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NOTICE OF MEETING

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LICENSING PANEL SUB-COMMITTEE

will meet on

THURSDAY, 10TH JANUARY, 2019

At 10.00 am

in the

COUNCIL CHAMBER - GUILDHALL WINDSOR

TO: MEMBERS OF THE LICENSING PANEL SUB-COMMITTEE

COUNCILLORS MALCOLM ALEXANDER, PHILLIP BICKNELL AND DEREK WILSON

Karen Shepherd – Service Lead - Governance - Issued: January 2nd 2019

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Shilpa Manek** 01628 796310

Accessibility - Members of the public wishing to attend this meeting are requested to notify the clerk in advance of any accessibility issues

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AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APPOINTMENT OF CHAIRMAN</u> To appoint a Chairman for the duration of the meeting.	
2.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.	
3.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.	3 - 4
4.	<u>PROCEDURES FOR LICENSING PANEL SUB COMMITTEE</u> To note the procedural details for the hearing.	5 - 6
5.	<u>CONSIDERATION OF APPLICATION FOR A VARIATION OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003</u> To consider an application for a new Premises Licence under The Licensing Act 2003 for Pazzia Restaurant, London Road, Ascot, SL5 0PN.	7 - 96

MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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LICENSING SUB-COMMITTEE

PROCEDURES

The Chairman will welcome all parties to the meeting, introduce the Sub-Committee Members and officers present, and outline the procedure as below:

- a) The Licensing Officer to outline the application and the decision to be taken
- b) Members to ask questions of the Licensing Officer
- c) The Applicant to put their case to the Sub-Committee and clarify any information arising from the Licensing Officer's outline
- d) Any Objectors to address the Sub-Committee and put their case
- e) Members to ask questions of the Objectors
- f) Applicant to ask questions of the Objectors
- g) Any party requested by the Applicant to address the Sub-Committee (at the Sub-Committee's discretion)
- h) Members to ask questions of the Applicant
- i) Objectors to ask questions of the Applicant
- j) Applicant to briefly summarise their position
- k) Objectors to briefly summarise their position
- l) Licensing Officer to provide a summary
- m) Chair to ask all parties if they have said all that they wish to
- n) Sub-Committee to retire for deliberations

N.B. Decision letter to be sent to applicant within 5 working days

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REPORT TO LICENSING PANEL SUB COMMITTEE.

CONSIDERATION OF APPLICATION FOR A VARIATION OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003

LICENSING PANEL SUB COMMITTEE: 10th January 2019

OFFICER REPORTING: Greg Nelson

A) The Application

Applicant: - Jorge Pereira Rodrigues, C/O Pazzia Restaurant, London Road, Ascot, SL5 0PN

Premises: - Pazzia Restaurant, London Road, Ascot, SL5 0PN

The application relates to an application to vary a premises licence A

summary of the application is as follows:-

To amend the current plans for the premises to reflect a new layout.
Both sets of plans, existing and new are included in the report.

The standard opening hours of the premises:

- 11.00 until 01.30 hrs Monday to Thursday
- 11.00 until 02.00 hrs Friday and Saturday
- 11.00 until 00.00 hrs Sunday

To permit the sale by retail of alcohol for consumption ON/OFF the premises:

- 11.00 until 01.00 hrs Monday to Thursday
- 11.00 until 01.30 hrs Friday and Saturday
- 11.00 until 23.00 hrs Sunday

Live Music (Indoors)

- 11.00 until 01.00 hrs Monday to Saturday
- 11.00 until 23.00 hrs Sunday

Recorded Music (Indoors)

- 11.00 until 01.00 hrs Monday to Saturday
- 11.00 until 23.00 hrs Sunday

Performance of Dance (Indoors)

- 11.00 until 01.00 hrs Monday to Saturday
- 11.00 until 23.00 hrs Sunday

Anything of a similar description to that falling within performance of dance, recorded music and live music

- 11.00 until 01.00 hrs Monday to Saturday
- 11.00 until 23.00 hrs Sunday

Late night refreshment (Indoors)

- 23.00 until 01.00 hrs Monday to Thursday
- 23.00 until 01.30 hrs Friday and Saturday
- 23.00 until 23:30 hrs Sunday

Designated Premises Supervisor (DPS): Mr. Jorge Pereira Rodrigues.

The Premises currently enjoy the following Licensing Activities and Hours:-

The standard opening hours of the premises:

- 11.00 until 00.30 hrs Monday and Tuesday
- 11.00 until 00.00 hrs Wednesday
- 11.00 until 01.00 hrs Thursday to Saturday.
- 11.00 until 23.00hrs Sunday

To permit the sale by retail of alcohol for consumption ON/OFF the premises:

- 11.00 until 00.00 hrs Monday to Wednesday
- 11.00 until 01.00 hrs Thursday to Saturday
- 11.00 until 23.00 hrs Sunday

Live Music (Indoors)

- 19.00 until 23.30 hrs Monday to Saturday
- 19.00 until 23.00 hrs Sunday

Recorded Music (Indoors)

- 11.00 until 00.00 hrs Monday to Wednesday
- 11.00 until 01.00 hrs Thursday to Saturday
- 11.00 until 23.00 hrs Sunday

Performance of Dance (Indoors)

- 21.00 until 23.00 hrs Monday to Wednesday
- 21.00 until 00.00 hrs Thursday to Saturday
- 21.00 until 23.00 hrs Sunday

Late night refreshment (Indoors)

- 23.00 until 01.00 hrs Monday to Saturday
- 23.00 until 00.00 hrs Sunday

B) Relevant Representations

Responsible Authorities.

a . Environmental Health (CPES):	Attached
b . RBFRS (Fire Officer):	None
c . Planning Officer:	None
d . Local Safeguarding Children's Board (LSCB)	None
e . Public Health:	None
f . Trading Standards:	Attached
g . Thames Valley Police:	Attached
h . RBWM Licensing:	Attached

Interested Parties:

- 01 representations from local residents

Responsible Authorities:

Trading Standards have requested a number of conditions which are attached, however, these have been agreed by the applicant.

Environmental Protection, RBWM Licensing and Thames Valley Police (TVP) have also objected to this application. If the Licensing Sub-Committee decide to grant this application then the responsible authorities require their suggested conditions to be added to the premises licence (attached).

C) It is considered that the following policies have a bearing upon the application.

RBWM Licensing Policy:-

2.1 De-regulated Entertainment:-

The Legislative Reform (Entertainment Licensing) Order 2014 came into force on 6 April 2015 with the effect that the following forms of entertainment are no longer licensable —

- Performances of plays between 08.00 and 23.00 provided that the audience does not exceed 500.
- Performances of dance between 08.00 and 23.00, provided that the audience does not exceed 500

- 'Not-for-profit' film exhibition held in community premises between 08.00 and 23.00, provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events between 08.00 and 23.00, provided that those present do not exceed 1000.
- Any contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00, provided that the audience does not exceed 1000.
- Performances of unamplified live music between 08.00 and 23.00, on any premises.
- Performances of amplified live music between 0800 and 2300:
 - On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500
 - In a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500
 - In a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises
 - At the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital
- Playing of Recorded Music between 0800 and 2300:
 - On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500

7. Promoting the Prevention of Crime and Disorder

Where relevant representations are made, the Licensing Authority will have particular regard to the following issues in relation to the crime and disorder objective:

- Measure to prevent bottles being carried from premises
- Use of drinks' promotions
- Measure to prevent binge drinking
- Participation in the Pub Watch Scheme
- Use of door supervisors
- Training staff in crime prevention measures
- Search procedures
- Use of close circuit television
- Lighting

- Where premises are new, designing out crime
- Quality of surveillance of premises

8. Promoting Public Safety

Where relevant representations have been made, the Licensing Authority will have particular regard to the following issues in relation to the public safety objective:

- The use of shatterproof glasses
- The promotion of sensible drinking
- Measures taken to prevent drug spiking
- Drugs policies
- Safe capacities

In appropriate cases, the following conditions may be imposed on premises 'licenses to ensure the safety of those attending the premises:

- That a personal licence-holder shall be present at all times when the premises are open for the sale of alcohol
- Suitably qualified first-aiders will be required

9. Promoting the Prevention of Public Nuisance

Where relevant representations are made, the Licensing Authority will have particular regard to the following issues in relation to the public nuisance objective:

- The disposal of waste, particularly glass
- The use and maintenance of plant, including air extraction and ventilation systems
- Litter in the vicinity of the premises
- Noise from deliveries / collections to and from the premises
- Measures to control behaviour and queues
- Whether door supervisors are able to stay at the entrance to encourage quiet departure
- The provision of Hackney Carriage / Private Hire services at the premises
- Signs on doors and on tables encouraging consideration to the neighbours
-

Noise

Where relevant representations are made the Licensing Authority will impose conditions in relation to licensed premises to prevent unnecessary noise and disturbance to local residents where relevant representations are made. This may include restrictions on times when music or other licensable activities may take place and may impose technical restrictions on levels of sound at premises. Conditions may also be imposed requiring licensees to display signs at all exits from premises reminding customers to leave premises quietly and to respect the rights of nearby residents.

6. Key Strategies for 2016 – 2021

6.1 Framework Hours

The current staggered closing times of licenced premises, that has developed since 2005 in the Royal Borough, has helped to reduce the problems associated with large numbers of people leaving premises at the same time and reduced congestion at taxi ranks and fast food outlets. However, the later opening hours have brought increased levels of crime, disorder and nuisance. Responsible Authorities, local residents and local Councillors have reported many issues, including noise, anti-social behaviour and litter, which are having an adverse impact on their quality of life. In particular, there has been an increase in violent crime in Windsor town centre between the hours of 00:00 and 04:00.

Having considered the evidence of alcohol related crime, disorder and anti-social behaviour, the number of late night premises and, in particular, the social, practical and regulatory impacts on the morning after the night before, the Licensing Authority has adopted a Framework Hours Policy. This Framework Hours Policy will apply to new and variation applications.

The Framework Hours are: Premises Type:	Commencement Hour for Licensable Activities No earlier than :	Terminal Hour for Licensable Activities No later than:
• Off licence	• 09:00am	• 11:00pm
• Restaurant	• 09:00am	• 01:00am
• Pub/Bars/Night Clubs	• 10:00am	• 02:00am
• Takeaways	• n/a	• 02:00am

Have greater freedom to operate outside framework hours. Such venues are predominantly seated. Examples include:

- Theatres
- Cinemas
- Qualifying Clubs

For the purpose of this policy, premises shall be considered as a restaurant or café if the sale of alcohol is made only to seated customers who are also dining and where this is a condition of the licence, or a condition volunteered in the Operating Schedule for the premises. Where such conditions have not been offered, the premises will be treated as a public house.

Framework Hours are intended to guide applicants on the Licensing Authority's expectations when preparing their Operating Schedule. However, if no relevant representations are received, the application will be granted by the Licensing Authority under delegated powers.

Any conditions setting out hours of premises refers, unless otherwise stated, to the hours during which licensable activities may take place pursuant to the Premises

Licence or Club premises Certificate. The Licensing Authority expects the premises to close thirty minutes after the terminal hour for the latest licensable activity.

6.4 Wider Community Interest

The Licensing Authority considers that its licensing functions are exercised in the public interest, furthermore that the licensing authority is under a duty to take any steps with a view to the promotion of the licensing objectives in the interests of the wider community and not just those of the individual licence holder.

The Licensing Authority will have particular regard to those applications in close proximity to residential premises and the likely effect on the promotion of the licensing objectives in such circumstances. Subject to any relevant representations, the Licensing Authority will have particular regard to:

- The nature of the activities
- The character of the surrounding area
- Measures for limitation of noise emissions from the premises. These may include as appropriate; noise limitation devices, sound insulation, whether windows are to be opened, the insulation of acoustic lobbies and double glazing
- Measures to deal with queuing, where necessary
- Use of outdoor areas
- Measures to deal with dispersal of customers from the premises as necessary, including the employment of door supervisors, use of dedicated Hackney Carriage / Private Hire firms, notices in the premises requesting customers to respect neighbours
- Winding down periods, particularly in public houses and nightclubs etc.

D) 182 National Guidance April 2017

Crime and Disorder

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licenced premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in the licensed premises might include requiring a premises licence holder to undertake right to work check on all staff employed at the licensed premises or requiring that a copy of any documents checked as part of a right to work check are retained at the licensed premises.

Public Safety

2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather public health which is addressed in other legislation.

Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol₁₀

poisoning. Conditions relating to public safety may also promote crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.8 A number of matters should be considered in relation to public safety. These may include:

- Fire safety
- Ensuring appropriate access for emergency services such as ambulance
- Good communication with local authorities and emergency services, for example communication networks with the police and signing up for local incidents alerts. (See paragraph 2.4 above)
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation)
- Ensuring appropriate limits on the maximum capacity of the premises (See paragraphs 2.12-2.13)
- Considering the use of CCTV in and around the premises (See paragraph 2.3 above)

2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. Applicants should consider when making their application which steps it is appropriate to take to promote the public safety objectives and demonstrate how they achieve that.

Ensuring safe departure of those using the premises

2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

Public nuisance

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may¹¹

be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the 10 | Revised Guidance issued under section 182 of the Licensing Act 2003 early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial behaviour is accountable in their own right. However, it would be perfectly¹²

reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Protection of Children from harm

2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly to alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- Adult entertainment is provided
- A member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- It is known that unaccompanied children have been allowed access;
- There is known association with drug taking or dealing; or
- In some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises

2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of

premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- Restrictions on the hours when children may be present;
- Restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- Restrictions on the parts of the premises to which children may have access;
- Requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 year old with alcohol-related illness or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has

been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

E) Observations.

The Sub 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.

It must be noted, however, that this is an application for variation only, the Sub-Committee are only able to deliberate on the application before them today and not the issued premises licence held by the premises licence holder.

In making its decision, the Committee is also obliged to have regard to national guidance and the Council's own Licensing Policy. Of course, the Committee must have regard to all of the representations made and the evidence it hears.

The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the application as asked.
- Modify the conditions of the licence, by altering or omitting or adding to them.
- Reject the whole or part of the application.

