

# Licensing Sub-Committee

Thursday 26th April  
2012  
2.00 pm

Council Chamber  
Town Hall  
Redditch

**REDDITCH BOROUGH COUNCIL**

*making  
a  
difference*

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

# Access to Information - Your Rights

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The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all formal Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agendas and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees

(or summaries of business undertaken in private) for up to six years following a meeting.

- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, on request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.

A reasonable number of copies of agendas and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its Committees etc.

- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, most items of business before the Executive Committee are Key Decisions.
- Copies of Agenda Lists are published in advance of the meetings on the Council's Website:

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

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**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact the following:**

**Ivor Westmore**  
**Democratic Services Officer**  
**Town Hall, Walter Stranz Square, Redditch, B98 8AH**  
**Tel: (01527) 64252 Ext. 3269      Fax: (01527) 65216**  
**e.mail: [ivor.westmore@bromsgroveandredditch.gov.uk](mailto:ivor.westmore@bromsgroveandredditch.gov.uk)**

# Welcome to today's meeting.

## Guidance for the Public

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### ***Agenda Papers***

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

### ***Chair***

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

### ***Running Order***

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

***Refreshments*** : tea, coffee and water are normally available at meetings - please serve yourself.

### ***Decisions***

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

### ***Members of the Public***

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

### ***Special Arrangements***

If you have any particular needs, please contact the Committee Support Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

### ***Further Information***

If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

### ***Fire/ Emergency instructions***

**If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.**

**If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.**

**Do Not stop to collect personal belongings.**

**Do Not use lifts.**

**Do Not re-enter the building until told to do so.**

**The emergency Assembly Area is on Walter Stranz Square.**

# Declaration of Interests: Guidance for Councillors

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DO I HAVE A “PERSONAL INTEREST” ?

- Where the item relates or is likely to affect your **registered interests** (what you have declared on the formal Register of Interests)

OR

- Where a decision in relation to the item might reasonably be regarded as affecting **your own** well-being or financial position, or that of your **family**, or your **close associates** more than most other people affected by the issue,

you have a personal interest.

WHAT MUST I DO? **Declare the existence, and nature, of your interest and stay**

- The declaration must relate to specific business being decided - a general scattergun approach is not needed
- **Exception** - where interest arises only because of your membership of another **public body**, there is no need to declare unless you **speak** on the matter.
- You **can vote** on the matter.

IS IT A “PREJUDICIAL INTEREST” ?

In general only if:-

- It is a personal interest and
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these groups)  
  
and
- A member of public, with knowledge of the relevant facts, would reasonably believe the interest was likely to **prejudice** your judgement of the public interest.

WHAT MUST I DO? **Declare and Withdraw**

BUT you may make representations to the meeting before withdrawing, **if** the public have similar rights (such as the right to speak at Planning Committee).

## **COMMITTEE PROTOCOL – LICENSING SUB-COMMITTEE**

Each application that comes before this Sub-Committee will be treated on its own merits. This licensing authority will make its decision based on the merits of the application and the promotion of the four licensing objectives, namely:

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

and will also have regard to the Guidance issued under Section 182 of the Licensing Act 2003 and the Redditch Borough Council Statement of Licensing Policy.

Members of the Sub-Committee will meet prior to the hearing to note matters to be presented, assisted by the legal and administrative support Officers only. The actual application will not be discussed.

### **LICENSING HEARING PROCEDURE**

#### **The Hearing**

1. The Chair will open the meeting, outlining the nature of the decision to be taken, and will identify the members of the Sub-Committee and Council Officers present.
2. The Chair will then ask all parties present for that agenda item to introduce themselves.
3. The Chair will give a brief outline of the procedure to be followed at the hearing.
4. The Licensing Officer will present the report, outlining any relevant representations and relevancies to the Redditch Borough Council Statement of Licensing Policy and Guidance issued under Section 182 of the Licensing Act 2003.
5. The Licensing Officer may be questioned by members of the Sub-Committee and, if given permission by the Sub-Committee, the other parties present.

