

# Licensing Acts Panel



Report of Head of Legal and Democratic  
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To: Licensing Acts Panel  
DATE: 19 October 2023

REPORT NO:

## Application for a premises licence for McDonalds, Unit 04 The Orchard Centre, Didcot, OX11 7LL

### Recommendation

That the panel consider the application for a premises licence and the relevant representations and decide, with the view of promoting the four licensing objectives, whether to a) grant the licence as applied for, b) grant the licence after modifying any conditions to such extent as the authority considers appropriate for the promotion of the licensing objectives, c) exclude from the scope of the licence any of the licensable activities to which the application relates, d) refuse the application.

### Purpose of Report

- 1 To present the facts and relevant representations received in respect of an application for a premises licence for McDonald's, Unit 04, The Orchard Centre, Didcot, OX11 7LL, to the Licensing Acts Panel in order that it can determine the application under Section 18 of the Licensing Act 2003.

### Strategic Objectives

- 2 The relevant strategic objectives are 'Openness and accountability' and 'Improved economic and community wellbeing'.

### Background

- 3.1 The Licensing Act 2003 ('the Act') established a single integrated scheme for licensing premises which are used for the supply of alcohol, regulated entertainment, late night refreshment or permission to carry on some or all of

these activities. In the Act these activities are referred to collectively as the 'licensable activities'.

3.2 A Licensing Authority must carry out its function under the Licensing Act with a view to promoting the four licensing objectives. The licensing objectives are:

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

In carrying out its functions, the Licensing Authority must also have regard to its statement of licensing policy and any guidance issued by the Secretary of State (section 182 guidance).

3.3 Licences will normally be granted by the licensing officer under delegated powers but in the event of relevant representations being received regarding the grant of a premises licence, and where these representations cannot be resolved through any mediation process, the application is referred to the Licensing Acts Panel to be determined.

3.4 On 24 August 2023 an application for the grant of a new premises licence was submitted by McDonald's Restaurants Ltd for the premises known as McDonalds, Unit 04 The Orchard Centre, Didcot, OX11 7LL. A copy of the application form and plan of the premises is attached at **Appendix A**. The application is for the following licensable activities:

<b>Licensable Activity</b>	<b>Proposed Days and Times</b>
Provision of late night refreshment (provision of hot food and drinks)	2300hrs to 0500hrs Monday to Sunday (indoors and outdoors)
Hours premises are proposed to be open to the public	24 hours a day Monday to Sunday

3.5 A representation has been received from Thames Valley Police in respect of this application. Thames Valley Police are a named 'responsible authority' in the Licensing Act 2003. The representation is attached at **Appendix B**.

3.6 Within the representation at Appendix B, the police have requested a number of conditions be added to any licence that may be granted. These conditions concern the use of CCTV, having appropriate signage displayed advising CCTV is present, the use of an incident log, implementation of a policy to manage customers and to risk assess the requirement for door supervisors to be deployed at the premises. The police are also requesting a reduction in the hours applied for.

These conditions have been agreed by the applicant, but the reduction in hours has not been agreed. This is attached at **Appendix C**.

NB: It is standard practice and in accordance with the council’s licensing policy that any conditions will be worded as per the model conditions used by the council. This is to ensure that conditions are clear and enforceable. The model conditions for the agreed conditions are attached at **Appendix D**. The Licensing Panel and all parties to this application will be aware that the full suite of model conditions can be found on the council’s website at [www.southoxon.gov.uk/wp-content/uploads/sites/2/2022/10/Licensing-Act-2003-Guidance-for-Applicants-and-Licence-Holders-v8-Oct-2022.pdf](http://www.southoxon.gov.uk/wp-content/uploads/sites/2/2022/10/Licensing-Act-2003-Guidance-for-Applicants-and-Licence-Holders-v8-Oct-2022.pdf)

3.7 10 representations have been received from other persons as follows:

<b>Name</b>	<b>Summary of representation</b>	<b>Appendix reference</b>
Anne-Marie Birchall	Anti-social behaviour, disturbance, public safety	<b>Appendix E</b>
Natalie Haddrell	Disturbance, public nuisance	<b>Appendix F</b>
Penny Dakin-Kiley	Crime and anti-social behaviour	<b>Appendix G</b>
Aimee Bushell	Anti-social behaviour, disturbance, public safety	<b>Appendix H</b>
David Topliss	Anti-social behaviour, disturbance	<b>Appendix I</b>
Chris Jacks	Anti-social behaviour, litter	<b>Appendix J</b>
John Naughton	Anti-social behaviour, litter	<b>Appendix K</b>
Arija Crux	Anti-social behaviour, noise	<b>Appendix L</b>
Didcot Town Council	Public nuisance, crime and disorder	<b>Appendix M</b>
Richard Maskell	Helps control anti-social behaviour	<b>Appendix N</b>

3.8 A map showing the location of the premises is attached at **Appendix O**. This map indicates, where known, the approximate residential location of any the ‘other persons’ stated in the table above who have made valid representations.

3.9 On 26 September 2023, Thames Valley Police submitted additional information in support of their already submitted representation. For completeness, this has been attached at **Appendix P** to this report.

## Policy and guidance

4.1 The relevant sections of the council’s statement of licensing policy are stated below.

3.1 All applicants for the grant or variation of a premises licence or club premises certificate are required to provide an operating schedule as part of their application. This is a key document and, if prepared comprehensively, will significantly reduce the likelihood of the application attracting representations. The Licensing Authority expects an operating schedule to indicate the steps that the applicant proposes to take to promote the licensing objectives having regard to the type of premises, the licensable activities to be provided, the nature of the location and the impact on the local community. This should follow

a thorough risk assessment relating to the specific premises, the locality and the licensable activities proposed to take place.

3.2 Applicants are strongly recommended to discuss their operating schedule with the responsible authorities prior to submitting the application. The Licensing team can assist in coordinating this process.

3.5 Measures to promote the licensing objectives which are included in the operating schedule are used to form conditions attached to the licence and should therefore be clear, concise and unambiguous. To assist with this, the Licensing Team has produced guidance to applicants which contains a pool of model conditions. This document is available on the councils' websites and on request from the Licensing Team. We will use this document when translating proposed measures into clear, enforceable conditions.

3.7 Applicants are expected to make themselves aware of any relevant policies and strategies such as those relating to planning, tourism, local crime prevention and alcohol harm reduction, and to have taken these into account when formulating their operating schedule.

3.11 Conditions attached to various authorisations will be focused on matters which are within the control of licence holders, and will focus primarily on the direct impact of any activities taking place at those premises on those living, working, or otherwise engaged, in the area concerned.

3.12 The licensing function is not a mechanism for the control of anti-social behaviour by individuals once they are beyond the direct control of the licence holder of any premises concerned. Conditions attached to licences must only seek to impact on the behaviour of customers on, or in the immediate vicinity of the premises as they seek to enter or leave.

3.13 Conditions shall be appropriate and proportionate to achieve the promotion of the licensing objectives, and shall be tailored to suit the circumstances and premises. Conditions will not be attached where adequate legislative control exists.

4.3 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises or event.

4.13 The Licensing Authority will consider representations that indicate that specific premises require door supervision for the purpose of meeting the crime and disorder or public safety licensing objectives. In such cases, the Licensing Authority may impose a condition that an agreed number or ratio of licensed door supervisors must be present at the premises either at all times, or at such times as certain licensable activities are taking place.

4.16 Licensed premises should consider implementing a dispersal policy, working in partnership with other venues within the vicinity through mechanisms such as Pubwatch. Applicants should consider how the venue will minimise the potential for disorder and disturbance as customers leave the premises,

including any ejections. Any policy should be reviewed regularly and staff should be trained in its implementation.

6.1 Public nuisance is a broad concept, which concerns how the activity of one person (or business) affects the amenity of other persons living and working in the area of the licensed premises, for example, how noise from playing music interferes with another person's right to sleep, or adverse impacts from light or odour.

6.2 The Act requires, and the Licensing Authority expects, applicants to demonstrate within their operating schedule how they intend to prevent public nuisance arising. This will be of particular importance where there are residential properties in the vicinity of the licensed premises.