Application to vary a premises licence 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 **JORGE PEREIRA RODRIGUES**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PL001171

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
PAZZIA RESTAURANT LONDON ROAD ASCOT SL5 0PN			
Post town	ASCOT	Postcode	SL5 0PN

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£10750

*190.00

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post town	
Postcode	

Part 3 - Variation

Please tick as appropriate

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

Yes

No

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

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The Reason of this Premises License Variation is to:

Update the Plan of the Premises (we extend the layout of the premises)

To extend the hours of the following Activities:

- Sale of Alcohol on and Off License
- Late Night Refreshment
- Live Entertainment (Record Music; Live Music and Dancing Indoors)

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

--

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) **Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)</u> Not Applicable	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here (please read guidance note 5)</u>		
Tue					
Wed			<u>State any seasonal variations for performing plays (please read guidance note 6)</u>		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u> Not Applicable	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here (please read guidance note 5)</u>		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<p><u>Please give further details</u> (please read guidance note 5)</p> <p>Not Applicable</p>
Day	Start	Finish	
Mon			
Tue			<p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)</p>
Wed			
Thur			<p><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 7)</p>
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
			Not Applicable	Both	<input type="checkbox"/>
Mon				<u>Please give further details here (please read guidance note 5)</u>	
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)</u>		
Thur					
Fri			<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 (please read guidance note 7)</u>		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>					
Mon	11:00	01:00						
Tue	11:00	01:00						
Wed	11:00	01:00				<u>State any seasonal variations for the performance of live music (please read guidance note 6)</u>		
Thur	11:00	01:00						
Fri	11:00	01:00				<u>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 7)</u>		
Sat	11:00	01:00						
Sun	11:00	23:00						

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon	11:00	01:00			
Tue	11:00	01:00	<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Wed	11:00	01:00			
Thur	11:00	01:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Fri	11:00	01:00			
Sat	11:0	01:00			
Sun	11:00	23:00			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	11:00	01:00			
Wed	11:00	01:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur	11:00	01:00			
Fri	11:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	11:00	01:00			
Sun	11:00	23:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing <p style="text-align: center;">ENTERTAINMENT FACILITIES FOR DANCING</p>		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon	11:00	01:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11:00	01:00	Please give further details here (please read guidance note 5)		
Wed	11:00	01:00			
Thur	11:00	01:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Fri	11:00	01:00			
Sat	11:00	01:00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun	11:00	23:00			



I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	23:00	01:00			
Wed	23:00	01:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23:00	01:00			
Fri	23:00	01:30	<u>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</u> (please read guidance note 7)		
Sat	23:00	01:30			
Sun	23:00	23:30			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	11:00	01:00			
Tue	11:00	01:00			
Wed	11:00	01:00			
Thur	11:00	01:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	11:00	01:30			
Sat	11:00	01:30			
Sun	11:00	23:00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

NOT APPLICABLE

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	11:00	01:30	<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 7)
Tue	11:00	01:30	
Wed	11:00	01:30	
Thur	11:00	01:30	
Fri	11:00	02:00	
Sat	11:00	02:00	
Sun	11:00	00:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

WE ARE HAPPY WITH THE CONDITIONS WE HAVE AT THE MOMENT IN OUR PREMISES LICENCE. WE WILL ADD A DISPERSAL POLICY TO OUR EXISTENT CONDITIONS. WE WELCOME ANY ADDIONAL CONDITIONS PROPOSED BY THE RELEVANT AUTHORITIES

b) The prevention of crime and disorder

WE ARE HAPPY WITH THE CONDITIONS WE HAVE AT THE MOMENT IN OUR PREMISES LICENCE . WE WILL ADD A DISPERSAL POLICY TO OUR EXISTENT CONDITIONS. WE WILL ADD A DISPERSAL POLICY TO OUR EXISTENT CONDITIONS

c) Public safety

WE ARE HAPPY WITH THE CONDITIONS WE HAVE AT THE MOMENT IN OUR PREMISES LICENCE.

d) The prevention of public nuisance

WE ARE HAPPY WITH THE CONDITIONS WE HAVE AT THE MOMENT IN OUR PREMISES LICENCE. WE WILL ADD A DISPERSAL POLICY TO OUR EXISTENT CONDITIONS

e) The protection of children from harm

WE ARE HAPPY WITH THE CONDITIONS WE HAVE AT THE MOMENT IN OUR PREMISES LICENCE

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

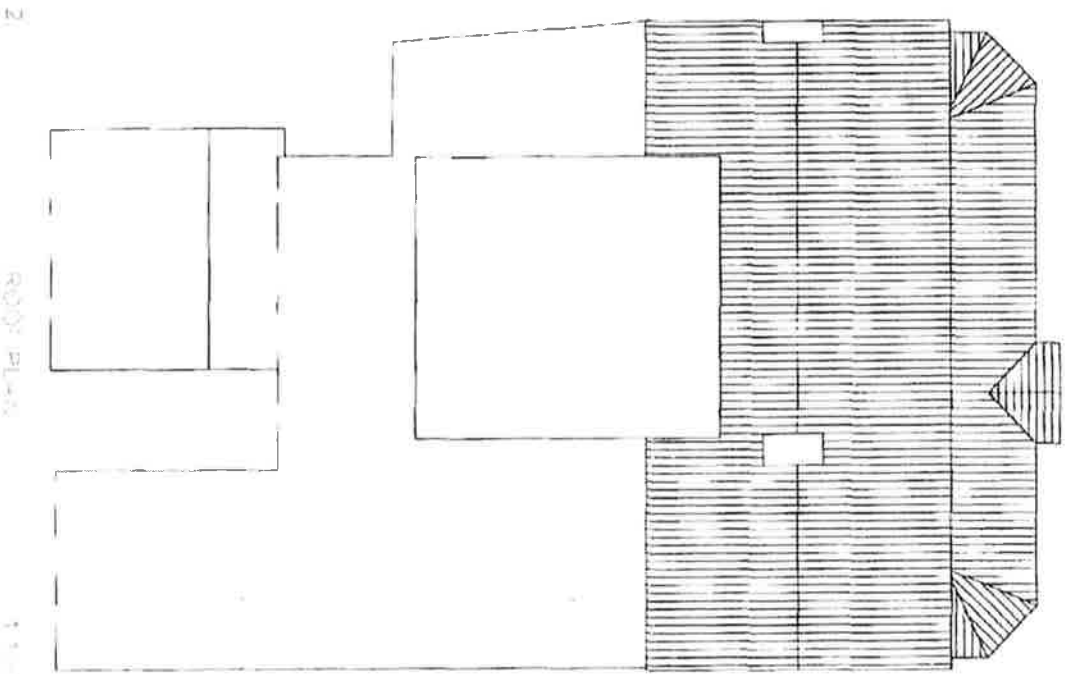
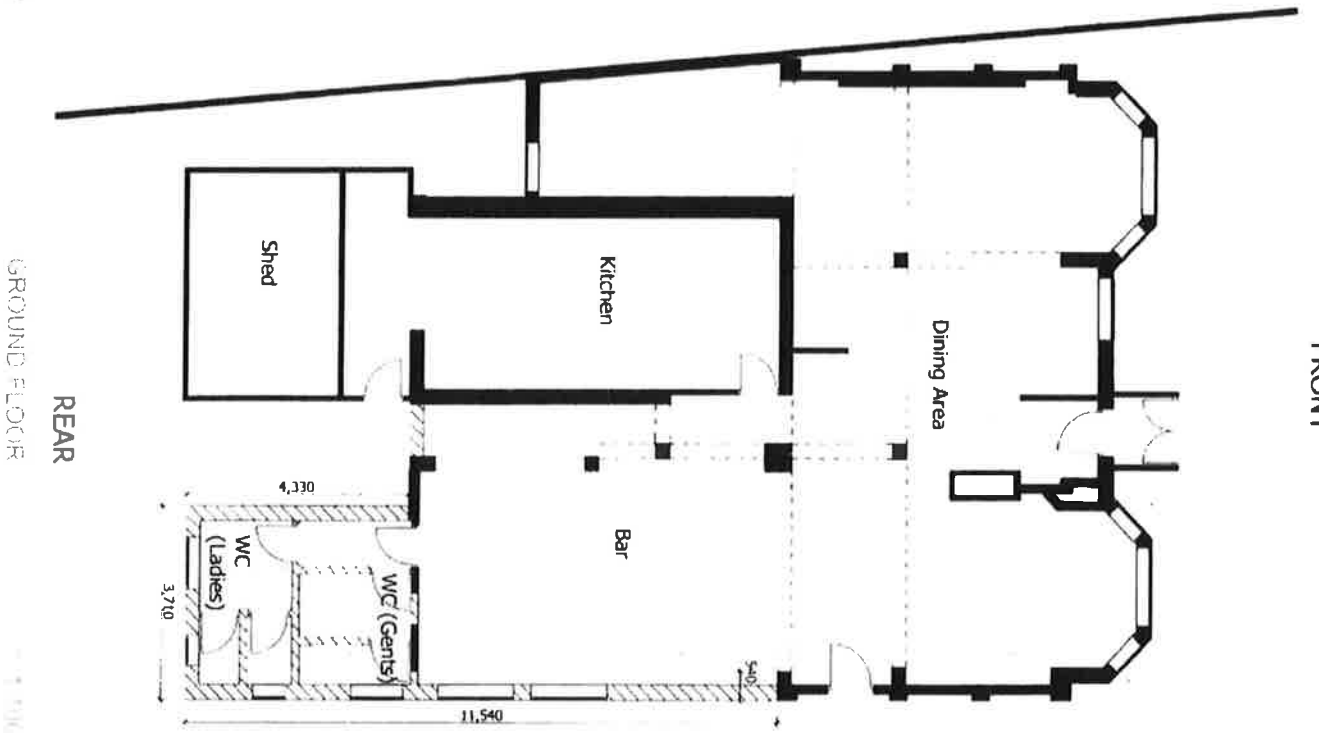
Signature	MANUEL ROCHA 
Date	23/09/2018
Capacity	AGENTE

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **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 15)			
MANUEL ROCHA UNIT 35 BATTERSEA BUSINESS CENTRE 99-109 LAVENDER HILL LONDON SW11 5QL			
Post town	LONDON	Post code	SW11 5QL
Telephone number (if any)	07868697778		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) manuelrocha01@hotmail.com			

AS BUILT PLAN
PAZZIA RESTAURANT



Premises Licence

LOCAL AUTHORITY

The Royal Borough of Windsor & Maidenhead

Town Hall
St Ives Road
Maidenhead
SL6 1RF

tel: 01628 683840
web: www.rbwm.gov.uk

www.rbwm.gov.uk



POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Pazzia Restaurant

London Road, Sunninghill, Ascot, SL5 0PN.

Telephone 01344 622038

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

E Performance of live music (Indoors)	Monday to Saturday	7:00pm	11:30pm ✓
	Sunday	7:00pm	11:00pm ✓
F Playing of recorded music (Indoors)	Monday to Wednesday	11:00am	Midnight ✓
	Thursday to Saturday	11:00am	1:00am ✓
	Sunday	11:00am	11:00pm ✓
J Provision of facilities for dancing (Indoors)	Monday to Wednesday	9:00pm	11:00pm ✓
	Thursday to Saturday	9:00pm	Midnight ✓
	Sunday	9:00pm	11:00pm ✓
L Late night refreshment (Indoors)	Monday to Saturday	11:00pm	1:00am ✓
	Sunday	11:00pm	Midnight ✓
M The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Wednesday	11:00am	Midnight ✓
	Thursday to Saturday	11:00am	1:00am ✓
	Sunday	11:00am	11:00pm ✓
	Seasonal Variations:	11:00am	Midnight

To extend sale of Alcohol by two hours on New Years Eve



THE OPENING HOURS OF THE PREMISES

Monday	11:00am	12:30am
Tuesday	11:00am	12:30am
Wednesday	11:00am	Midnight
Thursday	11:00am	1:00am
Friday	11:00am	1:00am
Saturday	11:00am	1:00am
Sunday	11:00am	11:00pm
New Years Eve		
Additional 2 hours on New Years Eve		

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises



Licensing Act 2003

Premises Licence

PL001171

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Jorge Pereira Rodrigues

Pazzia Restaurant, London Road, Ascot, SL5 0PN.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Jorge Pereira RODRIGUES

9 Ashley Crescent, Cavendor Hill, London, SW11 5QZ

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL

Licence No PA050676

Issued by Windsor and Maidenhead



Premises Licence

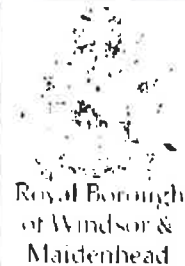
LOCAL AUTHORITY

The Royal Borough of Windsor & Maidenhead

Town Hall
St Ives Road
Maidenhead
SL6 1RF

tel: 01628 683840
web: www.rbwm.gov.uk

www.rbwm.gov.uk



POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Pazzia Restaurant

London Road, Sunninghill, Ascot, SL5 0PN

Telephone 01344 622038

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

E Performance of live music (Indoors)	Monday to Saturday	7:00pm	11:30pm ✓
	Sunday	7:00pm	11:00pm ✓
F. Playing of recorded music (Indoors)	Monday to Wednesday	11:00am	Midnight ✓
	Thursday to Saturday	11:00am	1:00am ✓
	Sunday	11:00am	11:00pm ✓
J Provision of facilities for dancing (Indoors)	Monday to Wednesday	9:00pm	11:00pm ✓
	Thursday to Saturday	9:00pm	Midnight ✓
	Sunday	9:00pm	11:00pm ✓
L Late night refreshment (Indoors)	Monday to Saturday	11:00pm	1:00am ✓
	Sunday	11:00pm	Midnight ✓
M The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Wednesday	11:00am	Midnight ✓
	Thursday to Saturday	11:00am	1:00am ✓
	Sunday	11:00am	11:00pm ✓
	Seasonal Variations:	11:00am	Midnight
	To extend sale of Alcohol by two hours on New Years Eve		



Premises Licence

THE OPENING HOURS OF THE PREMISES

Monday	11:00am	12:30am
Tuesday	11:00am	12:30am
Wednesday	11:00am	Midnight
Thursday	11:00am	1:00am
Friday	11:00am	1:00am
Saturday	11:00am	1:00am
Sunday	11:00am	11:00pm
New Years Eve		
Additional 2 hours on New Years Eve		

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises



Licensing Act 2003

Premises Licence

PL001171

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Jorge Pereira Rodrigues

Pazzia Restaurant, London Road, Ascot, SL5 0PN.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Jorge Pereira RODRIGUES

9 Ashley Crescent, Cavendor Hill, London, SW11 5QZ

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No PA050676

Issued by Windsor and Maidenhead



Public Notices

Dr. JORGE PEREIRA RODRIGUES
 Have Applied to -
ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD, LICENSING, TOWN HALL, ST IVES ROAD, MAIDENHEAD, BERKS.
 For a Variation of a Premises Licence under the Licensing Act 2003 to extend the hours for all licensable activities for:
PAZZIA - LONDON ROAD - SUNNINGHILL - SL5 6PN
 Licensable activities and accompanying hours applied for are:
SALE BY RETAIL OF ALCOHOL
On and Off License
 Monday to Thursday From 11:00 To 01:00 Am
 Friday and Saturday From 11:00 To 01:30 Am
 Sunday From 11:00 To 23:00
REGULATED ENTERTAINMENT
 Monday to Saturday From 11:00 To 01:00 Am
 Sunday From 11:00 To 23:00
LATE NIGHT REFRESHMENT
 Monday to Thursday From 23:00 To 01:00 Am
 Friday and Saturday From 23:00 To 01:30 Am
 Sunday From 23:00 To 23:30
 Full details of the Application sought can be viewed at: LICENSING TEAM, ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD, TOWN HALL, ST IVES ROAD, MAIDENHEAD, BERKSHIRE SL6 1RF
 Interested parties or Responsible Authorities can make written representation to - LICENSING TEAM, ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD, TOWN HALL, ST IVES ROAD, MAIDENHEAD, BERKSHIRE SL6 1RF WITHIN 28 DAYS:
 From 05/10/18 To 02/11/18
 It is an offence knowingly or recklessly to make a false statement or representation in connection with an application and the maximum fine which a person is liable on summary conviction for the offence is £5000.

