

NON EXEMPT

EAST HAMPSHIRE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

19 October 2021

**LICENSING ACT 2003 – APPLICATION FOR A PREMISES LICENCE –
Domino’s Pizza Bordon 6 Chalet Hill Bordon GU35 0TQ**

Licensing Officer

FOR DECISION

EHDC/026/2021

Portfolio: N/A

Director: Natalie Meagher

Key Decision: No

1.0 Purpose of Report

1.1 To consider an application for a premises licence under the Licensing Act 2003.

2.0 Recommendation

- a) Grant the application
- b) Modify the conditions of the licence, by altering or omitting or adding to them
- c) refuse to specify a person in the licence as the premises supervisor
- d) Reject the whole or part of the application

3.0 Executive Summary

3.1 JGS Pizza Limited trading as Domino’s Pizza Bordon has applied for a new premises licence under the Licensing Act 2003 for Domino’s Pizza Bordon, 6 Chalet Hill, Bordon, Hampshire GU35 0TQ. The application is shown in appendix A. The plans of the premises are shown in appendix B.

3.2 The applicant describes the premises as the following:
This is a nationally recognised delivery brand under the F2 Licence granted by Domino’s pizza group. The premises comprise a Domino's pizza home delivery service. The vast majority of food is home delivered, the rest is collected for consumption off premises.

- 3.3 The operating schedule of the application details the following licensable activities and hours requested;

Activity	Days	Hours
Late night refreshment indoors and outdoors	Monday – Sunday	23:00 – 01:00
Opening Hours	Monday – Sunday	10:00 – 01:00

- 3.4 In accordance with East Hampshire District Council's Licensing Policy, the Licensing Authority expects operating schedules to take account of the nature of the area where the premises are situated, the type of premises concerned, the licensable activities to be provided and the needs of the local community.
- 3.5 The applicant has described, in the operating schedule, the steps they intend to take to promote the four licensing objectives, prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm, as detailed below;

General – all four licensing objectives

The store is a franchise of the worldwide Domino's home delivery pizza chain. Domino's have been in business for more than 40 years and during that time, has developed a system of business which primarily involves a home delivery services. Whilst it is possible to collect our products from the store, the vast majority of our business is delivering pizzas and other products we sell, to people's homes. We are governed by the rigorous standards set out in the Domino's Franchise Agreement and these relate to all aspects of operating the business, from the preparation of ingredients right through to the manner in which the product is delivered to our customers. We are mindful of our obligations to our staff, our customers, and others (e.g. local residents) who may be effected by the operation of our business. Our store is adequately staffed so as to allow the proper management of the premises and supervision of those who visit them. The Domino's system does not allow the sale of alcohol. Where customers visit the store, our pizzas are supplied to them in closed cardboard boxes and the nature and size of the product is conducive to being taken home for consumption, rather than being eaten whilst walking along.

The prevention of crime and disorder

We will actively co-operate with the local police to ensure that we are made aware of particular problems which affect the area and which may potentially affect our store.

We will not countenance the use or supply of illegal drugs and our staff to inform the police immediately of any such suspected activity on or in the vicinity of the store. Our employment policies are designed to ensure we recruit professional and reputable staff.

We do not use or supply glassware.

Public Safety

The premises comply with all requisite health and safety legislation. We carry out regular health and safety risk assessments and are required to do so under the terms of our Franchise Agreement. In the most unlikely event that a greater number of people congregate in the premises that is conducive to public safety, we will not hesitate to ask people to leave the store and we will always encourage them to take advantage of our home delivery service, which is the primary way in which we serve our customers.

The Prevention of public nuisance

Our doors and windows will be kept closed at night to prevent the transmission of noise.

Our stores have very few customers who visit to buy our product to take away, but those who do visit will be asked to leave the premises quietly and with due consideration for our neighbours.

Music will not be played in the premises.

Our delivery drivers are 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 our neighbours (particularly residential occupiers).

We would have no hesitation in banning people who visit the store and regularly leave the premises in a noisy fashion.

Our equipment is properly sound insulated and operated strictly in accordance with manufacturers' requirements, guidelines and tolerances.

All our air extraction system complies with Building Regulations requirements and is designed to ensure that there is no escape of cooking smells to neighbouring premises. We neither use nor supply glassware.

The protection of children from harm

Our store is not licenced for the sale of alcohol. Because of the nature of the licence for which we are applying and the nature of our business generally, it is most unlikely that a child accompanied by an adult would visit our store during the hours which we are licenced.

3.6 Designated Premises Supervisor

The premises do not require a designated premises supervisor because the application is not for the sale of alcohol.

3.7 Responsible Authorities

All responsible authorities have been consulted regarding this application.

Planning responded with no objection.

No further comments were received from the remaining responsible authorities.

3.8 Representations

A representation has been received from an interested person as shown in full at appendix C. The representation relates to the objective the prevention of public nuisance.

An extract is detailed below;

'...I strongly object to this application and my reasons are the disturbance, noise and litter'

4.0 Additional Budgetary Implications

N/A

5.0 Background and relationship to the Corporate Strategy and Directorate Business Plan/s

N/A

6.0 Options considered and reasons for the recommendation

6.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;

- The protection of children from harm.

In making its deliberations, the Committee is obliged to have regard to the Councils own Licensing Policy and National Guidance. The Committee must also have regard to the representations that have been made balanced against the conditions offered by the applicant and the evidence that it hears.

The Committee must take one of the following steps, as it considers necessary for the promotion of the licensing objectives:

- e) Grant the application as asked
- f) Modify the conditions of the licence, by altering or omitting or adding to them
- g) refuse to specify a person in the licence as the premises supervisor
- h) Reject the whole or part of the application

The Committee should note that it cannot modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must be appropriate in order to promote the licensing objectives.

7.0 Resource Implications

7.1 Financial Implications - None

7.2 Human Resources Implications - None

7.3 Other Resource Implication - None

8.0 Legal Implications

8.1 This is an application under Section 17 of the Licensing Act 2003 and must be determined in accordance with Section 18 of the same Act and this will be in accordance with the requirements of the Licensing objectives.

9.0 Risks

N/A

10 Consultation

10.1 This premises licence application has been consulted on with all responsible authorities and the public under the requirements of the Licensing Act 2003.

11 Communication

11.1 The Licensing Sub-Committee are delegated to make the decision on this application. All interested parties will be sent a notice of decision following the hearing.

Appendices:

This report consists of:

Appendix A – Application Form
Appendix B – Plan of the premises
Appendix C – Representation

Agreed and signed off by:

Legal: Surinder Atkar 05.10.2021

Head of Neighbourhood Support: Natalie Meagher 04.10.2021

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