(Similar rights of questioning will apply, with the Sub-Committee's permission, in relation to paragraphs 7, 9 and 11 below.)

6. The Applicant / Licence Holder and / or his / her representative will speak in support of the application.
7. The Applicant / Licence Holder and / or his / her representative may be questioned by members of the Sub-Committee.
8. Any witnesses called, with due notice, by the applicant will, with the permission of the Sub-Committee, then make representations to the Sub-Committee.

(Similar rights will apply in relation to witnesses called by other parties.)

9. The witnesses may be questioned by members of the Sub-Committee.

10. Any person who has given notice that they wish to make representations to the Sub-Committee will be invited to do so, having stated the nature of his / her interest in the matter.
  - (a) In the case of any person who has made representations but fails to attend, the hearing will normally proceed, taking into consideration the written representations, but ensuring appropriate weight is given to the representations.
  - (b) No person wishing to make representations may raise any ground or objection at the hearing not previously referred to in the written submission, unless all parties give their consent to this.
11. Once a person making representations has concluded their case, he / she may be questioned by the members of the Sub-Committee Committee.
12. The Licensing Officer will be invited to make a closing statement.
13. Any persons who have made representations will be invited to sum up.
14. The Applicant / Licence Holder and / or his / her representative will be invited to sum up.
15. The Chair will announce an adjournment of the hearing in order for the Sub-Committee to make its decision. The decision will be made in private and the Chair will, in accordance with the legal framework given in Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, move to exclude all parties present, with the exception of the members of the Sub-Committee and the legal and administrative support Officers, from the Sub-Committee's deliberations. Normally the Sub-Committee, legal adviser and committee administrator will withdraw from the room.
16. The Sub-Committee may return to the meeting room to seek clarification on any point. The Sub-Committee, legal advisor and committee administrator will then withdraw again.
17. The Chair may depart from the above procedure if he / she considers it is in the interests of natural justice to do so, either of his / her own volition or upon application by any party. Before doing so he / she shall invite the views of the parties present and consider any representations that may be made.

### **Decision**

18. The hearing will reconvene, all parties being recalled.
19. The Chair will announce the decision, together with reasons for it in public at the conclusion of the hearing, together with any conditions placed upon the licence and the licensing objective they relate to.
20. The decision will be confirmed in writing to the Applicant / Licence Holder and his / her representative (if appropriate), and to the other parties to the hearing, and also to the Chief Officer of Police, as soon as is practicable after the hearing.

## **Notes**

1. *Any changes in Sub-Committee membership will be given at the beginning of the meeting.*
2. *Each party will be limited to a maximum time of ten minutes in which to make representations to the Sub-Committee. This period may be extended at the discretion of the Chair. If an extension is agreed, all parties are to be allowed the same time to make representations. Where appropriate, if several parties wish to make the same representation, a spokesperson may, by consent, be appointed, in which case the spokesperson is to be allowed the same period of time as other representatives. If a spokesperson is not appointed, the amount of time must be shared between the persons wishing to make the same representation.*
3. *Any person wishing to make representations and Applicants / Licence Holders can be represented by a legal representative (at their own expense) or by a Councillor.*
4. *Late representations and evidence will only be considered with the agreement of all parties present.*
5. *Parties to the hearing will not normally be entitled to cross-examine any other party unless given permission by the Sub-Committee to do so.*
6. *The Sub-Committee may require any person attending the hearing, who in its opinion is behaving in a disruptive manner, to leave the hearing and may:*
  - *refuse to permit that person to return; or*
  - *permit that person to return only on such conditions as the Sub-Committee specify,**but such person may, before the end of the hearing, submit in writing any such information which they would have given orally had they not been required to leave.*
7. *Decisions will generally be taken regardless of whether the applicant is present.*
8. *In cases where a decision cannot be given at the end of the hearing, the Sub-Committee will make its decision within 5 working days beginning with the day or the last day on which the hearing was held, and will inform the applicant as soon as is practicable thereafter of its decision.*
9. *Applicants have a right to appeal, details of which can be obtained via the Licensing Officer.*
10. *It is not the general policy of the Council to enter into discussions or correspondence on matters relating to the hearing or any decision made at the hearing.*
11. *Any irregularity resulting from any failure to comply with any provision of the relevant Regulations before the Sub-Committee has made a determination shall not of itself render the proceedings void. In the case of such irregularity, the Sub-Committee shall, if it considers that any person may have been prejudiced as a result of such irregularity, take such steps as it thinks fit to cure the irregularity prior to determination.*
12. *Clerical errors in any document recording a determination of the Sub-Committee or errors arising in such document from accidental slip or omission may be corrected by the Sub-Committee.*
13. *Parties are not normally permitted to cross-examine or question other parties at Licensing Sub-Committee hearings except with the permission of the Sub-Committee. It is important that questions should not be hostile or seek to unfairly undermine the position of any party.*