The Villager

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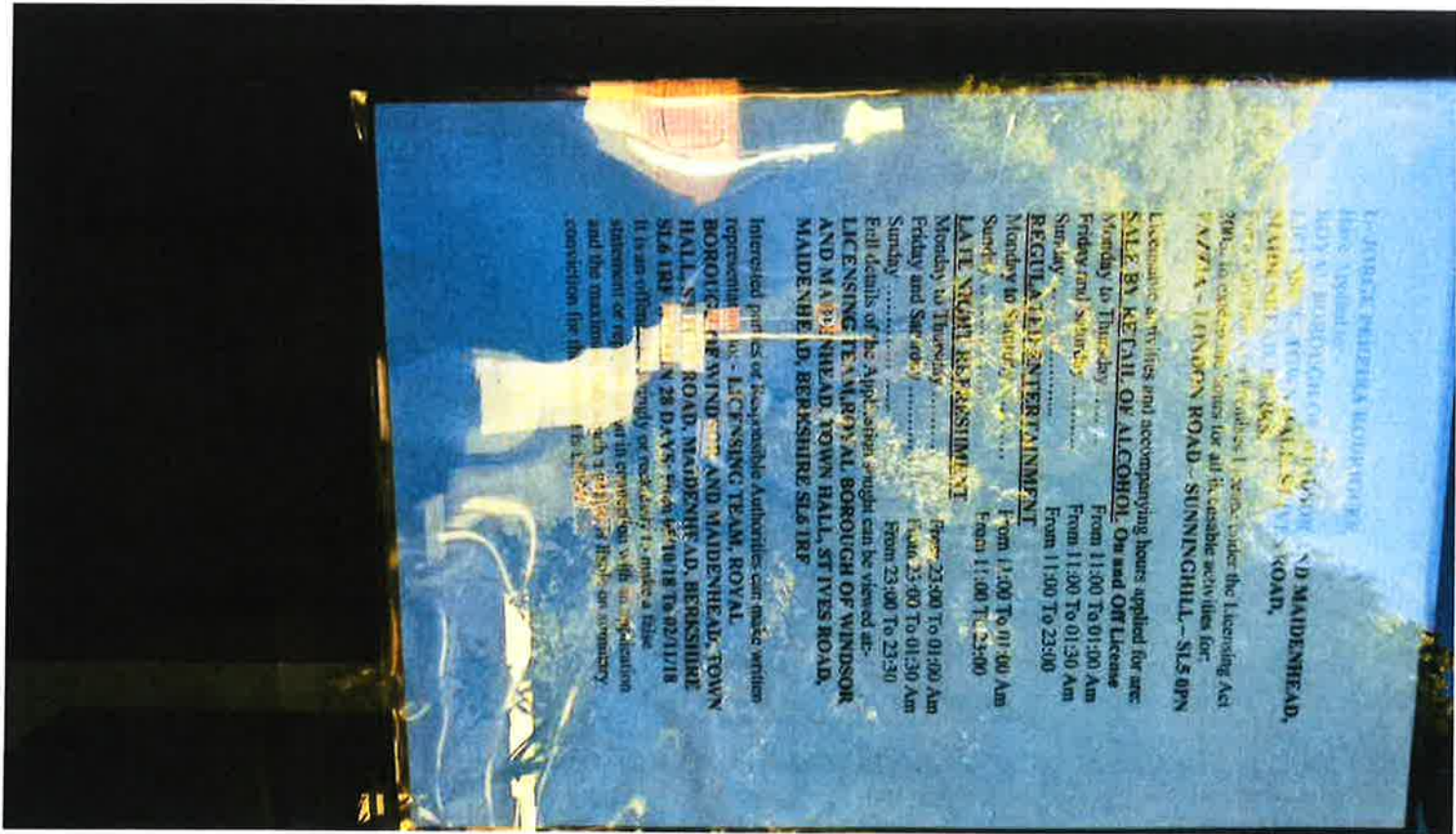
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THE DISTRICT PUBLISHED BY THE LICENSING AUTHORITY
 MAIDENHEAD, BERKSHIRE
 MAIDENHEAD, BERKSHIRE
 MAIDENHEAD, BERKSHIRE
 MAIDENHEAD, BERKSHIRE

7000, to expect the same for all licensable activities for
 MAIDENHEAD, BERKSHIRE - SUNNINGHILL - SL6 0PN

Licenceable activities and accompanying hours applied for are:
SALE BY RETAIL OF ALCOHOL - On and Off Licence
 Monday to Thursday From 11:00 To 01:00 Am
 Friday and Saturday From 11:00 To 01:30 Am
 Sunday From 11:00 To 23:00

REGULATED ENTERTAINMENT
 Monday to Saturday From 11:00 To 01:00 Am
 Sunday From 11:00 To 23:00

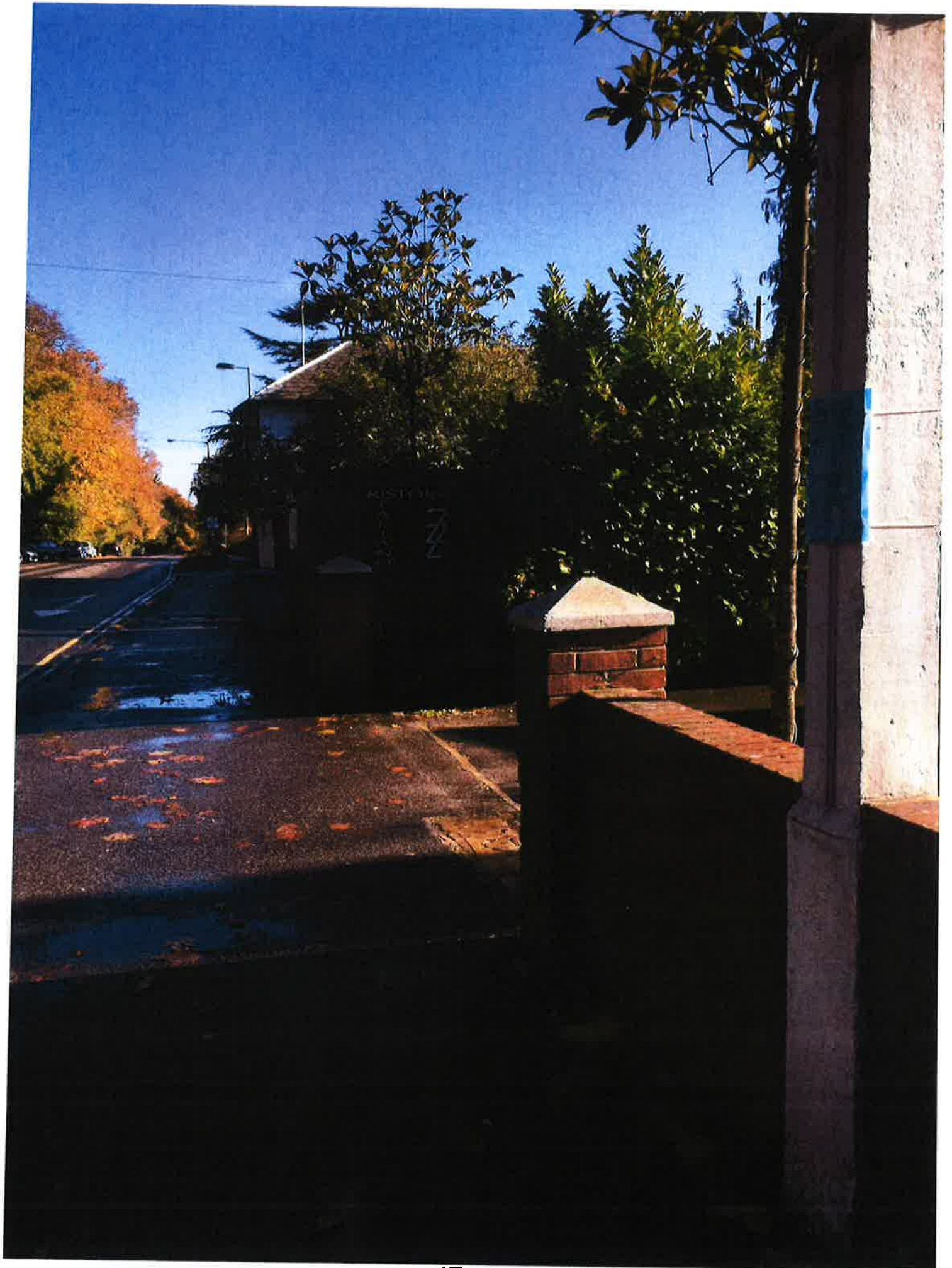
LATE NIGHT APPOINTMENT
 Monday to Thursday From 23:00 To 01:00 Am
 Friday and Saturday From 23:00 To 01:30 Am
 Sunday From 23:00 To 23:30

Full details of the Application can be viewed at:
**LICENSING TEAM, ROYAL BOROUGH OF WINDSOR
 AND MAIDENHEAD, TOWN HALL, ST IVES ROAD,
 MAIDENHEAD, BERKSHIRE SL6 1RF**

Interested parties or responsible Authorities can make written
 representations to the LICENSING TEAM, ROYAL
 BOROUGH OF WINDSOR AND MAIDENHEAD, TOWN
 HALL, ST IVES ROAD, MAIDENHEAD, BERKSHIRE
 SL6 1RF on 28 DAYS from 15/10/18 to 02/11/18
 It is an offence to supply or stock alcohol to make a false
 statement or register an application with the Licensing Authority
 and the maximum penalty for this offence is a fine of
 £5,000 or imprisonment for a term not exceeding 6 months
 or both.

END 21. 11. 2018.







Katia Russo

From: Jose Manuel Rocha <manuelrocha01@hotmail.com>
Sent: 05 November 2018 12:51
To: Katia Russo
Subject: Re: Pazzia Restaurant - TS Additional Conditions

Caution: External email. Think before clicking links or opening attachments.

Dear Miss Katia

Hope you well

I can confirm the Applicant Agree with all your Proposed Conditions

Kind Regards
Manuel

From: Katia Russo <Katia.Russo@RBWM.gov.uk>
Sent: 30 October 2018 15:31
To: Jose Manuel Rocha
Cc: Steve Smith (Licensing)
Subject: Pazzia Restaurant - TS Additional Conditions

Dear Manuel,

Pazzia Restaurant – Ascot

I write with reference to your application mentioned above.

Our Trading Standard Officer has requested the following conditions to be attached, alongside those already offered, to the premises licence:

- Proxy sale of alcohol will not be permitted.
- Management will ensure ongoing training. All bar staff/staff will be fully trained and retrained every 6 months which includes to discourage the sale of alcohol to customers on behalf of children
- A Challenge 25 policy shall be operated at the premises at all times. All staff shall require identification of all customer who appear to be less than 25 years old and wish to purchase alcohol.
- Acceptable proof of age will be a PASS approved proof of age card, passport, photographic driving licensing, or any identification recognised or approved by either the Licensing Authority or Thames Valley Police. No other form of identification shall be accepted unless agreed with the Licensing Authority or Thames Valley Police
- The Premises Licence Holder shall operate and maintain an up-to-date record of refused sale of alcohol, indicating the date, time, reason for refusal and person refusing. The record shall be reviewed from time to time by the Designated Premises Supervisor or Premises Licence Holder. This information shall be made available upon request to the Licensing Authority, Thames Valley Police and any other responsible authorities

Please could you confirm that your client is in agreement with them.

Best Regards,

Katia Russo

Assistant Licensing Enforcement Officer
Licensing | Royal Borough of Windsor & Maidenhead

Town Hall, St Ives Road, Maidenhead SL6 1RF

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Crossways Cottage, London Road, Sunninghill, Berkshire SL5 0PN

Licensing Section
Royal Borough of Windsor & Maidenhead
Town hall
St Ives Road
Maidenhead
SL6 1RF

20th November 2018

Dear Sir/Madam,

Ref: Pazzia Restaurant – full variation application

Please find below our representation for your consideration:

email
RECEIVED
20 NOV 2018
LICENSING

1. THE PREVENTION OF CRIME & DISORDER

1.1 Anti-social behaviour

Patrons are generally allowed to drink to excess and are regularly heard being verbally abusive and on occasion fighting/brawling, as witnessed by local residents. This behaviour does not appear to be policed properly by the PLH.

The Premises License Annex 2 Prevention of Crime & Disorder:

- *"Binge drinking will not be encouraged"*
- *"Intoxicated persons will not be sold alcohol".*

Extending the licensing hours will only exasperate this situation.

1.2 Safety of residents

We have been verbally abused following polite requests to turn down the music. For this reason, we have stopped calling Pazzia directly.

On one occasion, we phoned Pazzia to ask if the excessively loud music could be turned down. Rather than discussing or honouring our request, the owner of Pazzia and several accomplices stormed onto our property, shouting, swearing and kicking our front door. We dialled 999 and the police attended site.

On this occasion, we didn't have any family or friends staying. This would have been very distressing if close family with young children had been visiting.

Prior to the above incident, the owner attended a meeting at with RBWM Licensing at Windsor Police Station. At this meeting, the owner was instructed to have no confrontation with neighbours.

Crime report nos: LB3003401/08, LB3235689/08, LB9532679/06

If the licensing hours are extended, this would result in more confrontations with neighbours, especially if outside the working hours and support of the local Community Wardens.

2. PUBLIC SAFETY

2.1 Parking on the public footpath

Patrons' cars and taxis regularly park on the public footpath outside Pazzia and at the front of adjoining properties. This is a dangerous practice. Cars driving on the A329 towards Ascot must swerve around vehicles onto oncoming traffic. Cars navigating the staggered junction have reduced visibility. Pedestrians and patrons are unable to walk on the footpath safely. Patrons are not encouraged to use the car park.

Unfortunately, TVP do not issue parking fines after 7 pm, when this generally occurs.

Should the extension be granted, this would only exasperate the situation.

2.2 Broken glasses and bottles

Broken bottles and glass tumblers are regularly left by patrons on the public footpath and not cleared up by staff. This is a danger to pedestrians.

This problem will be exasperated if the extended licensing hours are granted.

2.3 Dangerous driving

Pazzia is located on an accident black spot with regular RTAs occurring at this junction.

With current legislation, there is a limit to drink/driving. By extending the licensing hours, this will exasperate the situation. We regularly hear vehicles exiting the restaurant at high speed at anti-social hours.

On one occasion, a vehicle crashed into the bollards immediately outside the restaurant. The driver abandoned the vehicle on the public highway and fled the scene after persons from Pazzia were unable to move the vehicle off the road into Pazzia's car park. The police attended the scene.

There does not appear to be random breathalyser checks carried out by TVP in the immediate area.

3. THE PREVENTION OF PUBLIC NUISANCE

3.1 Noise

Other local licensed establishments in residential areas do not create a public nuisance or play music after 11.30 pm.

There are several licensed establishments in Ascot and surrounding areas with no residential properties on their boundaries which are open later and can be reached on foot or by a short taxi ride. These establishments do not have residential properties on their boundaries, unlike Pazzia, which has residential properties on all borders.