6.4 When an operating schedule does not sufficiently address the prevention of public nuisance the Licensing Authority will consider all reasonable conditions suggested by responsible authorities in any relevant representation to prevent public nuisance. In some locations it may be appropriate and proportionate to limit opening hours, the times of licensable activities or the types of licensable activities taking place.

6.5 Where considerations apply to late night refreshment premises, they shall only be taken to apply to their operation between the hours when a premises licence would be required.

6.11 Noise can come either directly or indirectly from licensed premises. Direct noise, such as that from entertainment activity, will be under the premises' direct control. Indirect noise, such as that from vehicles and customers coming to and from the premises may not be under direct control, but the premises can strongly influence it. Both types of noise will be of more significance in areas with residential accommodation and will usually, but not exclusively, be of greater importance between 11pm and 7am. However it must be noted that noise and disturbance can also cause public nuisance outside these times. The operating schedule should identify the control measures that will be taken to minimise the impact of both types of noise on neighbouring residents and businesses.

6.13 Noise and disturbance from people outside can cause public nuisance even when those people are not behaving badly. The operating schedule should identify the control measures that will be taken to minimise the impact of use of outside areas. This may include noise and disturbance from customers on the premises and customers in outdoor areas such as terraces, beer gardens and smoking areas. It will also include noise, disturbance and obstruction from customers in the vicinity of the premises including customers congregating outside premises to smoke or drink, customers arriving, leaving or queuing outside premises.

7.4 The Licensing Authority expects that, whether or not alcohol is supplied or proposed to be supplied on or in the vicinity of the premises, operating schedules will identify:

- the extent to which it is proposed that children be admitted to the premises;

- whether it is proposed that unaccompanied children will be admitted;
- the type of regulated entertainment provided whilst children are present;
- the specific steps undertaken to ensure the safety of children and to further ensure that no products or services are sold to children that are not appropriate for their use or consumption.
- that staff are aware of their responsibility to ensure that an adult should not become over intoxicated if accompanied by a young person or child as to inhibit their ability to safeguard that young person.

9.7 The licensing panel will determine each case on its individual merits whilst having regard to the legislation, the Secretary of State's guidance and this policy. Where the licensing panel determines that it is appropriate and proportionate to attach conditions to a licence or certificate it will ensure that those conditions are focused on the direct impact of the activities taking place at the premises concerned. Such conditions will be proportionate to the activity to be controlled and will only be imposed in the interests of promoting the licensing objectives.

15.1 A critical element of the proper control of licensable activity and a premises where such activity is provided is good management. Within all licensed premises, whether or not alcohol is to be sold, the Licensing Authority will expect there to be proper management arrangements in place which will ensure that there is an appropriate number of responsible, trained persons at the premises to ensure the proper management of the premises and of the activities taking place, as well as adherence to all statutory duties and the terms and conditions of the premises licence and the promotion of the licensing objectives.

4.2 The relevant sections of the Secretary of State's guidance issued under section 182 of the Licensing Act 2003 (latest version dated August 2023 accessed at [www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003](http://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003)) are as follows:

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

1.5 However, 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;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;

- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met;
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

2.3 Conditions (relating to crime and disorder) should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed 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.

2.21. 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.

2.22 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.

3.12 Schedule 2 to the 2003 Act provides a definition of what constitutes the provision of late night refreshment. It involves the supply of 'hot food or hot drink' between the hours of 23.00 and 05.00 to the public for consumption on or off the premises. It includes the supply of hot food or hot drink between those hours on premises to which the public has access. Under Schedule 2, food or drink is considered to be 'hot' if, before it is supplied, it has been heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and at the time of supply it is above that temperature; or after it is supplied, may be heated on the premises for the purpose of enabling it to be consumed at a temperature above the ambient air temperature.

8.41 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

8.42 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;



- any risk posed to the local area by the applicants' proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact assessment), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

8.45 The majority of information which applicants will require should be available in the licensing policy statement in the area. Other publicly available sources which may be of use to applicants include:

- the Crime Mapping website;
- Neighbourhood Statistics websites;
- websites or publications by local responsible authorities;
- websites or publications by local voluntary schemes and initiatives; and
- on-line mapping tools.

