



Licensing Sub-Committee minutes

Minutes of the meeting of the Licensing Sub-Committee held on Thursday 16 January 2025 in Vie Video Conference, commencing at 6.36 pm and concluding at 7.42 pm.

Members present

P Gomm, D Town and A Wood

Others in attendance

K Ashton, L Hornby and J Viridi

Agenda Item

1 Introductory remarks by the Chairman

The Chairman welcomed everyone to the meeting. Members and Officers who were in attendance were introduced.

Also in attendance were:

Mr Charalambides – barrister on behalf of McDonald's
Mr Gallant – for McDonald's
Dr Brunetti – objector
Mr Arnott – appearing on behalf of Syed Naqvi, objector

2 Apologies for absence

Apologies were received from Andy Dean of Thames Valley Police.

3 Declarations of interest

There were none.

4 Hearing Procedure Rules

All present confirmed they had read and understood the procedures rules that applied to this hearing.

5 McDonald's Restaurants, Wycombe Retail Park, Ryemead Way, High Wycombe, HP11 1FY

Members were asked to determine an application for a new premises licence had been submitted by McDonald's Restaurants Limited of 11/59 High Road, East Finchley, London, N2 8AW ("the applicant") in respect of McDonald's Restaurant, Wycombe Retail Park, Ryemead Way, High Wycombe, HP11 1FY ("the premises") by

Elaine Rayner of Shoosmiths LLP (“the agent”).

Following detailed discussions, all parties confirm they were satisfied they had received a fair hearing and had nothing further to add.

The Sub-Committee retired to make its decision which can be seen in the attached Decision Notice.



LICENSING ACT 2003

Sections 17, 18(3) and (4) and 23(1)(a), (2) and (4) and Licensing Act 2003 (Hearings) Regulations 2005/44

NOTIFICATION OF GRANT OF APPLICATION FOR A PREMISES LICENCE WHERE RELEVANT REPRESENTATIONS WERE MADE

PREMISES: McDonald's Restaurants Limited, Wycombe Retail Park, Ryemead Way, High Wycombe, HP11 1FY

To:

The Applicant – McDonald's Restaurants Limited
Any Person who made Relevant Representations
Any Responsible Authority who made Relevant Representations
The Chief Constable of Thames Valley Police

Take Notice

THAT following a hearing of the Licensing Sub-Committee

ON 16 January 2025

BUCKINGHAMSHIRE COUNCIL as the Licensing Authority for the Premises

HAS AGREED

TO GRANT A PREMISES LICENCE SUBJECT TO the mandatory and other conditions set out in Schedules 1, 2 and 3 below.

SCHEDULE 1

Mandatory Conditions

MANDATORY CONDITIONS SPECIFIED BY THE LICENSING ACT 2003

None.

SCHEDULE 2

Conditions consistent with the Operating Schedule submitted by the Applicant

Licensable Activity

The provision of late-night refreshment	Monday to Saturday 23:00 hrs to 00:00 hrs
Hours premises are open to the public	Monday to Saturday 07:00 hrs to 00:00 hrs Sunday 08:00 hrs to 23:00 hrs

The Prevention of Crime and Disorder

- The Premises licence Holder must ensure that they maintain a digital CCTV system with cameras located within the premises to cover all public areas including entrances and exits and the till area and will operate at all times the premises are open for licensable activities. The CCTV system will record clear images allowing the identification of individuals and the equipment will have accurate and constant date and time generation.
- All recorded footage must be securely retained for a minimum of 31 days. It will be capable of downloading recorded images onto removable media (DVD/USB or upload to a specific database directed by TVP) upon the request of an Officer of a Responsible Authority or Police Officer or in any case within 24 hours of that request at no expense to the requesting agency.
- There will be staff on duty at all times the premises are open to be able to allow an Officer of a Responsible Authority or Police Officer to immediately view any footage requested under the Data Protection Act (or other replacement legislation) and to provide those images as stated.
- The Premises will have an active incident log in which will be recorded any incident connected to the licensing objectives. The record (which could be electronic) will be made available for inspection within 24 hours of a request of an officer of a Responsible Authority.
- A Staffsafe™ system with both audio and visual monitoring capability will be installed in the restaurant, this system, can be activated by either fixed or mobile panic buttons. Once activated the system links the restaurant to an external monitoring centre capable of intervening to resolve crime and disorder issues and/or provide the appropriate advice or instruction to support and protect the restaurant's staff and customers.
- All shift managers shall have safety and security training; including SIA accredited Conflict Management Training.