3.2 Potential breaches of current license

There are ongoing discussions regarding breaches of the existing music licence, as witnessed by Environmental Health, Thames Valley Police and local Community Wardens.

These are well documented with Licensing and Environmental Health since the original music license was granted, without local consent or knowledge. Discussions are ongoing with RBWM Licensing regarding the validity of the existing extended license as it was approved without full visibility to neighbouring properties. It has a major bearing on Pazzia retaining its existing music license and having it extended further. In the meantime, we object to this license extension application.

The PLH does not appear to be able to control rowdy customers as per the license conditions.

The Premises License Annex 2, Prevention of Public Nuisance:

- *"There will be continuing obligation that the running of the business does not cause nuisance to neighbours"*

By extending the licensing hours, this will only exasperate the current situation.

Music is often audible outside the façade of our property. This is a breach of the music licensing conditions with live and recorded music, which are well documented.

The Premises License Annex 2, Prevention of Public Nuisance:

- *"The playing of recorded and live music within the premises should not be audible outside the façade of nearest residential premises"*

The application to extend the opening hours will only exasperate this situation. It is not acceptable to have to listen to music at 1.30 am and later.

The Premises License Annex 2, Prevention of Public Nuisance:

- *"Speakers should not be placed outside the premises at any time."*

Pazzia were instructed to remove speakers outside the property. However, the problem of music heard outside the premises remains - windows and doors are left open, which allows the noise to transmit. This noise pollution experienced is no different to the detrimental effects of speakers being placed outside.

This ongoing issue will only be exasperated if the licensing hours are extended further.

3.3 Supervision of patrons

Current government legislation allows for 24-hour drinking. This is only where licensed premises abide by conditions of the license and do not cause any public nuisance or issues with public safety or crime and disorder.

Revised Guidance issued under section 182 of the Licensing Act 2003 April 2018

"1.5 ..., the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- *protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;"*

Some of Pazzia's clientele are not managed outside the premises, which results in anti-social behaviour at unsociable hours outside of the restaurant in the car park and on the public highway.

3.4 Cars and taxis

By extending the licensing hours, this would result in cars leaving and taxis picking up patrons at even more anti-social hours. It must also be considered that staff would also be leaving the premises even later.

RBWM Licensing have requested that taxi companies and private citizens do not park on the public footpath and refrain from using car horns or music in the car park at unsociable hours.

This ongoing problem will only be exasperated by extending the licensing hours.

3.5 Impact on lifestyle

Some local residents work at weekends and are often disturbed by noisy

patrons and music, particularly on Friday and Saturday nights.

This will only be exasperated if the licensing hours are extended.

3.6 Light pollution

There is currently an ongoing issue with light pollution.

Pazzia is unwilling to switch off the anti-social light pollution source at a reasonable hour, despite a request by the RBWM Community Protection Lead Officer.

Flashing lights at the front of the premises are also causing light pollution to the living accommodation to the front of neighbouring properties.

Should the extended hours be granted, this situation would result in powerful halogen spotlights shining onto the bedroom window at even more anti-social hours.

3.7 Disposal of empty bottles into bins

The Premises License Annex 2 - Prevention of Public Nuisance:

- *"Bottles disposed of during daytime only"*

RBWM have cautioned Pazzia regarding this activity.

The staff of Pazzia continue to regularly dispose of empty bottles at anti-social hours and after closing time. This activity can be heard by all neighbouring properties, especially those closer in location to the bins than Crossways Cottage.

Should the licensing hours be extended, this would result in staff emptying bottles into the large industrial waste disposal bins at 2.30 am or later.

3.8 Outdoor smoking area

A retrospective planning application for an outdoor smoking area was refused in 2013 (ref. APP/T0355/C/08/2071767). This was in part as a result of noise and disturbance to neighbouring properties due to the congregation of customers late into the evening.

To date, Pazzia customers and staff continue to use this area. It now provides seating for up to 60 patrons, which is four times the size of the refused planning applications. The use of this area is currently under discussion with RBWM. It is not used as just a designated 'smoking area'. It is also used for drinking.

The Planning Inspectorate advised using the large open space to the rear of the property for this purpose.

By extending the hours, this will result in patrons smoking and drinking outside in the front car park at even more anti-social hours.

3.9 Noise Abatement Order

We understand from RBWM that the evidence collected to date will likely result in a Noise Abatement Order being issued in the near future.

On the basis that this Noise Abatement Order is imminent, it makes no sense to allow for a further extension to music and licensing hours.

There are ongoing discussions with Licensing regarding breaches of the licensing and music conditions.

On the basis that the above is currently under review, it makes no sense to allow for a further extension to music and licensing hours.

3.10 Support to the local community by RBWM

By extending music and licensing hours, we have no doubt that there will be more complaints, increasing the continual strain on RBWM's resources, time and money. There is have no visibility of the accumulated costs for Warden visits, Licensing or Environmental Health meetings. Unfortunately, this information is not available on the public domain.

The local community are concerned that if there are breaches of licensing and music conditions going forward, there will be no support available from the Environmental Health Community Wardens to attend site after 1.30 am. Given the history and number of recorded site visits, what support would be available to the local community after the Wardens have finished their shifts?

3.11 Extension to building plan as per this application

Retrospective planning application for the extended bar/dining area was approved. However, the Party Wall agreement for the dining room extension is not in place.

The additional seating area in the extension built onto the third-party wall is currently under investigation by RBWM Building Control and legal advisors.

Pazzia have been using this area for two years without Party Wall consent and investigations are currently ongoing to confirm if this area has been approved by the Fire Authority. The newly extended area was not brought to the attention of the Licensing Department

The windows are often left open in this extended area. Extending the licensing hours will only exasperate the effects the music and noise nuisance being heard in neighbouring properties.

Pending a resolution, changes to the existing plan should not be approved.

4. THE PREVENTION OF CHILDREN FROM HARM

4.1 Debris

Children are often seen at weekends outside the restaurant in an area where there are intoxicated patrons with glasses and bottles.

If this extension is approved, it will result in more glasses, bottles and litter being left on the public footpath/highway.

There is a nursery school 200 yards away. Mothers and children regularly walk past the restaurant in daylight hours.

4.2 Disturbance

Local residents regularly have friends/family with children staying overnight. Collectively, the neighbours have to endure the late-night drinking and excessive music from Pazzia.

By extending the licensing hours, children will be further kept awake until 2 am or later, listening to music and foul language. This anti-social behaviour has been witnessed by RBWM Environmental Health.

4.3 Public health and safety

On one occasion, we observed patrons sitting outside the restaurant setting off fireworks over the public highway (A329) - lighting rockets and shooting them across the road. This could have had catastrophic consequences to both oncoming traffic and/or pedestrians.

4.4 Impact on the local community

The PLH fails to appreciate the serious impact activities have on other people's lives in the vicinity.

Young people do not have a choice. Perhaps if children were living in the accommodation above the restaurant, the PLH might run the business differently.

There is no benefit to young people or the local community by encouraging further drinking at anti-social hours by extending the license.

Yours faithfully,

Mr & Mrs Hamilton

MEMORANDUM

To: Licensing Team & Planning Enforcement

Date: 15 November 2018

From: Environmental Health, Health and Safety and the Community Protection Team

Proposal Premise Licence Variation Application

Location: Pazzia Restaurant, London Road, Sunninghill, Ascot SL5 0PN

This representation is raised on behalf of the

1. The Responsible Authority for Environmental Health
2. The Responsible Authority for Health and Safety and the
3. Community Protection Team (The team responsible for tackling antisocial behaviour)

SUMMARY

The Pazzia Restaurant is located between two residential properties.

This application has been submitted at the request of responsible authorities to regularise ongoing problems with the premises licence including an area that was not covered by the previous licensing plan. Complaints are continuing and including problems with noise late at night disturbing residents. Potential breaches of the existing premises licence have been witnessed and are continuing to be witnessed despite the management being advised several times.

This variation gives the opportunity to remove or update outdated conditions on the current premises licence making it more robust.

The variation to extend the hours of the premises licence is strongly objected to.

It is recommended that the premises licence is varied to only authorise activities consistent with a pub in a residential area. Additional activities can either be authorised by temporary event notices (TEN's) or the Live Music Act 2013.

LOCATION

The Pazzia Restaurant is set back from London Road between two residential properties. Due to the layout the front of Pazzia Restaurant is beneath the bedroom window of the neighbouring Crossways Cottage. Please see pictures in appendix 2.

RECEIVED

19 NOV 2018

LICENSING

COMPLAINTS

There have been a number of complaints about the premises by local residents including to Adam Afriyie MP.

Complaints include:

- Loud music beyond the licence hours
- Loud voices, including swearing, from smokers outside the front of the premises
- Emptying of bottles late at night
- The noise of taxis sounding their horns and parking on double yellow lines
- Light shining in to neighbouring bedrooms

Visits have been undertaken by Mr Bayles and the Community Wardens. These visits have confirmed that the noise of smokers and the lights do cause unacceptable disturbance to the neighbouring property.

Due to the layout the noise of taxis beeping their horns outside the restaurant causes disturbance to neighbouring residential properties.

A summary of the complaints received by the Out of Hours Service and the monitoring by Community Wardens is included in Appendix 1.

Possible Contraventions of Premises Licence

The Pazzia Restaurant has been a cause of repeated complaints to the Royal Borough including the responsible authorities for Environmental Health, Health & Safety, Planning and Licensing.

The Premises Licence authorises live music until 11:30 Monday to Saturday and recorded music until 1am Wednesday to Saturday. However, the conditions restrict this to:

- No live music after 23:30
- Maximum of two (2) musicians,
- Recorded music mainly background type and no D.J, will be hired or Disco music played. There will be continuing obligation that the running of the business does not cause nuisance to neighbours.
- The playing of recorded and live music within the premises should not be audible outside the façade of the nearest residential premises.

Community Wardens patrolling the night time economy (NTE) have been asked to monitor the premises and have witnessed the following possible breaches of the premises licence:

1. 23:47 9 March 2018 Live music playing that should have finished at 23:30
2. 00:05 13 April 2018 Loud Music with DJ
3. 00:45 29 April 2018 Karaoke witnessed
4. 00:05 9 June 2018 could head live music singing, "Joleen."
5. 01:00 22 August 2018 music playing and people outside drinking
6. 23:15 5 October 2018 DJ on mic could be heard and loud music
7. 23:42 21 October 2018 loud music audible (not live)

A summary of the complaints received by the Out of Hours Service and the monitoring by Community Wardens is included in Appendix 1.

Planning

Complaints have been received that the Pazzia Restaurant is in breach of planning permissions including, that the tables at the front of the restaurant do not have planning permission. These complaints have been passed to planning enforcement. Planning are a licensing responsible authority and are expected to comment on this variation application.

Meeting with Pazzia Restaurant

On Friday 20 July 2018 a meeting took place at Pazzia restaurant between Michael Drghici (Manager), Mr Jordie Rodrigues (the brother of the Licence Holder and Designated Premises Supervisor (DPS)), Steve Smith (Licensing Officer) and Daniel Bayles (Community Protection Lead).

This meeting had been arranged. Mr Jorge Rodrigues, the DPS, had been told of the complaints and advised to check to ensure that the restaurant was trading in accordance with its premises licence.

The complaints were discussed and the Premises Licence was checked.

The following contraventions were identified:

1. It was found that the layout of the premises did not conform to the agreed plan in the premises licence as there had been an extension to the right of the premises.
2. As a result of this extension the premises had 66 covers but, a condition restricts the premises to 60 covers.
3. A sign requesting customers to leave the premises quietly, required by condition was missing.
4. The Premises Licence summary was not displayed
5. There was an admission that live music had been played after midnight.

As this meeting had been prearranged it was expected that no contraventions would be found. The fact that contraventions were found indicates that the management is showing no regard to the Premises Licence and its conditions or advice and requests from the responsible authorities.

Licensing is investigating possible offences.

To regularise the contraventions of the Premises Licence Mr Jordi Rodrigues was invited to submit an application to vary the Premises Licence by 1 September 2018 or a review would be requested. This deadline was missed and further possible contraventions of the Premises Licence have been witnessed since this meeting.

DISCUSSION

The layout of the Pazzia Restaurant does not match the layout in the Premises Licence and due to development in the law some of the conditions are unenforceable and do not provide the necessary protection to local residents who are reporting problems.

Premises Licence conditions have been observed being infringed on multiple occasions.

The Pazzia Restaurant has not been proactive in resolving the complaints nor resolving problems with its Premises Licence.

The Pazzia Restaurant is in a mixed residential area and its setting is not suitable for a late night venue.

This variation permits the current licence and its conditions to be reviewed in light of changes to the law and knowledge and experience.

Licensing Plan

The plan does not show the tables at the front of the premises. These tables should be included in the licensing plan. Please see pictures in appendix 2.

As the external tables are not shown on the licensing plan table service at these cannot take place.

Although the application form includes performance of dance (G) and anything of a similar description (H) the plan submitted does not designate an area for performances so the hazard cannot be assessed.

The Premises Licence should not authorise performance of dance or anything of a similar description.

Opening Hours

The close proximity of the neighbouring residential premises means that the disturbance caused by patrons and patrons leaving including taxis will cause unacceptable disturbance. It is recommended that the premises is only authorised to open between 11:00 and 23:00 Sunday to Thursday and between 11:00 and midnight Friday and Saturday.

Public Safety

The limit on the number of covers is a condition relating to public safety. Since the licence was issued The Regulatory Reform (Fire Safety) Order 2005 was enacted. This requires the Pazzia Restaurant to undertake its own risk assessment, which will limit covers and requires fire safety measures. This condition and the fire safety conditions are no longer required, unless the Royal Berkshire Fire and Rescue Service requires them.

The evacuation condition should be updated so that it requires the keeping of training records that authorised officers can inspect.

Prevention of Crime and Disorder

The Licensing Act 2003 prevents intoxicated persons being supplied alcohol and binge drinking so conditions restricting these are not required.

The crime prevention condition should be updated so that it requires the keeping of training records that authorised officers can inspect.

Music

The close proximity of the neighbouring residential premises means that the Pazzia Restaurant is not suitable for live nor recorded music after 23:00.

It is recommended that the premises licence authorises no live or recorded music.

Live music can take place until between 08:00 and 23:00 under the provisions of the Live Music Act 2013 without conditions.

Occasional live recorded music and live music after 23:00 could take place under temporary event notices (TEN's).

Background music (music that conversation can be heard over) does not require authorisation (licensing).

The condition, "The playing of recorded and live music within the premises should not be audible outside the façade of nearest residential premises," is no longer enforceable. This is because case law is now that audibility is not a clear level of sound and cannot be used as a requirement in conditions.

External Noise

There are a number of tables outside the front of the premises. This area is also used as the smoking area. This area is below the bedroom of the neighbouring residential premises so the noise of patrons, such as smokers, taking including swearing is disturbing and a possible nuisance.

The area at the front should be closed at 21:00 and a smoking area at the rear shall be designated.

Protection of Children from Harm

The condition, "Proof of age requested," is not a clear requirement and should be replaced with a condition requiring a Challenge 25 policy.

CONCLUSION

The Pazzia Restaurant has a verified history of causing problems to the neighbouring residential premises and of non-compliance. The Pazzia Restaurant has been repeatedly been given advice about complaints and to ensure compliance with its Premises Licence. This advice has been disregarded causing a negative impact on local residents.