8.46 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

8.47 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

8.48 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set

out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.

8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the consideration given to the licensing objectives and any measures that are proposed to promote them.

9.12 Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas.

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.

10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention and be appropriate and proportionate for the promotion of the licensing objectives.

10.8 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

4.3 The Licensing Panel may also wish to consider and view relevant case law as follows:

East Lindsey District Council v Abu Hanif (2016) High Court stated case reaffirms the prospective nature of the Licensing Act and how licensing authorities and courts should approach the promotion of the four licensing objectives. It reaffirms that they require a "prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence."

R (on the application of Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court and Others (2011) EWCA Civ 312. This case also states how licensing authorities should approach licensing decision making:

"They involve an evaluation of what is to be regarded as reasonably acceptable in a particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgement rather than a matter of pure fact."

R (on application of Daniel Thwaites plc) v Wirral Magistrates' Court and Others (2008) EWHC 838 (Admin) emphasises the important role that responsible authorities have in providing information to decision makers to contextualise the issue before them, as they are experts in their fields.

Sourced from <https://www.gov.uk/government/publications/alcohol-licensing-using-case-law/alcohol-licensing-using-case-law>

## Options

5.1 In determining the application the authority must give weight to:

- representations received from responsible authorities
- relevant representations received from other persons
- the Secretary of State's guidance issued under Section 182 of the Licensing Act 2003
- the council's statement of licensing policy and
- the steps appropriate and proportionate to promote the four licensing objectives

- 5.2 In view of the above, the panel is requested to consider the application for a premises licence and decide whether to:
- (a) grant the licence as applied for
  - (b) grant the licence after modifying any conditions to such extent as the authority considers appropriate for the promotion of the licensing objectives
  - (c) exclude from the scope of the licence any of the licensable activities to which the application relates
  - (d) refuse the application.

### **Financial Implications**

- 6 Should the applicant or any other person wish to appeal against a decision of the council, they may do so to the magistrates' court. The council would incur costs should this occur, although the court may decide to award costs if the council's decision was upheld.

### **Legal Implications**

- 7.1 The Human Rights Act 1998 requires public bodies to ensure everything they do is compatible with Convention Rights and makes it unlawful for a public authority to act incompatibly with those rights. When determining whether to grant the application the panel will be aware of human rights considerations, specifically Part 1, Article 6, the right to a fair trial, Part 2 and Article 8 the right to respect for private and family life for those making representations.
- 7.2 The hearing of all applications is subject to the principles of natural justice.
- 7.3 Section 17 of the Crime and Disorder Act 1998 states, 'without prejudice to any other obligation imposed on it, it shall be the duty of each authority to exercise its various functions with due regard to the likely effect of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area'.
- 7.4 Under Schedule 5, Part 1 of the Licensing Act 2003, any person aggrieved by the decision in respect of the application may appeal to a Magistrates' Court within 21 days of the date of the decision.

### **Conclusion**

- 8 This report provides information submitted by the applicant, responsible authorities and other persons. The panel should determine this application with a view to promoting the four licensing objectives. It must, having had regard to all the relevant representations and the evidence it hears, determine the application using the options outlined in section 5 of this report.

## Background Papers

- Appendix A – Application form and plan
- Appendix B – Representation from Thames Valley Police
- Appendix C – Email from applicant's solicitor agreeing conditions but not timings
- Appendix D – Proposed conditions
- Appendix E – Representation – Anne-Marie Birchall
- Appendix F – Representation – Natalie Haddrell
- Appendix G – Representation – Penny Dakin-Kiley
- Appendix H – Representation – Aimee Bushell
- Appendix I – Representation – David Topliss
- Appendix J – Representation – Chris Jacks
- Appendix K – Representation – John Naughton
- Appendix L – Representation – Arija Crux
- Appendix M – Representation – Didcot Town Council
- Appendix N – Representation – Richard Maskell
- Appendix O – Location plan
- Appendix P – Additional information from Thames Valley Police

**Appendix A – Application form and plan (blank pages removed)**

**Application for a premises licence to be granted under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

I/We McDonald's Restaurants Limited  
(Insert name(s) of applicant)

