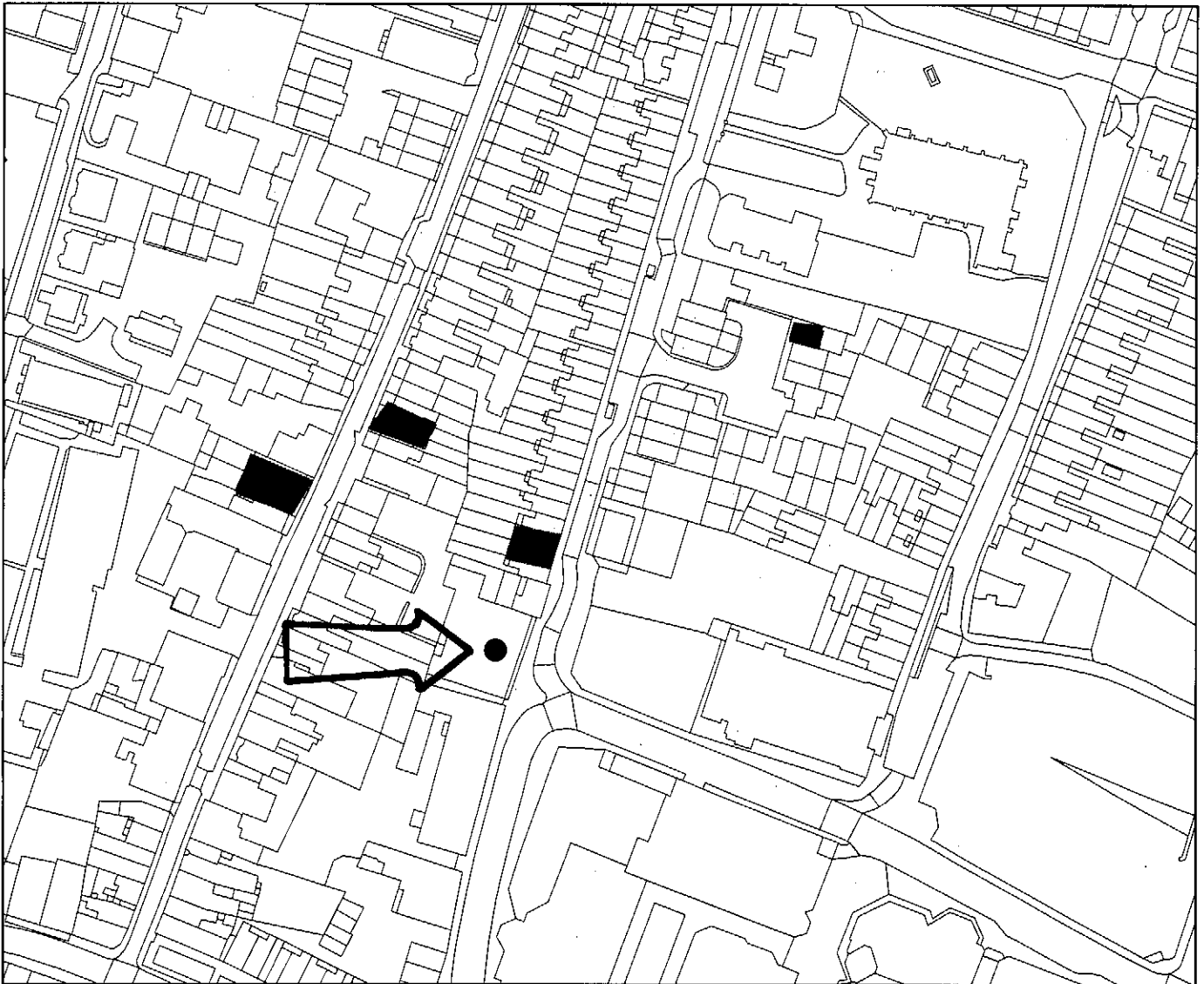
Flashing or particularly bright lights on or outside licensed premises should not cause a nuisance to nearby properties. Any such condition needs to be balanced against the benefits to the prevention of crime and disorder of bright lighting in certain places.

Appendix 3

Domino's Pizza

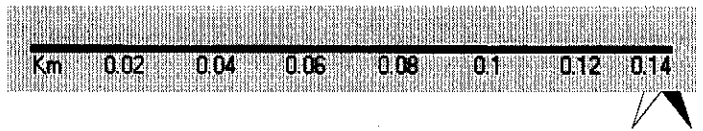


Winchester
City Council



Legend

Scale:



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Organisation	Winchester City Council
Department	Head of Legal Services
Comments	
Date	08 March 2013
SLA Number	100019531