This licence variation was submitted at the request of the responsible authorities for Health & Safety, Environmental Health and the Community Protection Team to regularise on going breaches of the Premises Licence. The Pazzia Restaurant has taken this as an opportunity to apply to extend its existing trading hours.

The Pazzia Restaurant has not been proactive in ensuring that it trades in accordance with its premises licence or to resolve complaints. Extending the trading hours at this time could be seen as rewarding non-compliance.

It is recommended that due to its location and verified negative impact that the activities at the Pazzia Restaurant are restricted to those of a normal pub / bar in a residential area.

The hours authorised by the premises licence should be 11am until 11pm Sunday to Thursday and 11am until Midnight Friday and Saturday.

The Premises Licence should not authorise the playing of live and recorded music late night refreshment, facilities of dance or anything similar.

Live music is authorised between 8am and 11pm by the Live Music Act 2013. Other activities could be authorised on an ad hoc basis using temporary event notices (TEN's).

The Pazzia Restaurant is able to make another application to vary the premises licence and extend the hours once it has proven it can trade in accordance with its premises licence and does not cause nuisance to neighbouring residents. It is recommended that any application is first tested using TEN's.

REPRESENTATION BY THE RESPONSIBLE AUTHORITY FOR:

- **Health And Safety**

Although the application form includes performance of dance (G) and anything of a similar description (H) the plan submitted does not designate an area for performances so the hazard cannot be assessed.

The licence should not authorise performance of dance or anything of a similar description.

This variation of the premises licence permits the out dated public safety conditions to be removed from the licence.

It is requested, that unless demanded by the Royal Berkshire Fire and Rescue Service, that the following conditions be removed as the requirements have now been replaced by The Regulatory Reform (Fire Safety) Order 2005.

- ~~Maximum of Sixty (60) covers~~
- ~~Fire alarm fully installed~~
- ~~Fire fight equipment on the premises~~
- ~~Smoke detectors fitted in every room~~

The following condition shall be deleted:

~~All Staff are trained in evacuation procedures~~

and replaced with:

"All staff shall be trained in evacuation procedures. Details and records of training shall be available to authorised officers of responsible authorities."

Daniel Bayles
Community Protection Lead

REPRESENTATION BY THE RESPONSIBLE AUTHORITY FOR:

- **Environmental Health**

And REPRESENTATION BY:

- **The Community Protection Team**

Due to the verified problems with noise and disturbance to the neighbouring residential property the Licence Premises should only authorise the supply of alcohol.

The Premises Licence should not authorise live or recorded music, performance of dance, anything of a similar description or late night refreshment.

The Premises Licence should only authorise the supply of alcohol:

M The sale by retail of alcohol for consumption ON and OFF the premises

Sunday to Thursday	11am	10:45pm
Friday to Saturday	11am	11:45pm

The Opening Hours of the Premises

Sunday to Thursday	11am	11pm
Friday to Saturday	11am	Midnight

With the following conditions:

Prevention of Crime and Disorder

1. All staff shall be trained in crime prevention matters. Details and records of training shall be available to authorised officers of responsible authorities.

Prevention of Public Nuisance

All existing conditions deleted and replaced with:

2. Notices shall be displayed at entrance/exit requesting customers to leave the premises quietly.
3. Bins, including bottle bins, shall only be emptied between 07:00 and 23:00.
4. Table service to the external tables is not permitted
5. No drinks shall be taken outside after 21:00
6. The use of the external tables shall stop at 21:00. Lights illuminating the external tables shall not be used after 21:00. External tables shall be put out of use after 21:00 such as by the use of covers.
7. A smoking area shall be designated at the rear of the premises for the use of smokers and shall be suitably signed a lit.
8. Unless a lighting plan is agreed in writing by the Environmental Protection Team, of the Royal Borough of Windsor and Maidenhead, all external signage lighting shall be switched off at 22:00.

Protection of Children from Harm

The following condition shall be deleted

~~proof of age requested.~~

and replaced with,

9. "A challenge 25 policy shall operate at the premises."

CONDITIONS FOR TRADING AFTER 11PM

If the Licensing Committee wishes to authorise the premises to trade after 11pm, which is not recommended, then the following condition in addition to those above are requested.

Prevention of Crime and Disorder

- a) SIA registered door staff shall be employed from 11pm until half an hour after the premises closes. Door staff shall remind patrons to leave the premises quietly.

Prevention of Public Nuisance

- b) No recorded music shall be played or live music shall be performed after 11pm until a noise management plan has been agreed in writing with the Environment Protection Team of the Royal Borough of Windsor and Maidenhead and fully implemented. The noise management plan shall not be altered unless agreed in writing with the Environment Protection Team.

Daniel Bayles
Community Protection Lead

Appendix 1

Summary of visits to Pazzia – NTE/OOH team 2018

<i>Ref:</i>	<i>Date</i>	<i>Time</i>	<i>Premises</i>	<i>Notes</i>	<i>Department</i>
NTE7477	20/01/2018	23:45	Pazzia Restaurant Ascot	No loud Music	Cpes/Lin
NTE7498	26/01/2018	23:45	Pazzia Restaurant Ascot	All quiet	Cpes/Lin
NTE7533	03/02/2018	00:15	Pazzia Ascot	No noise hard. Parked up outside, dark indoors, 2 ladies sat outside Com Safe	
NTE7537	03/02/2018	01:00	Pazzia Ascot	Lights off closed no noise heard Com Safe	
NTE7563	04/02/2018	00:56	Pazzia	All quietr.doors shut, no people seen inside or outside	
09/02/2018	21:00	Pazzia	I observed lights from the Pazzia in the neighbours' bedroom. These lights have the potential to be a nuisance. Also in the neighbours 'bedroom I heard the sound of voices of smokers outside Pazzia and directly under the bedroom window. This noise would disturb sleep.		
NTE7587	10/02/2018	01:15	Pazzia Sunninghill	Taxi Driver Block and pavement we did not hear any loud music	CPES
NTE7614	17/02/2018	00:05	Pazzia Restaurant Ascot	No problem - all quiet	CPES/Licensing
NTE7643	23/02/2108	23:00	Piazza , Sunningdale	patrons making noise in car park, coming out of restaurant	CPES/Licensing
NTE7671	25/02/2018	00:27	Pazia	Could hear music, windows open on arrival although as we drove to the car park a member of staff saw us and proceeded to shut all the windows quickly	Com Safe/Licensing
NTE7686	02/03/2018	22:55	Pzzia london rd sunninghill	no sound of music no activity outside	cpes/Liec
NTE7702	03/03/2018	11:40	Pazzia	Music could be heard in the car park, but not loud (15Minutes)	cpes/Liec
NTE7722	09/03/2018	23:47	Pazzia, Ascot	We could hear a lone musician playing a guitar, he was singing "Don't Be Cruel". There was nobody standing outside but we could see a few people inside.	CPES
NTE7748	17/03/2018	00:30	Piazza Restaurant	Music heard from premises on driving into car park but not excessive. "Tainted love" heard but small window open which didn't help.	CPES/Licensing
NTE7774	24/03/2018	00:28	Pazzia, Sunninghill	open but very quiet, no noise	CPES/Licensing
NTE7787	24/03/2018	00:00	Pazzia, Sunninghill	A group Stand outside but very quiet	CPES/Licensing
NTE7818	01/04/2018	00:28	Pazzia NTR		CPES/Licensing
NTE7838	07/04/2018	00:15	Pazzia Restaurant Ascot	Closed	CPES/Licensing
NTE7859	08/04/2018	12:22	Ascot Pazzia	Shut no noise heard from outside	CPES/Licensing

NTE7876 13/04/2018 00:05 piazza, Sunninghill Loud music with DJ , could be heard outside.
CPES/licensing

NTE7888 14/04/2018 00:35 Pazzia Restaurant Ascot Loud music been played CPES/Licensing

NTE7906 28/04/2018 00:15 Pazzia Restaurant Ascot Again very quiet no noise could be heard
licensing/CPES

NTE7933 29/04/2018 00:45 The Pazzia Restaurant Karaoke singing but not excessive asb

NTE7949 05/05/2018 01:15 Pazzia very quiet, possibly only one table, no noise, no taxi's CPES /
Licensing

OOH 06/05/18 Request Nature People shouting/laughing

Time/Date Officer Report & Actions

06/05/18 2345hrs I called the complainant, she told me the long history of noise related problems associated with this premise, tonight she is unable to sleep due to a number of patrons outside talking loudly and laughing, she is not able to hear any music. I advised her I will attend and investigate.

I arrived at the Piazza restaurant, and parked in the car park, as I did so I observed approximately eight people outside the front of the premises laughing and talking loudly, at the rear of the premises there were two females and three males leaving carrying party balloons, they too were in high spirits, and laughing and talking loudly. At 2355hrs I entered the Piazza restaurant, it was clear a private function had taken place, as there was a DJ playing music (at a low level) and approximately ten people (including staff) milling around. I identified myself to the owner and requested he turn off the music and bring the patrons making the noise outside back into the premises, he was very compliant and immediately turned the music off and brought the people in from outside, I gave him some advice regarding controlling noise from the premises in future which he accepted, I also advised him I would be submitting my findings to the council for follow up. I left site at 0010hrs now all quiet.

NTE7965 06/05/2018 00:40 Pazzia 4 people outside but they're not loud they're quite enough very low level music inside CPES / Licensing

NTE7977 11/05/2018 23:20 Pazzia Restaurant Ascot All quiet met outside by Staff. Reassured us that there no issues. No music could be heard from the Car Park of the Restaurant CPES/Licensing

Date 12/05/2018 Time call 23:59 taken by No. 4540

Noise complaint about the Pazzia Restaurant/normal noise didn't want anyone to call her back

NTE7995 12/05/2018 00:01 Piazza, Sunninghill The Restaurant was not overly busy and no sound could be heard from the front. Music could be heard from the side fire exit but this was by no means excessive
CPES/Licensing

OOH - DH 18/05/18 2303hrs I called the complainant, she told me she is being disturbed by Lam coming from the Pazzia Restaurant again, I agreed to attend and investigate.

I arrived at the location and made observations externally, four or five people sitting at the tables outside the front of the restaurant, minimal noise. I entered the complainant's property, they told me that since calling the noise levels have reduced considerably, they were sitting in their lounge with the windows and doors closed with the

Television muted, Mrs Hamilton told me that they had to turn up their television as the noise from the restaurant was so loud. The sound of a male singer was barely audible both in the lounge and the bedroom and not at a level to be a stat nuisance, with the windows/doors open, the noise breakout was minimal. Whilst in the bedroom complainant said that the floodlights on the front of the restaurant were also causing light pollution in her bedroom, however I noticed she had venetian blinds closed, and with these closed there was minimal intrusion. I left the property to visit the Pazzia restaurant.

NTE8006	18/05/2018	23:55	Pazzia Restaurant Ascot	All windows doors shut . Live music quite loud from side of building .	CPES/Licencing
NTE8018	20/05/2018	00:08	Piazza, Sunninghill	Parked car listened for noise. No music but could hear voices. All windows shut.	CPES/Licencing
NTE8028	25/05/2018	1145	Pazzia,	very quiet, spoke with the owner and he is said' they stoped music at around 1130pm.	CPES/LICENSING
NTE8045	02/06/2018	00:45	Pazzia Restaurant Ascot	people outside waiting for taxis	CPES/Licensing
NTE8059	03/06/2018	00:58	Pazzia Restaurant Ascot	NTR	CPES/Licensing
NTE8074	09/06/2018	00:05	Pazzia Restaurant Ascot	Parked up in the road directly in front of the restaurant. Could hear what sounded like live music and singing a rendition of Joleen. Member of staff came out for a cigarette, saw us and went back in. The sound then went down. He came out and approached us. He stated that the music was turned down.	ASB
NTE8090	09/06/2018	23:35	Pazzia, Sunninghill	Parked up alongside the premises in the driveway and turned the engine off. Could hear what sounded like live music. The group appeared to be playing 'Greek' style music.	CPES/Licensing
NTE8092	10/06/2018	00:05	Pazzia Restaurant Ascot	Parked up alongside the premises in the driveway and turned the engine off. All quiet.	TVP/Saf Com
NTE8118	16/06/2018	00:50	Pazzia Ascot	No music heard from outise. Was closing	CPES LICENSING
NTE8143	16/06/2018	23:57	Pazzia Restaurant Ascot	All quiet no noise heard	CPES
NTE8170	23/06/2018	01:05	Piazza, Sunninghill	Closed	licensing asb

Date 29/06/2018 Time call 21:55 taken by No. 4681

Loud Music Coming from Pazzia Restaurant,London Road, Sunninghil.SL5 OPN

Update

Ongoing complaint from resident. requested RBWM wardens to attend to live music coming from restaurant.

Conatcted RBWM wardens on duty who will attend to location.

NTE8177 29/6/2018 23:20 Pazzia, Sunninghill People standing outside and chatting / laughing but live music had stopped. cpes /licensing

NTE8205 01/07/2018 01:15 Pazzia, Sunninghill Further check on Pazzia. Car Park much quieter than earlier. No music could be heard. Entrance door to the front of the premise closed. CPES / Licensing

Time/Date Officer Report & Actions

2300hrs

02/07/18 DH Call received from call centre

2310hrs

I called the complainant, she told me she is being disturbed by shouting and screaming coming from people leaving the restaurant, I could hear the very loud shouting over the telephone so I called the manager at the restaurant, he told me there was not much that he could do and went outside and said the people have now left. I told him he needs to make sure people leave quietly, and ensure they do, he was not very happy.

NTE8226 07/07/2018 00:40 Pazzia Restaurant Ascot Restaurant closed. CPES / Licensing

NTE8236 14/07/2018 00:39 Piazza, Sunninghill Parked vehicle / car park. No noise music.
Approached by owner informed him why we were here. CPES/LICENSING

NTE8244 14/07/2018 2340 Pazzia no music heard from outside. Licensing/CPES

NTE8246 14/07/2018 00:05 PIAZZa, Sunninghill no music heard outside Licensing/CPES

Date 18/07/2018 Time call 23:55 taken by PB No 4751

Complainant rang RBWM Control Room to report loud noise and shouting from group of people who are gathered at Pazzia restaurant. Complainant wanted Duty Env protection officer to be made aware of this but to not ring her back

Update

- 1) Contacted Duty Protection officer to be made aware only.
- 2) Copied proforma ticket to EP and Licensing

NTE8266 20/07/2018 00:45 Pazzia Resturant Sunninghill No musice heard out side very quiet.
cpes/Lincesing

Time/Date Officer Report & Actions

2210hrs

22/07/18 DH Call received from call centre, complainant only wanted her call logged, and not rang back, she wants it logged that patrons of the Piazza restaurant were tonight banging on her walls.

2335hrs DH I entered the Pazzia Restaurant, the owner recognised me from my previous visit, there was a male singer, singing to backing tracks on an amplifier I spoke to the owner who said he has done everything possible to try and minimise any disturbance to them, but they continue to complain, he said he is licensed to play live music until midnight. Regarding the light pollution he said he has already extinguished one light that was causing a problem to them previously, and the existing uplighters (orange) have been there for eighteen years and they have not complained about these previously. I left site at 0010hrs.