# Licensing

## Sub-Committee

26th April 2012

2.00 pm

Council Chamber Town Hall

### Agenda

#### Membership:

Cllrs: Michael Braley  
Malcolm Hall  
Alan Mason  
Roger Hill (Substitute)

<b>1. Chair's Welcome</b>	The Chair will open the meeting and welcome all present.
<b>2. Apologies</b>	To receive apologies for absence and the details of any Councillor nominated to attend the meeting in place of a Member listed above.
<b>3. Declarations of Interest</b>	To invite Councillors to declare any interest they may have in the item on the agenda.
<b>4. Application for a Premises Licence - McDonalds, Clews Road, Oakenshaw, Redditch</b>  (Pages 1 - 22)  Head of Worcestershire Regulatory Services	To consider an application for a premises licence for McDonalds, Clews Road, Oakenshaw, Redditch, B98 7ST.  (Report attached)  <b>(Headless Cross &amp; Oakenshaw Ward)</b>
<b>5. Exclusion of the Public and Press</b>	Should it be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting in relation to any items of business on the grounds that exempt information is likely to be divulged it may be necessary to move the following resolution:  <b>“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs (<i>to be specified</i>) of Part 1 of Schedule 12 (A) of the said Act, as amended.”</b>  [Subject to the “public interest” test, information relating to: <ul style="list-style-type: none"> <li>• Para 1 – <u>any individual</u>;</li> </ul>

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- |  |   |
|--|---|
|  | <ul style="list-style-type: none"><li>• Para 2 – <u>the identity of any individual;</u></li><li>• Para 3 – <u>financial or business affairs;</u></li><li>• Para 4 – <u>labour relations matters;</u></li><li>• Para 5 – <u>legal professional privilege;</u></li><li>• Para 6 – <u>a notice, order or direction;</u></li><li>• Para 7 – <u>the prevention, investigation or prosecution of crime;</u><br/>may need to be considered as ‘exempt’.]</li></ul> |
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**LICENSING  
SUB COMMITTEE**

**26th April 2012**

**APPLICATION FOR A PREMISES LICENCE – MCDONALDS, CLEWS  
ROAD, OAKENSHAW**

Relevant Portfolio Holder	Councillor Juliet Brunner, (Community Safety & Regulatory Services)
Portfolio Holder Consulted	No
Relevant Head of Service	Steve Jorden – Head of Worcestershire Regulatory Services.
Wards Affected	Headless Cross & Oakenshaw

**1. SUMMARY OF PROPOSALS**

- 1.1 To consider an application for a premises licence for McDonald's, Clews Road, Oakenshaw, Redditch, Worcestershire, B98 7ST.
- 1.2 The application is brought before the Sub-Committee in view of relevant objections received from an interested party.

**2. RECOMMENDATIONS**

**The Sub-Committee is asked to RESOLVE**

**whether or not, having regard to the licensing objectives, the Guidance issued under section 182 of the Licensing Act 2003, the Borough Council's Statement of Licensing Policy, the applicant's proposed Operating Schedule, and relevant representations made by an interested party**

- 1) **to grant the premises licence, as shown in the application form attached at Appendix 1 to the report; and**
- 2) **if the Sub-Committee is minded to approve the application,**
  - a) **to attach relevant Mandatory conditions; and**
  - b) **to consider, with due regard to the statutory licensing objectives and the relevant representations received, whether to attach any appropriate conditions.**

**3. KEY ISSUES**

**Financial Implications**

- 3.1 The statutory fee of £450.00 has been paid.