Public Safety

The premises licence holder shall work with the local Environmental Health Services and local Fire Service to ensure they comply, as far as reasonably practicable, with relevant Health and Safety and Fire Safety Legislation. This restaurant shall also be subject to inspections from internal safety and security teams to ensure our systems are being maintained.

- All restaurant staff shall receive comprehensive safety training to ensure that safe working methods are adopted and all staff are trained on the restaurant's evacuation procedure in the event of a fire or other dangerous occurrence.
- The premises shall operate a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the premises .

The Prevention of Public Nuisance

- The premises will have on display at all exits points notices requesting customers to leave the area quickly and quietly respecting the neighbour's rights.
- All the doors to the premises shall be self-closing and the premises licence holder shall endeavour to encourage customers to be considerate to the neighbours and to limit noise both when ordering their food and on leaving the local area.
- The premises will monitor the immediate car park and take reasonable steps to ensure customers are not causing anti-social behaviour and risk assess the employment of permanent Door Staff should this be an issue.
- McDonald's is committed to carry out litter patrols collecting both McDonald's packaging and any other litter that has been carelessly discarded. The premises licence holder shall 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.

The Protection of Children from Harm

- The premises licence holder shall ensure that unaccompanied children are protected from harm at all times when visiting the restaurant.

SCHEDULE 3

Conditions necessary to promote the Licensing objectives and agreed in response to the representations made

The Prevention of Public Nuisance

- Any food supplied from the premises between Monday and Saturday between 23:00 and 00:00 (midnight) for immediate consumption shall only be by customers seated at tables. There shall be no consumption of food between these hours in the outside patio area marked on the Plan.

Reasons for the Panel's Decision

In reaching their decision the Panel carefully considered the written representations and oral submissions from the Parties who made Relevant Representations together with oral submissions from the Applicant's representative made at the hearing. Equal weight was given to the written representations from the Parties who made Relevant Representations who were unable to attend the hearing as to those in attendance.

The Panel considered this application on its own merits and whilst the Panel were empathetic to and understanding of the concerns raised by the Persons who made Relevant Representations, they were mindful that no evidence had been presented to suggest that the Applicant's premises would breach the four licensing objectives. It was also noted by the Panel that the Persons who made Relevant Representations, during oral submissions, raised concerns which are outside of the Licensing regime and therefore could not be considered at this hearing.

The Panel noted that the Police (having agreed conditions with the Applicant), as experts in the Prevention of Crime and Disorder, and the Environmental Health Authority, as the experts in the Prevention of Public Nuisance in respect of noise and litter complaints had raised no objection to the application.

In making their decision, the Panel took into account the legislation, the statutory guidance (paragraphs 2.1, 2.3, 2.7, 2.21, 2.22, 2.24, 2.27) and the Council's own licensing policy (paragraphs 2.36, 3.14, 3.18 to 3.19, 3.21, 3.26 to 3.28, 3.33, 3.36 to 3.38).

The Panel also took into account the relevant provisions of the Human Rights Act 1998, namely:

- Article 6 – the right to a fair hearing
- Article 8 – respect for private and family life
- Article 1, First Protocol – peaceful enjoyment of possessions.

The Panel were in agreement and considered that in all the circumstances the existing and proposed conditions offered by the applicant appeared to be reasonable proportionate and were satisfied that the Conditions as a whole would sufficiently promote the licensing

objectives of the prevention of public nuisance, the prevention of crime and disorder, public safety and the protection of children from harm.

Informative

The Panel noted that should concerns relating to the premises occur following the grant of the premises licence any party is able to request a review of the licence under Section 51 of the Licensing Act 2003.

Any Party aggrieved by the Decision given in this Notice may make a written Appeal within 21 days to the Clerk to the Justices, High Wycombe Magistrates' Court, Milton Keynes Magistrates' Court and Family Hearing Centre, 301 Silbury Boulevard, Witan Gate East, Central Milton Keynes, Buckinghamshire MK9 2AJ.

Clerk to the Licensing Sub-Committee

A handwritten signature in black ink, appearing to read 'Sarah Green', written in a cursive style.

Date: 22nd January 2025

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