NTE8283 22/07/2018 00:20 Pazzia Restaurant Ascot All very quiet no music at all cpes/Licensing

NTE8300 28/07/2018 00:11 Pazzia Restaurant Ascot NTR cpes/Licensing
 NTE8317 29/07/2018 00:20 Pazzia 18/00145/ASB closing up no music CPES/Licensing
 NTE8333 03/08/2018 12:22 Pazzia Restarant, London Road, Sunninghill(EP reference 18/00145/ASB)
 All quiet, 2 people sitting outside CPES/Licensing
 NTE8350 04/08/2018 23:45 Pazzia Restarant, London Road, Sunninghill(EP reference 18/00145/ASB)
 All quiet, about 6 people sitting outside. CPES/Licensing

Request Nature Rowdiness/people noise/ (No music)

Time/Date Officer Report & Actions

0003hrs

06/08/17 DH Call received from call-centre

0015hrs I called the complainant she has been subjected to fighting and rowdiness outside the Pazzia restaurant tonight, together with associated noise of people shouting. The noise has now quietened down and complainant was asked to call in when disturbed by the Licensing Officer. I advised her the details of her complaint will be passed to Licensing on Monday morning.

NTE8374 11/08/2018 00:25 Pazzia Restaurant London Road 18/00145/ASB Vehicles exiting and all leaving plus roadworks going on so nothing else to report this morning. Licensing

NTE8399 12/08/2018 00:30 Pazzia restaurant, London Road, Sunninghill 18/00145/ASB No music heard and no other ASB issues witnessed. CPES/Licensing

NTE8449 19/08/2018 00:25 Pazzia restaurant, London Road, Sunninghill Parked vehicle . Noted all windows sid building shut. No noise music heard. Licensing

NTE8475 25/08/2018 00:35 Pazzia Restaurant Ascot - 18/00145/ASBPremise closed. Lights off.
 CPES/LICENSING

NTE8485 25/08/2018 23:40 Pazzia Restaurant Ascot - 18/00145/ASBNo music heard and no other ASB .
 CPES/LICENSING

NTE8520 01/09/2018 Pazzia Ascot 2 waiters sat outside on bemches no one seen inside

NTE8552 08/09/2018 00:10 Piazza restaurant , Sunninghill , 17/02467/NOIPUB several people outside talking. Bar busy. Faint sound of music heard coming from bar CPES/Licensing

NTE8565 09/09/2018 00:15 Pazzia restaurant, London Road, Sunninghill 17/02467/NOIPUB No mudic heard and windows shut. CPES/Licensing

NTE8578 15/09/2018 00:20 Pazzia restaurant, London Road, Sunninghill 17/02467/NOIPUB No music heard, but lots of talking outside of the premises between groups of males CPES/Licensing

NTE8595 16/09/2018 00:40 Piazza restaurant , Sunninghill , 17/02467/NOIPUB Upon arrival customers leaving and no loud music or persons outside. Licensing/CPES

NTE8605 22/08/2010 01:00 Pazzia restaurant, London Road, Sunninghill 17/02467/NOIPUB music playing & people outside drinking CPES/Licensing

NTE8618 23/09/2018 01:13 Pazzia restaurant, London Road, Sunninghill 17/02467/NOIPUB Lights on rear of building appears closed. CPES/Licensing

NTE8623 28/09/2018 23:22 Piazza restaurant , Sunninghill , 17/02467/NOIPUB Music playing insidd with doors/windows closed. Noise at a low level. No issues CPES/Licensing

29/09/2018. 23:40. No music heard. There were about 6 people outside to the front of the resteurant. Doors and windows closed. No noise heard from the resteurant.

Date 05/10/2018 Time call 22:57 taken by SK No 4992

Complaint about high levels of noise coming from Pazzia restaurant.

Update

Community Wardens Informed, will attend and access the situation.

NTE8661 05/10/2018 22:30 Pazzia Visited site music could be heard from inside dj on mic and recorded music doors and windows closed in my opinion the noise is not an issue. CPES/Licensing

NTE8664 05/10/2018 23:15 Pazzia music still the same has before no louder and the doors and windows were still shut. DJ on mic could be heard and recorded music could slightly be heard but again in my opinion the music is not an issue. CPES/Licensing

NTE8677 06/10/2018 22:15 Pazzia Nothing heard all quiet CPES/Licensing

Date 12/10/2018 Time call 22:25 taken by No 5011

Mrs Hamilton, Noise complaint excessive noise from Pazzia, London Rd, Sunninghill, Ascot. SL5 OPN

Update

Passed to duty Environmental Protection Officer and Community Wardens

NTE8704 13/10/2018 23:25 Pazzia Adam Furniss from the control room contacted us at 23:20pm to tell us there had been a noise complaint regarding loud music at the venue and requested that we attend when free. Dave, the out of hours EP duty officer had already been called by Adam. When we arrived there was no noise or ASB issues to report.

NTE8707 13/10/2018 00:06 Pazzia Door open all quiet

NTE8728 14/10/2018 00:40 Pazzia, Although lights on, no persons seen in restaurant and only 1 x vehicle in car park CPES/Licensing

NTE8738 19/10/2018 22:14 Pazzia, Sunninghill Music audible from outside CPES / Licensing

Date 20/10/2018 Time call 23:08 taken by SB No 5039

complaint about the loud music and people outside who are swearing and generally being unpleasant at The Pazzia Restaurant in Ascot SL5 OPN. She does not want a call back from the duty protection officer, Just wants the community wardens to attend and log the call.

Update

Community Wardens Called and will attend.

NTE8743	20/10/2018	00:50	Pazzia, Sunninghill	Appeared to be empty, closed with just staff present
	and no noise / music	CPES / Licensing		
NTE8749	20/10/2018	20:55	Pazzia, Sunninghill	open, customers present but noise acceptable and
	no audible music during our visit	CPES / Licensing		
NTE875	21/10/2018	23:42	Pazzia, Sunninghill	3 ladies out the front talking but not loud, music
	audible (not live) but acceptable level.	CPES / Licensing		
NTE876	22/10/2018	01:25	Pazzia, Sunninghill	closed

Daniel Bayles
Environmental Protection Officer

Appendix 2

Pictures of Pazzia Restaurant Taken 13 November 2018

Picture 1 Front of Pazzia Restaurant



View of the front of Pazzia Restaurant. Crossways Cottage is located to the right.

Picture 2 Front of Pazzia Restaurant



View of from of Pazzia Restaurant looking towards the side wall of Crossways Cottage. The external tables are not shown on the licensing plan and are under the rear bedroom window of Crossways Cottage

Picture 3 Side of Crossways Cottage



Note the external seating and smoking area not shown on the Licensing Plan, under the rear bedroom window of Crossways Cottage.

THAMES VALLEY POLICE

Division/Station : HQ Licensing

From : Debie Pearmain
Police Licensing Officer

To : Greg Nelson
Licensing Team Leader, RBWM

Ref :

Date : 20th November 2018 Tel.No.01865 854022

Subject :

Application for a Variaton to Premises Licence – Pazzia Restaurant, London Road, Ascot

This objection report is a joint representation from myself on behalf of Thames Valley Police and Steve Smith, Licensing Manager, RBWM.

Thames Valley Police & RBWM Licensing both have concerns with this application if the hours to sell alcohol and Licensable activities are to be extended.

We do have evidence to support the crime and disorder licensing objective being undermined, which is detailed below. We are also aware of ongoing noise complaints and believe that if the hours are extended for the sale of alcohol, Late Night Refreshment, Recorded music, Live music, this could potentially undermine the Prevention of Public Nuisance Licensing Objective.

I have listed below details of incidents which we have on the Licensing file for this premise:

03/01/2012 at 11.30am

Steve Smith telephoned the premises and spoke to the Duty Manager following complaints of a New Years Eve party on the 31/12/2011.
See Gen40

13/07/2012 at 10.31pm

Complaint to Police from Local Resident complaining of loud music, which sounded like a karaoke and was very loud. Further call at 0008 hours informing us that the music was getting worse and Police attended at 0016 hours and reported in their view was not excessive and the premises was just about to close.

14/07/2012 at 1239am

Complaint to Police from Local Resident complaining of ongoing noise outside the premise, with approximately 50 persons shouting and screaming . At 0114am complainant states that the crowd that were outside had now gone back into the premise and the music was blarring away again. Police Officers were not able to attend due to serious incidents that were occurring at this time.

21/12/2012 at 10.30pm

Steve Smith and Sarah Conquest, RBWM Licensing attended the premises following concerns raised regarding a marquee that had been erected at the front of the venue. They did not observe any unlicensable activities in the marquee at the time of their visit.

31/12/1012 at 8.15pm

Steve Smith and Debie Pearmain attended the premise to conduct a licensing visit. Licensable activities observed and advice given to the Owner and General Manager to ensure that the premises does not cause any public nuisance to the local residents and that they close on time. Owner informed that further action would be

taken regarding breach of licence in relation to the speakers being located outside in the marquee.

08/01/2013

Appointment letter from Steve Smith, Licensing Officer, RBWM sent to Mr Rodrigues requesting he attend Maidenhead Town Hall on Tuesday 5th February 2013 at 2pm for a formal PACE interview.

08/02/2013

Letter sent from Steve Smith, Licensing Officer, RBWM to Mr Rodrigues informing him of the decision of the PACE interview on the 08/01/13. Letter requests he attends the Town Hall on Wednesday 20th February 2013 for the caution to be administered.

18/03/2013

Copy of Simple Caution administered to Mr Rodrigues.

06/07/2013 at 11.42pm

Telephone complaint to Police by local resident complaining of excessive noise coming from the venue. The music has been going on all evening. Caller reports that they have all the windows open so the music can be clearly heard. Police arrived at 0056am and report music was turned off at this time.

31/08/2013 at 1205am

Steve Smith, Licensing RBWM and Michele Speed, EPO RBWM attended the venue following noise nuisance complaints and possible licence breaches. Steve Smith and Michele Speed ensured the music was ceased to ensure no further public nuisance to local residents.

11/03/2017 at 0424am

Gen 40 states that a male was in a lock-in at the venue, when he was accused by the Owner of the Restaurant of cheating with the owners wife. The premise owner has then allegedly punched the aggrieved male in the face causing minor injuries but required an ambulance to attend. Both had consumed a quantity of alcohol. Officers were contacted by Ambulance to attend.

29/03/2017

Licensing meeting with Jorge Rodrigues, Premises Licence holder and DPS, Candido Rodrigues, brother of DPS, who also works at the premises, Steve Smith, Licensing Officer, RBWM and Debie Pearmain, Police Licensing Officer. Meeting arranged to discuss the recent Gen40 dated 11/03/2017 in relation to a domestic incident involving Candido. The time of the reported incident was 04.24am. Candido stated that the premise was not open at this time and that he had been working there on that night but stated that the premise was not open at this time. I informed Candido that I was not going to discuss the alleged incident, as it was the time of the report from the Police Officer who had attended, that we were alerted to. Jorge and Candido were both reminded to keep to the hours and conditions on their licences for both premises.

29/07/2017 at 11.50pm

Gen 40 detailing Steve Smith and Debie Pearmain attended the premises following concerns of public nuisance. Music was audible from 10 meters, we walked to the rear garden no windows open but the rear door was open.

There were 7 customers outside the front entrance (smoking) quite loud with foul language audible. Manager was stood at the front of the premises smoking, we suggested music levels be reduced, however, music ceased at midnight whilst we were in attendance.

01/09/2017

Licensing meeting with Jorge Rodrigues, Premises Licence Holder and DPS, Candido Rodrigues, (Brother of DPS) who works at the premise, Steve Smith, Licensing Officer, RBWM and Debie Pearmain, Police Licensing Officer.

Meeting arranged to discuss the recent noise complaints received by RBWM and TVP. They were both informed of our visit to the premises on 29/07/17 whereby music was audible from 10 metres and we observed the rear door was open. There were 7 customers outside the front entrance smoking being quite loud with foul language audible. The Manager was at the front of the premises smoking and we suggested the music levels needed to be reduced.

Both were requested to ensure that they do whatever they can to ensure that the public nuisance licensing objective is not undermined. Candido informed us the complainant (we have not disclosed who this is) next door has a personal issue with him and this has been going on for some time. He stated that she has a real issue with him and she will continue to complain. They were both informed that we, RBWM and TVP, will now have to monitor the venue and if we witness any breaches of licence or any public nuisance, that undermines the licensing objective, we will have to take enforcement action.

Candido showed us a picture on his phone from 16/07/2017, there were 3 people outside talking about work at 2253. One of these persons was him. He then told us that the lady from next door was shouting and swearing at him as he was talking. I informed Candido that this would be an issue to me as being disturbed at this time on a Sunday evening is not really acceptable. Advice given.

Steve Smith and I both stressed that we do not want any issue with the complainant to be made any worse than it already is. Steve then explained about the review procedure.

We are aware of ongoing complaints that have been sent to RBWM this year (2018).

We both believe that the area is residential and extending hours and licensable activities, as already stated, could potentially undermine the Public Nuisance Licensing Objective, which could further affect the quality of lives for residents.

If members do grant the extended hours and licensable activities we would request the following conditions are placed on the premises licence, alongside those conditions already on the licence.

Digital CCTV monitoring system to be installed and maintained to Thames Valley Police standard. Recording to be kept securely for 31 days and made available to Thames Valley Police employees and Authorised Persons as defined by Sections 13 & 69 Licensing Act 2003 upon request.

DPS or nominated person to be trained on how to work the CCTV system to the standard where the nominated person can download any potential evidence required by Thames Valley Police employees and Authorised persons as defined by Sections 13 & 69 Licensing Act 2003.

Nominated person is responsible in supplying the necessary media (discs, data stick) containing any downloaded content. Refusals Register to be on the premises and kept up to date and made available upon the request of Police, Trading Standards Officers and authorised persons as defined by Sections 13 & 69 Licensing Act 2003.

A noise level control device shall be installed as directed by, and set to a level agreed with the Head of Environmental Health who reserves the right to alter the level during the currency of the Licence.

Submitted for your information and necessary action.