**LICENSING  
SUB COMMITTEE****26th April 2012**

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**Legal Implications**

- 3.2 The statutory framework is set by the Licensing Act 2003 ("The Act").

(Decisions to approve applications for Premises Licences are delegated to Officers where no representations are made but Member decision is required where the application has triggered relevant representations as in this case.)

- 3.3 The Licensing Authority will have a view to promoting the four licensing objectives contained in the Act: -

- a) the prevention of crime and disorder;
- b) public safety;
- c) the prevention of public nuisance; and
- d) the protection of children from harm.

- 3.4 The Human Rights Act 1998 incorporates human rights under the European Convention into English law. Article 6 provides that, in the determination of a person's civil rights, everyone is entitled to a fair and public hearing. In this respect, third parties whose property rights may be adversely affected and, of course, applicants themselves, should be allowed to address the Sub-Committee if they wish to do so.

- 3.5 Section 17 of the Crime and Disorder Act 1998 places a duty on local authorities to exercise their functions with due regard to the likely effect of the exercise of those functions on, and the need to do all they can to prevent, crime and disorder in their area.

**Service/Operational Implications**

- 3.6 The application requested is as follows:

Late Night Refreshment

23:00hrs to 00:00hrs Sunday to Thursday

23:00hrs to 02:00hrs Friday and Saturday

as shown in the application attached at Appendix 1.

- 3.7 Hours premises are open to the public.

Sunday to Thursday 06:00 – 00:00

Friday and Saturday 06:00 – 02:00

## **LICENSING SUB COMMITTEE**

**26th April 2012**

- 3.8 All the required consultations were completed and, in accordance with the requirements of the Act, an advertisement was placed in the Public Notices of the local press and a notice was placed on the premises.
- 3.9 A representation has been received from a Local Councillor, a copy of which is attached at Appendix 2.
- 3.10 The premises are situated in a commercial area as shown on the location plan at Appendix 3.
- 3.11 The main comments relate to potential issues under:-  
  
The prevention of public nuisance
- 3.12 No representations have been received from the Responsible Authorities which include the:  
  
Police, Environmental Health, Fire Safety, Local Residents, Borough Planning, County Trading Standards and Child Protection Agency.

### **Customer / Equalities and Diversity Implications**

- 3.13 The Licensing Sub-Committee will ensure it has regard to the desirability of exercising its functions with regard to the need to eliminate discrimination and to increase equality of opportunity. Applications received will be treated in accordance with Redditch Borough Council's Equal Opportunities policy.

## **4. RISK MANAGEMENT**

See paragraph 3.3 above regarding the four licensing objectives, which seek to reduce the likely risks in the areas stated.

## **5. APPENDICES**

- Appendix 1 Relevant extracts from Application form / Schedule of Operation.  
Appendix 2 Representations received.  
Appendix 3 Map of the area showing the premises.

## **6. BACKGROUND PAPERS**

Guidance under section 182 Licensing Act 2003.

**LICENSING  
SUB COMMITTEE**

**26th April 2012**

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**AUTHOR OF REPORT**

Name: Tom Phelan Worcestershire Regulatory Services  
E Mail: [tom.phelan@worsregservices.gov.uk](mailto:tom.phelan@worsregservices.gov.uk)  
Tel: (01527) 881454.

Insert name and address  
of relevant licensing  
authority and its  
reference number  
(optional)

Redditch Borough Council  
Town Hall  
Water Stranz Square  
Redditch  
Worcestershire  
B98 8AH

## 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.

**XWe** Robert Holdcroft Limited  
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and **Xwe** 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

McDonald's Restaurants  
Clews Road  
Oakenshaw

Post town Redditch

Post code B98 7ST

Telephone number at premises (if any)

01527 404534

Non domestic rateable value of premises

£ 121,000.00

### Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick ☒ Yes

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 in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England ☐ 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 discharged 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

Please tick ☒ YesI 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)**(B) OTHER APPLICANTS**

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

Name

Robert Holdcroft Limited

Address

42 Bromwich Lane  
Pedmore  
Stourbridge  
West Midlands  
DY9 0QZ

Registered number (where applicable)

02959279

Description of applicant (for example, partnership, company, unincorporated association etc.)