Regards

Debie Pearmain and Steve Smith

Royal Borough of Windsor and Maidenhead

LICENSED PREMISES INCIDENT REPORT

Licensing	R.B.W.M.	Location	Data House
Name of Premises:		Pazzia Restaurant. London Road, Ascot.	
Time and Date of Incident:		3/1/12 - 11.30am	
Sources of Information (i.e. Discovered by Officers on supervisory visit, Complaint by member of public/licensee - name of officer or name and address of complainant to be included)			
Steve Smith L O RBWM			
Nature of Incident:			
<p>Telephoned premises following reports received from neighbour [REDACTED] and observations made when visiting venue on Saturday 31/12/11 of large marquee erected in car park at front of venue, the marquee covers almost all the frontage and is joined to licensed main building, my telephone call was diverted and eventually answered by Duty Manager "Raphael", I introduced myself and informed that I had called into the venue this morning and observed the marquee erected, I then asked what event was taking place outside in the marquee, Raphael immediately respond without any hesitation "just eating we are only serving food with the marquee" I enquired how many covers are they serving in marquee, Raphael informed "approx 45 people that's all". I informed Raphael that he must ensure the issued premises licence is not breached or that no un-licensable activities take place, he informed "my boss has sorted all this out, and he has spoken to all the neighbours? He was going to have the marquee up for all of December for a whole month, but its now only up for N.Y.E I'm sure it's alright though".</p> <p>I strongly suggested to Raphael that he now checks his copy of the issued premises licence, I instructed that he checks for "inside / outside" on all the licensable activities, if it states inside then that is inside the main building and not a marquee, I informed that its there licence, there business and so there responsibility, and although I have not got a copy of the issued premises licence with me, I strongly suspect they are only licensed inside only, I informed that if any breaches were observed or reported further action would be taken, I informed the reason for my telephone call was that I am concerned that un-licensable activities may take place and I want to ensure they remain within the licence, its working with the premises.</p> <p>Raphael was very polite and cooperative, and although he did refer to his "boss was sorting it" he claimed firmly that only food was being served and eaten within the marquee and that singing and dancing would be within the main building.</p>			
Details of Person(s) Cautioned/reported and offences:			
Action taken in all other cases:			
Other Information:			
Inform TVP. / EP RBWM.			
Endorsed by:		Steve Smith	
Date:	3/1/12	Officer Reporting:	Steve Smith Licensing Officer
To be forwarded to the Licensing Officer for noting prior to filing			

THAMES VALLEY POLICE

LICENSED PREMISES INCIDENT REPORT

Division HQ Licensing

Station: Ascot

Name of Premises: Pazzia, London Road

Time and Date of Incident: 2231 13/07/2012 (URN 1837 13/7/12 refers)

Sources of Information (i.e. Discovered by Police on supervisory visit, Complaint by member of public/licensee - name of officer or name and address of complainant to be included)

Complaint to the Police from [REDACTED], local resident

Nature of Incident:

Complaint that caller is hearing music from the Restaurant, this should not be heard.

Caller requested police attendance – Thames Valley Police. Policy explained to caller. The noise was heard by the operator whilst the complainant was on the telephone, sounded like a karaoke and was very loud. Further call at 0008 advising that the music is getting worse, caller advised a unit has been dispatched – police attended at 0016 and states that the noise not excessive and looks like its just about to close.

Details of Person(s) arrested or reported and offences:

Action taken in all other cases:

RBWM Licensing informed.

RBWM EPO informed.

Other Information:

GEN 40 endorsed:

CCTV Seized? Y or N if 'Y' Property Number? _____

Date: 16/07/2012

Officer Reporting: Debie Pearmain, PLO

To be forwarded to the Chief Inspector Prosecutions for filing

THAMES VALLEY POLICE

LICENSED PREMISES INCIDENT REPORT

Division HQ Licensing

Station: Ascot

Name of Premises: Pazzia, London Road

Time and Date of Incident: 0039 14/07/2012 (URN 76 14/7/12 refers)

Sources of Information (i.e. Discovered by Police on supervisory visit, Complaint by member of public/licensee - name of officer or name and address of complainant to be included)

Complaint to the Police from [REDACTED] local resident

Nature of Incident:

Further complaint that caller is reporting ongoing noise outside the premises now, Caller states that although the music has died down approximately 50 persons have been outside shouting and screaming and is stating that there is ongoing anti social behaviour. Caller very disappointed that the Police did not do anything about this.

At 0114 hours caller states that the crowd that were outside have now gone back inside the premise and the music is blarring away again – caller wants officers to attend as they are now beyond their hours.

Details of Person(s) arrested or reported and offences:

Action taken In all other cases:

RBWM Licensing informed.

RBWM ASB informed.

Other Information:

GEN 40 endorsed:

CCTV Seized? Y or N if 'Y' Property Number? _____

Date: 16/07/2012

Officer Reporting: Debie Pearmain, PLO

To be forwarded to the Chief Inspector Prosecutions for filing

Royal Borough of Windsor and Maidenhead

LICENSED PREMISES INCIDENT REPORT			
Licensing	R.B.W.M.	Location	Data House
Name of Premises:	Pazzia Restaurant. Ascot		
Time and Date of Incident:	21/12/12 at 22.30hrs		
Sources of Information (i.e. Discovered by Officers on supervisory visit, Complaint by member of public/licensee - name of officer or name and address of complainant to be included)			
Steve Smith L O RBWM - Sarah Conquest L O RBWM			
Nature of Incident:			
<p>Routine visit to premises following concerns raised regarding a marquee erected at the front of the venue, the marquee was actually covering the entire frontage from the main double door entrance to almost the boundary of the premises at the front, we did not observe within the marquee any sign of un-licensable activities or facilities that would allow any form of regulated entertainment, no speakers or any equipment for music or S.O.A was located within the marquee.</p> <p>No music or noise was audible outside the premises at all, they had a Christmas function taking place with a live singer with recorded backing track, all windows and doors were closed, the marquee actually acted as a sound buffer.</p> <p>DPS Mr Rodrigues was at the venue he confirmed that the marquee would only be used as an over-spill for family members to eat on NYE and that conditions would not be breached.</p>			
Details of Person(s) Cautioned/reported and offences:			
✓	Premises Licence Summary on display.		
✓	D.P.S on site.		
Action taken in all other cases:			
Other Information:			
Inform - E.P. Officer, Michele Speed.			
Inform - T.V.P Debie Pearmain.			
Endorsed by:	Steve Smith		
Date:	4/1/13	Officer Reporting:	Steve Smith Licensing Officer
To be forwarded to the Licensing Officer for noting prior to filing			

Pazzia Restaurant. London Road, Sunninghill, Ascot.

Monday 31.12.12 ...Steve Smith (SGS) RBWM – Debie Pearmain (DP) TVP.

20.15hrs we arrived at premises and entered marquee through side entrance, we observed approx six (6) people outside marquee smoking, no customer noise or recorded music was actually audible on our approach to premises, or outside the marquee.

Inside the marquee we observed approx 30 /35 customers sitting at tables, with recorded music being played through an unmanned music system, this had two (2) speakers attached located to the left and the right of the system, music was clearly being played through the speakers.

They did not have a bar set up within the marquee taking money, however, covers at the tables were clearly drinking alcohol being supplied from main bar within restaurant, and we observed a large container filled with ice and bottles of Champagne within the marquee.

We called a waiter over and requested to speak to the duty manager; at this point Raphael (duty manager) entered the marquee from the main restaurant. We both I.D ourselves and informed Raphael that he should not have speakers outside, he replied "I am only doing what the boss say's and you will have to speak with him"

Mr Jorge Rodrigues (JR) then walked into the marquee dressed in chefs whites, we informed JR that he was not licensed for regulated entertainment outside the main restaurant and the premises licence also is conditioned that no speakers should be located outside, (pointing to the two (2) speakers located in marquee)

JR then informed us "I have spoken to my solicitor and he told me that I don't require a licence for New Years Evening" we both informed JR that a form of regulated entertainment is taking place within the marquee and furthermore you have placed two (2) speakers outside, this we will now follow up formally ASAP. JR then said "well if I bring my car round and park it up I could play the radio.....it's the same, like having a party in my home"

We informed JR that this is not a private dwelling but a licensed venue, to which you have activities and conditions on the issued premises licence to adhere too.

DP then asked JR "are you licensed to do this" pointing to music system.

JR replied without any hesitation "No"

JR then informed us "In London the Council would allow this on New Years Evening" we informed JR that he is not in London and instructed him to ensure the premises doesn't cause any form of noise nuisance and to ensure they cease trading as per the licence, we will monitor this throughout the evening and return to ensure they close on time.

Due to the number of customers located within both the marquee and main restaurant, giving full consideration to our personal safety and the potential of creating a public order issue, we decided to witness / document and withdraw and follow up formally ASAP.

The premise at time of our visit was not causing a noise nuisance, no music was actually audible from outside the marquee, all windows and doors of main building remained closed.

TRADING STANDARDS SERVICE

Please reply to: Steve Smith
Direct Line: 01628 685850
Fax: 01628 685608
Email: s.smth@rbwm.gov.uk
My ref: PL001171
Your ref:

**The Royal Borough of Windsor and
Maidenhead**
Town Hall
St Ives Road
Maidenhead
Berkshire SL6 1RF

The Royal Borough



**Windsor &
Maidenhead**

8th January 2013

Mr J Pereira Rodrigues
Pazzia Restaurant
London Road
Ascot
SL5 0PN

Dear Mr Rodrigues,

Subject: Pazzia Restaurant, Ascot

I am making further enquiries in relation to possible un-licensable activities at the above premise on Monday 31st December 2012. You are the Premises Licence Holder and Designated Premises Supervisor for this premise and, as a result, you are requested to attend:

The Town Hall, St Ives Road, Maidenhead, Berkshire, SL6 1RF.
On the below date:-

Tuesday 5th February 2013 at 14.00hrs.

For a formal interview held under the conditions of the Police and Criminal Evidence Act 1984 conditions. You are of course entitled to bring legal representation to this interview but this will be at your own expense.

A copy of the licensing Enforcement and Prosecution Policy can be found on the RBWM website www.rbwm.gov.uk

On arrival, please go to the main reception and ask for myself

Please confirm your attendance.

Yours Sincerely.

Steve Smith
Licensing Officer
RBWM

cc Debie Pearmain, Licensing Officer, Thames Valley Police.

Please reply to: Steve Smith
Direct Line: 01628 685850
DX: 6422 Maidenhead 1
Email: s.smith@rbwm.gov.uk
My ref: PL001171
Your ref:

Town Hall
St Ives Road
Maidenhead
Berkshire SL6 1RF



Friday, 08 February 2013

[REDACTED]
Mr Jorge Pereira Rodrigues
[REDACTED]

[REDACTED]
Londom Road
Ascot
SL5 0PN

Dear Mr Rodrigues

Subject: Pazzia Restaurant, London Road, Ascot. SL5 0PN.

As a result of your interview carried out at the Town Hall, Maidenhead on, Tuesday 5th February 2013, regarding, "Breach of Premises Licence" Contrary to Sec 136 (1)(a & b) of the Licensing Act 2003.

It has been decided that on this occasion we will issue you with a simple Caution. This Caution will be written.

If you agree to abide by this decision, the caution will be administered at the following location: -

: - **The Town Hall, St Ives Road, Maidenhead, Berkshire, SL6 1RF**

On the below date: -

:- Wednesday 20th February 2013 at 11:30hrs.

I have to inform you however, that if you fail to agree with this course of action then a Court Prosecution may ensue.

You are entitled to bring legal representation to this procedure but it will be at your own expense.

Please confirm your attendance by completing the return reply slip and send this reply to the Licensing Department, Town Hall, St Ives Road, Maidenhead, Berkshire, SL6 1RF, for my attention.

Yours Sincerely

Steve Smith
Licensing Officer

REPLY: I confirm that I will accept the written caution as outlined above, and I will be attending the Town Hall on **Wednesday 20th February 2013 at 11:30hrs.**

Signed: -----
Mr Jorge Pereira Rodrigues

<u>SIMPLE CAUTION</u>		OFT Reference No.:	N/A
		Case Reference:	Licensing 13:04
NAME OF DEFENDANT:	Candido Pereira Rodrigues	D.O.B.:	[REDACTED]
ADDRESS:	[REDACTED]		
	Registered Company Number:	N/A	
JOINT DEFENDANT:	N/A		
ADDRESS:	N/A		
ENFORCEMENT AUTHORITY:	Royal Borough of Windsor and Maidenhead.		
LEGISLATION: (Act(s), Section(s), Regs. etc.)	Section 136 (1) (b) Licensing Act 2003		
DATE OF OFFENCE(s):	31.12.2012		
TIME OF OFFENCE(s):	20.15hrs (8.15pm)		
LOCATION:	Pazzia Restaurant. London Road, Sunninghill, Ascot, Berks. SL5 0PN		
OFFENCE (S):	Breach of premises licence conditions. ✓ <i>Speakers should not be placed outside the premises, at any time.</i>		
NAME OF OFFICER ADMINISTERING CAUTION:	Stephen Smith Licensing Officer Royal Borough of Windsor & Maidenhead		
SIGNED:		DATE:	18.3.13
CONTACT FOR ENQUIRIES:	01628 798888		
TELEPHONE NUMBER:	01628 798888		

C.C. Licensing Officer, Thames Valley Police, R.B.W.M. Area

Submitting Officer
Shoulder No/Name: C3232 Debie Pearmain

Station:
LPA: Windsor

Incident References
Premises Name/Location: PAZZIA, London Road, Ascot

Incident Date: 23.42 hours 06/07/13

Incident Time:
Command & Control URN: URN 1978 refers

Crime Report(s):
CCTV Seized?
Sources of Information:
Nature of Incident – what happened?

Complaint to TVP from [redacted] of excessive noise coming from neighbours, music which has been going on all evening. Caller states this is an ongoing issue, caller states the music has been playing really loudly all evening and she wants to go to bed but cannot sleep with the music so loud. Caller states that they have all the windows open so the music can be heard quite clearly.

RBWM EPO & Licensing updated

Premises Response – what part did staff play? How did they react/assist (include good/poor performance)?

Empty response area for Premises Response.

Police Response – what action was taken? Please identify the main officers who dealt with the incident.

Empty response area for Police Response.

Persons Involved - to add more rows click into the final cell of this table

Name	Date of Birth	Role	Action Taken	Ref No. (e.g. Custody, PND etc)

When complete, please forward to the Licensing Officer for the area (and anyone else as per local instructions)

Royal Borough of Windsor and Maidenhead

LICENSED PREMISES INCIDENT REPORT			
Licensing	R.B.W.M.	Location	Data House
Name of Premises: Pazzia Ascot.....London Road.			
Time and Date of Incident: Saturday 31 st August 2013 00.05hrs			
Sources of Information (i.e. Discovered by Officers on supervisory visit, Complaint by member of public/licensee - name of officer or name and address of complainant to be included)			
Michele Speed E.P.Officer RBWM			
Steve Smith L.O 03 RBWM			
Nature of Incident:			
Premises visited following reports received from E.P.Team of noise nuisance and possible licence breaches:			
<p>We arrived at the venue at 00.05hrs parking our vehicle directly opposite in Buckhurst Road. We observed that the front doors of the premises were open with a number of customers standing outside front entrance of premises, this was a mixture of customers awaiting taxi's and customers using the smoking shelter, we observed approximately three (3) taxi's arrive and collect customers leaving. A live female singer with recorded background music was audible from the location of our parked vehicle, we then observed the duty manger known as Raphael talking to customers leaving venue and generally monitoring the front of the premises, live music was still very audible from the venue. Raphael noticed our vehicle parked and at 00.10hrs walked over to us, he said "All is OK" whilst pointing to the outside front area of Pazzia, he made mention to taxi's collecting customers. We informed Raphael that when we arrived at 00.05hrs and we could clearly hear a live singer, at this point the female singer became audible. We informed Raphael that live music is only licensed on a Friday till 23.30hrs. Raphael then replied "Yes.....we have a birthday party and the birthday group requested that the singer plays on.....they have paid her extra money" we informed Raphael again that live music should cease at 23.30hrs, to which he replied " Yes I know.....this happens once in a blue moon.....what can you do about it. We then asked Raphael if Candido (Owner) was at the venue he replied "No"</p> <p>We informed Raphael that live music now need to cease, Raphael then walked away from our vehicle and entered the premise through the front entrance.</p> <p>At 00.18hrs live music was no longer audible, at 00.19hrs Raphael monitoring outside premises.</p>			
Other Information:			
<ul style="list-style-type: none"> ✓ Raphael gave this information freely and not whilst under caution. ✓ Customers using the outside front area not audible whilst monitoring premises. ✓ Windows and door of premises opened. 			
Endorsed by:		Steve Smith	
Date:	2.9.13	Officer Reporting:	Steve Smith
<u>To be forwarded to the Licensing Officer for noting prior to filing</u>			

Shoulder No/Name: N9968 GREEN	Station: LA	LPA: LA/LC
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Premises Name/Location: PAZZIA RISTORANTE, LONDON ROAD, ASCOT	
Incident Date: 11/03/2017	Incident Time: 0424
Command & Control URN: 337 11/03/17	Crime Report(s): 43170071540
CCTV Seized? N/A	
Sources of Information: Officer	

Nature of Incident - what happened?

Male was in a 'lock in' at the PIZZIA RISTORANTE, LONDON ROAD, ASCOT when he was accused by the owner of the restaurant of cheating with the owners wife. The premises owner has then punched the aggrieved male in the face causing minor injuries but required an ambulance to attend. Both had consumed a quantity of alcohol. Officers were contacted by SCAS to attend incident who attended and conducted an initial investigation.

Premises Response - what part did staff play? How did they react/respond (include good/poor performance)?

Premises did not call in the incident, officers were called by SCAS.

Police Response - what action was taken? Please identify the main officers who dealt with the incident.

Officers conducted initial investigation to ascertain circumstances. Investigation on-going. P6013 DAVIS and P5306 WALLACE.

Persons Involved - to add more rows click into the final cell of this table

Name	Date of Birth	Role	Action Taken	Ref No. (e.g. Custody, PND etc)
[REDACTED]	Unknown	Suspect	Voluntary Interview	N/A
[REDACTED]	[REDACTED]	Aggrieved	Taken to Hospital by SCAS	N/A

When complete, please forward to the Licensing Officer for the area (and anyone else as per local instructions)

Shoulder No/Name:	C3232 Debie Pearmain	Station:	LPA: Windsor/Maidenhead
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Incident References			
Premises Name/Location:	Pazzia Restaurant, London Road, Ascot		
Incident Date:	2.00pm 29/03/2017	Incident Time:	
Command & Control URN:		Crime Report(s):	
CCTV Seized?			
Sources of Information:			

Nature of Incident - what happened?
<p>Jorge Rodrigues, PLH and DPS, Candido Rodrigues, (Brother of DPS) who works at the premise, Steve Smith, Licensing Officer, RBWM and Debie Pearmain, Police Licensing Officer.</p> <p>Meeting arranged to discuss the recent Gen40 dated 11/03/2017 in relation to a domestic incident involving Candido. The time of the reported incident was 04.24am. Candido stated that the premise was not open at this time and that he had been working there on that night but stated that the premise was not open at this time. I informed Candido that I was not going to discuss the alleged incident as it was the time of the report from the Police Officer who had attended, that we were alerted to.</p> <p>Jorge and Candido were both reminded to keep to the hours and conditions on their licences for both premises.</p>

Premises Response - what part did staff play? How did they react/assist (include good/poor performance)?

Police Response - what action was taken? Please identify the main officers who dealt with the incident.

Persons Involved - (to add more rows click into the final cell of this table)				
Name	Date of Birth	Role	Action Taken	Ref No. (e.g. Custody, PND etc)

When complete, please forward to the Licensing Officer for the area (and anyone else as per local instructions)

Shoulder No/Name: C3232 Debie Pearmain **Station:** **LPA:** Windsor/Maldenhead

Premises Name/Location: Pazzia - Ascot

Incident Date: 11.50pm 29/07/2017 **Incident Time:**

Command & Control URN: **Crime Report(s):**

CCTV Seized?

Sources of Information:

Steve Smith and Debie Pearmain attended premises following concerns of public nuisance. Music was audible from 10 meters we walked to the rear garden no windows open but the rear door was open.

There were 7 customers outside the front entrance (smoking) quite loud with foul language audible. Manager was stood at the front of the premises smoking, we suggested music levels be reduced, however, music ceased at midnight whilst in attendance.

Premises Satisfied? (please indicate good/poor performance)?

Police Response - What action was taken? Please identify the main officers who dealt with the incident.

Persons Involved - to add more rows click into the final cell of this table

Name	Date of Birth	Role	Action Taken	Ref No. (e.g. Custody, PND etc)

When complete, please forward to the Licensing Officer for the area (and anyone else as per local instructions)

Shoulder No/Name: C3232 Debie Pearmain **Station:** **LPA:** Ascot

Premises Name/Location: Pazzia Restaurant,
Incident Date: 11.15am 01/09/2017 **Incident Time:**
Command & Control URN: **Crime Report(s):**
CCTV Seized?
Sources of Information:

Nature - What happened?

Jorge Rodrigues, Premise Licence Holder and DPS, Candido Rodrigues, (Brother of DPS) who works at the premise, Steve Smith, Licensing Officer, RBWM and Debie Pearmain, Police Licensing Officer.

Meeting arranged to discuss the recent noise complaints received by RBWM and TVP. They were both informed of our visit to the premises on 29/07/17 whereby music was audible from 10 metres and we observed the rear door was open. There were 7 customers outside the front entrance smoking being quite loud with foul language audible. The Manager was at the front of the premises smoking and we suggested the music levels needed to be reduced.

Both were requested to ensure that they do whatever they can to ensure that the public nuisance licensing objective is not undermined. Candido informed us the the complainant (we have not disclosed who this is) next door has a personal issue with him and this has been going on for some time. He stated that she has a real issue with him and she will continue to complain. They were both informed that we , RBWM and TVP, will now have to monitor the venue and if we witness any breaches of licence or any public nuisance, that undermines the licensing objective, we will have to take enforcement action.

Candido showed us a picture on his phone from 16/07/2017, there were 3 people outside talking about work at 2253. One of these persons was him. He then told us that the lady from next door was shouting and swearing at him as he was talking. I informed Candido that this would be an issue to me as being disturbed at this time on a Sunday evening is not really acceptable. Advice given.

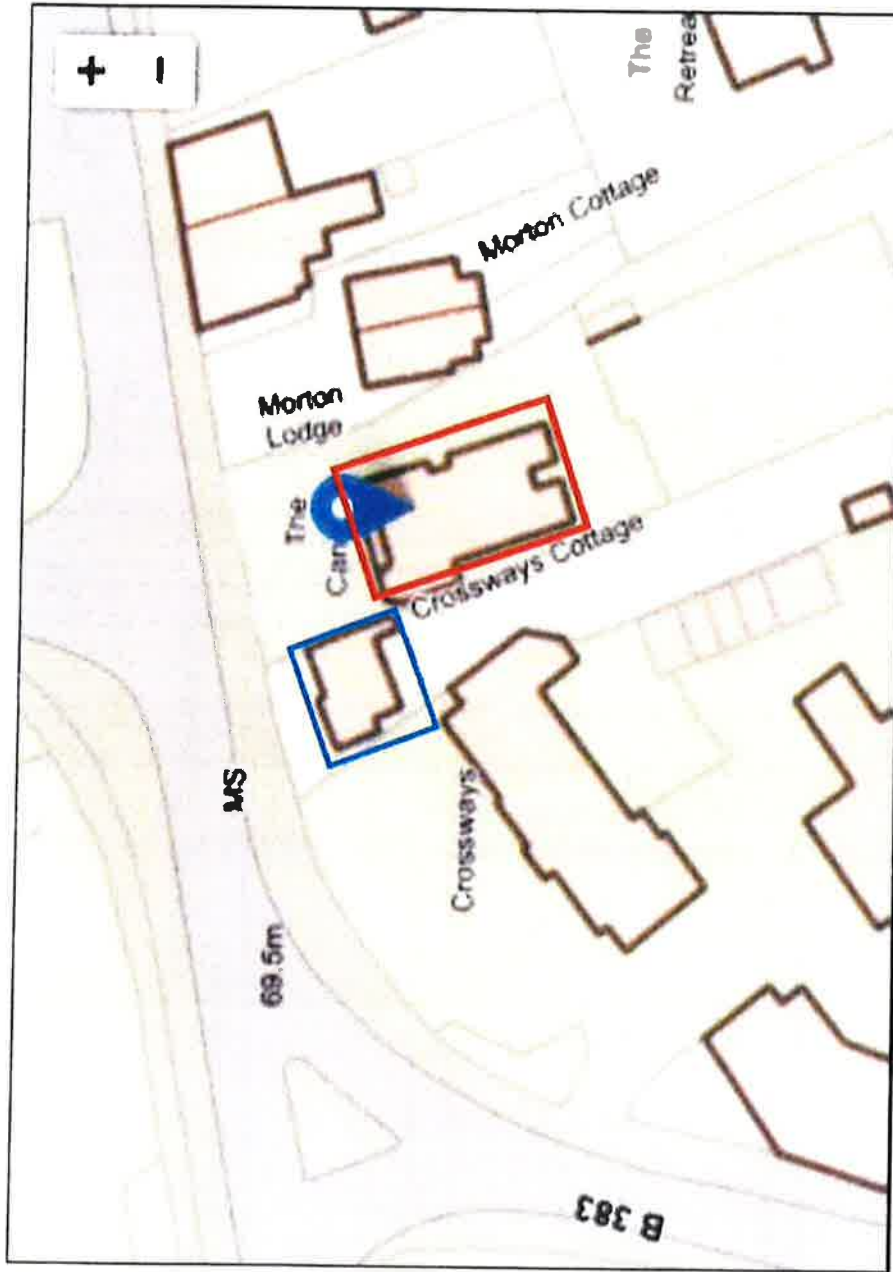
Steve Smith and I both stressed that we do not want any issue with the complainant to be made any worse than it already is.

Steve then explained about the review procedure.

Premises Response - what part did staff play? How did they react/assist (include good/poor performance)?

Police Response - what action was taken? Please identify the main officers who dealt with the incident.

Location Map of Premises and Representees



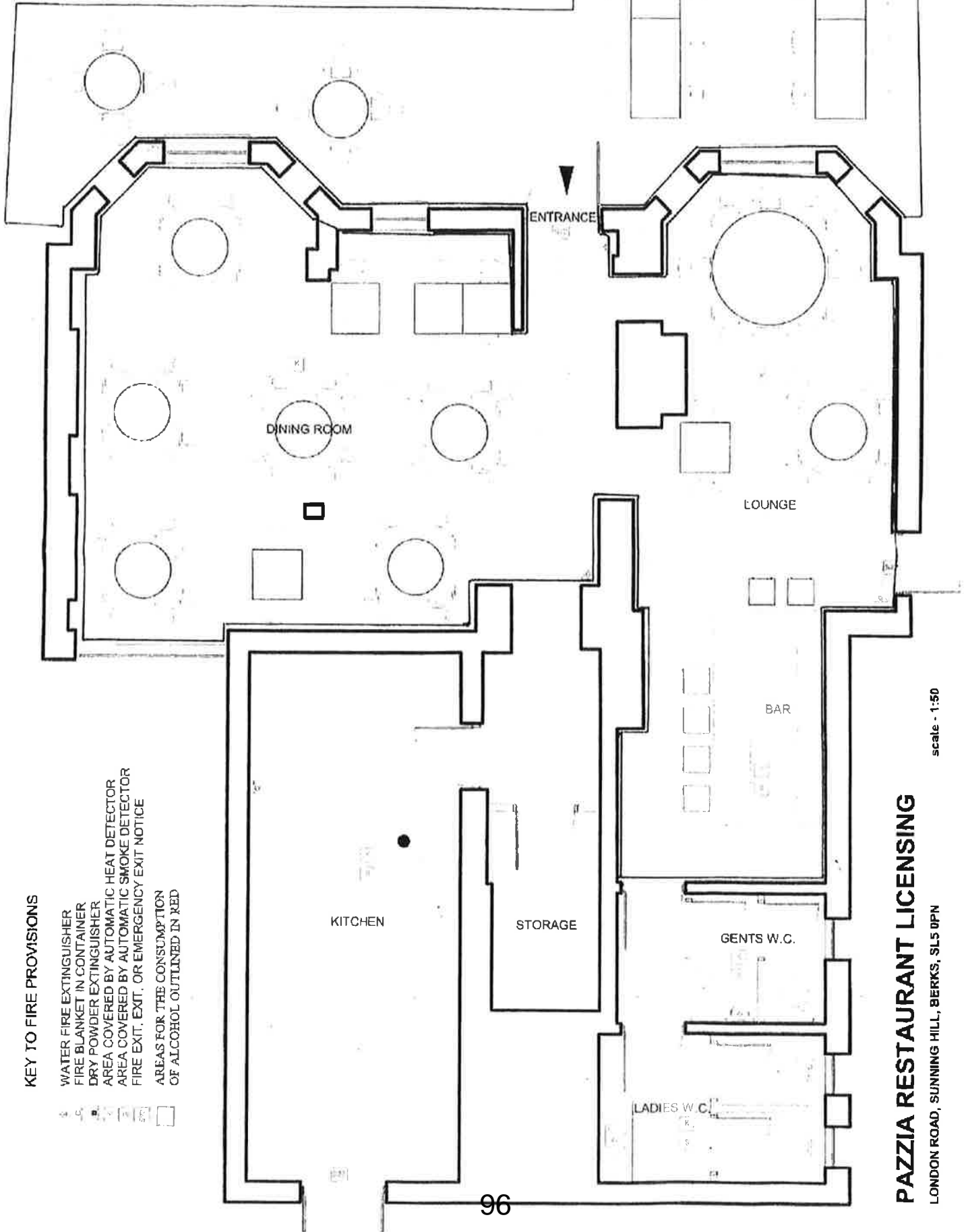
- PREMISES
- REPRESENTEEES

EXISTING PLAN

FIRE FIGHTING EQPT. TO BS 5306
 FIRE SIGNAGE TO BS 5499
 OCCUPANCY 81 PERSONS (INSIDE)
 40 PERSONS (OUTSIDE)

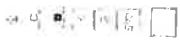
SIZE OF LICENSED AREA - 122 SQM
 + EXTERIOR PATIO AREA

PATIO



KEY TO FIRE PROVISIONS

- WATER FIRE EXTINGUISHER
- FIRE BLANKET IN CONTAINER
- DRY POWDER EXTINGUISHER
- AREA COVERED BY AUTOMATIC HEAT DETECTOR
- AREA COVERED BY AUTOMATIC SMOKE DETECTOR
- FIRE EXIT, EXIT, OR EMERGENCY EXIT NOTICE
- AREAS FOR THE CONSUMPTION OF ALCOHOL OUTLINED IN RED



scale - 1:50

PAZZIA RESTAURANT LICENSING

LONDON ROAD, SUNNING HILL, BERKS, SL5 0PN