Limited Company

Telephone number (if any)

0208 700 7000

E-mail address (optional)

**Part 3 - Operating Schedule**

When do you want the premises licence to start?

Day		Month		Year			
0	7	0	4	2	0	2	2

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.

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

The premises will operate as a restaurant selling food and non-alcoholic drinks for consumption on and off the premises.

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.)

Please tick ☒ Yes**Provision of regulated entertainment**

- 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:**

- 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)

7
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**Supply of alcohol** (if ticking yes, fill in box M)

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In all cases complete boxes N, O and P

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

J

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - please tick ✓ (see guidance note 2)		Indoors	
					Outdoors	
					Both	
					<b><u>Please give a description of the facilities for dancing you will be providing</u></b>	
Day	Start	Finish				
Mon						
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)			
Wed						
Thur						
Fri			<b><u>State any seasonal variations for providing dancing facilities</u></b> (please read guidance note 4)			
Sat						
Sun						
<b><u>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</u></b> (please read guidance note 5)						
			Day	Start	Finish	
			Mon			
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						

**K**

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

**L**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)</b>	Indoors	
Day	Start	Finish		Outdoors	
				Both	/
Mon	23:00	00:00	<b>Please give further details here (please read guidance note 3)</b> The premises will operate as a restaurant selling food and non-alcoholic drinks for consumption on and off the premises.		
Tue	23:00	00:00			
Wed	23:00	00:00	<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</b>		
Thur	23:00	00:00			
Fri	23:00	02:00	<b>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)</b>		
Sat	23:00	02:00			
Sun	23:00	00:00			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption</b> (Please tick box) ✓ (please read guidance note 7)	On the premises	
				Off the premises	
				Both	
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

<b>State the name and details of the individual whom you wish to specify on the licence as premises supervisor</b>	
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)

The premises will operate as an outlet of food and non-alcoholic drink and does not provide any adult entertainment or service that gives rise to a concern in respect of children.

O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	06:00	00:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Tue	06:00	00:00	
Wed	06:00	00:00	
Thur	06:00	00:00	
Fri	06:00	02:00	
Sat	06:00	02:00	
Sun	06:00	00:00	

**P** Describe the steps you intend to take to promote the four licensing objectives:

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

Please see attached Operating Schedule.

**b) The prevention of crime and disorder**

Please see attached Operating Schedule.

**c) Public safety**

Please see attached Operating Schedule.

**d) The prevention of public nuisance**

Please see attached Operating Schedule.

**e) The protection of children from harm**

Please see attached Operating Schedule.

Please tick ☒ Yes

- I have made or enclosed payment of the fee ☒
- I have enclosed the plan of the premises ☒
- I have sent 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, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

#### **Part 4 - 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 8th March 2012 .....

Capacity Solicitor / Authorised Agent for the Applicant .....

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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 postal address for correspondence associated with this application** (please read guidance note 13)

Shoosmiths

The Lakes

**Post town** Northampton

**Post code** NN4 7SH

**Telephone number (if any)** Direct Dial : 03700 863086

**If you would prefer us to correspond with you by e-mail your e-mail address (optional)**



## **Operating Schedule**

### General

This restaurant understands that in extending our opening hours we have a duty to the local community and that we continue to protect our staff and customers from danger and harm. We believe that the systems we have in place are robust, thorough and will, as far as reasonably practicable, secure the promotion of the four licensing objectives. It should be noted that no McDonald's restaurant within the United Kingdom serves alcohol and further none of our drinks or food are served to customers in glass receptacles.

We are eager to work in partnership with all responsible authorities to ensure the promotion of the four licensing objectives. We also seek to work with the local communities, whom we serve, in achieving a successful cohesion between our business operations and our neighbours.

### Prevention of Crime and Disorder

This restaurant is keen to work in partnership with the local police force to prevent crime and disorder.

McDonald's operates a robust CCTV Policy to ensure compliance with Data Protection Legislation and to assist the Police with the prevention and detection of crime. At all stores where CCTV is in operation appropriate signage reflecting this information is displayed.

McDonald's operate digital motion activated CCTV systems where images are retained on a hard drive system. The CCTV equipment will be of a standard suitable to record images of a proper quality, it will meet the industry standard and will have Kalagate Certification. As part of the digital system an alarm will sound if the equipment is faulty or not recording, thereby alerting management for the need to intervene. The CCTV system is regularly serviced by qualified maintenance technicians.

Access to the CCTV system will be provided to Police Officers at their request.

At this restaurant all shift running managers have safety and security training.

### Public Safety

This restaurant has safety systems in place to protect the safety of customers and staff at all times. These systems are regularly reviewed and updated where appropriate. In line with current legislation all our restaurants are routinely inspected by the local Environmental Health Office and we work with them and the local Fire Service to ensure we are complying, as far as reasonably practicable, with relevant Health and Safety and Fire Safety Legislation. This restaurant is subject to inspections from our own safety and security teams to ensure our systems are being maintained.

All of our restaurant staff are required to attend comprehensive safety training to ensure that safe working methods are adopted and all staff are trained in evacuation procedure in the event of a fire or other dangerous occurrence.

This store operates a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the in-store area. Emergency contact mobile telephone numbers are listed in the Business Manager's office.

This restaurant is keen to work in partnership with the local Fire Service and Environmental Health Officer to ensure public safety.

### Public Nuisance

McDonald's were the first company in our sector to introduce litter patrols in the early 1980's. These patrols collect McDonald's packaging and other litter within a certain radius of the restaurant. All of McDonald's packaging displays the "Bin It" symbol to encourage our customers to deal with their waste responsibly. We are happy to act on recommendations from the Environmental Health Officer should they feel that we should extend our patrol to a nearby area, as far as this is reasonably practicable. Our pioneering stance on litter patrols has meant working on a project with DEFRA, in



which we piloted 'reducing litter caused by food on the go', a voluntary code of practice for local partnerships. A copy of which can be found at:

[www.defra.gov.uk/environment/localenv/litter/pdf/fastfoodcop.pdf](http://www.defra.gov.uk/environment/localenv/litter/pdf/fastfoodcop.pdf)

Further details regarding McDonald's commitment to reducing waste and litter nuisance can be found at the "Our World" section of the McDonald's website:

<http://www.mcdonalds.co.uk/ourworld/environment/policy.shtml>

We also have measures in place to limit noise. Our doors are self closing and we try to encourage our customers to be considerate to our neighbours and limit noise both when ordering their food and on leaving the local area.

#### The Protection of Children From Harm

McDonald's do not anticipate that children will use the restaurant in the extended hour's period covered by this licensing application. We do however take their safety extremely seriously and will continue to employ the same practices to ensure that they are protected from harm at all times when visiting the restaurant.

All of our restaurant staff are required to attend comprehensive safety training.



Environmental Health, Trading Standards & Licensing

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**From:** Cllr Gandy, Carole  
**Sent:** 05 April 2012 19:34  
**To:** Susan Garratt  
[REDACTED]

**Subject:** Re: Premises Licence - McDonald's, Clews Road

Hi

I thought they already had one. I thought it would be KFC as they have just gained planning permission on site next to MacDonalds. I would not support 2 am as the noise from revving engines whilst waiting in queue and noise during warm weather from car radios is already an issue for residents. If it is MacDonalds then KFC will follow as those hours were in their planning application. That would make the situation even worse. I am away until Wed but perhaps you could ring me on Tues about what if any conditions we can put on these

Carole

Carole

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**From:** Susan Garratt  
**Sent:** Thursday, April 05, 2012 05:22 PM  
**To:** Cllr Gandy, Carole  
**Cc:** mark kay  
**Subject:** Premises Licence - McDonald's, Clews Road

11/04/2012