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
McDonald's Restaurants Unit R04 The Orchard Centre			
<b>Post town</b>	Didcot	<b>Postcode</b>	OX11 7LL
Telephone number at premises (if any)		Not Yet known	
Non-domestic rateable value of premises		£ to be assessed	

**Part 2 - Applicant details**

- |   |   |
|---|---|
| Please state whether you are applying for a premises licence as   | Please tick as appropriate                                      |
| a) an individual or individuals *   | <input type="checkbox"/> please complete section (A)            |
| b) a person other than an individual *  |   |
| i as a limited company/limited liability partnership  | <input checked="" type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability)  | <input type="checkbox"/> please complete section (B)            |
| iii as an unincorporated association or   | <input type="checkbox"/> please complete section (B)            |
| iv other (for example a statutory corporation)  | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club  | <input type="checkbox"/> please complete section (B)            |
| d) a charity  | <input type="checkbox"/> please complete section (B)            |
| e) the proprietor of an educational establishment   | <input type="checkbox"/> please complete section (B)            |
| f) a health service body  | <input type="checkbox"/> please complete section (B)            |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  | <input type="checkbox"/> please complete section (B)            |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> please complete section (B)            |
| h) the chief officer of police of a police force in England and Wales   | <input type="checkbox"/> please complete section (B)            |

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

Name McDonald's Restaurants Limited
Address 11/59 High Road East Finchley London N2 8AW
Registered number (where applicable) 01002769
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
2	1	0 9 2 0 2 3

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

DD	MM	YYYY

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

Restaurant selling hot food and non-alcoholic drink for consumption on and off the premises.

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

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

- Provision of regulated entertainment (please read guidance note 2) 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) X
- 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 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed				<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)	
Thur					
Fri				<b><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</u></b> (please read guidance note 6)	
Sat					
Sun					



H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri					
Sat			<b>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</b> (please read guidance note 6)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon	23:00	05:00		Both	<input checked="" type="checkbox"/>	
Tue	23:00	05:00		<b>Please give further details here</b> (please read guidance note 4)		
Wed	23:00	05:00				
Thur	23:00	05:00	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)			
Fri	23:00	05:00				
Sat	23:00	05:00	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6)			
Sun	23:00	05:00				

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 9).

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

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	05:00	05:00	
Tue	05:00	05:00	
Wed	05:00	05:00	
Thur	05:00	05:00	
Fri	05:00	05:00	
Sat	05:00	05:00	
Sun	05:00	05:00	
			<b>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</b> (please read guidance note 6)

**M**

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

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

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

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

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

*CCTV*

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

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

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

*Staffsafe*

A Staffsafe™ system with both audio and visual monitoring capability will be installed in the restaurant, this system, can be activated by either fixed or mobile panic buttons. Once activated the system links the restaurant to an external monitoring centre capable of intervening to resolve crime and disorder issues and/or provide the appropriate advice or instruction to support and protect the restaurant’s staff and customers.

At this restaurant all shift managers have safety and security training; including Maybo SIA accredited Conflict Management Training.

**c) Public safety**

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

This restaurant has safety systems in place to protect the safety of customers and staff at all times (such as Staffsafe). We work with the local Environmental Health Office and local Fire Service to ensure we are complying, as far as reasonably practicable, with relevant Health and Safety and Fire Safety Legislation. This restaurant is also subject to inspections from our own safety and security teams to ensure our systems are being maintained.

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

This store operates a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the in-store area.

**d) The prevention of public nuisance**

*Litter*

McDonald's were the first company in our sector to introduce litter patrols in the early 1980's. McDonald's is committed to carry out litter patrols collecting both McDonald's packaging and any other litter that has been carelessly discarded. We are happy to act on recommendations from the Environmental Health Officer should they feel that we should extend our patrol to a nearby area, as far as this is reasonably practicable.

All of McDonald's packaging displays the recycle symbol to encourage our customers to deal with their waste responsibly. Further details regarding McDonald's commitment to reducing waste and litter nuisance can be found at the "Our World" section of the McDonald's website:

<https://www.mcdonalds.com/gb/en-gb/our-plan-for-change.html>

*Noise*

Where it is practical to do so we are content to put measures in place to limit noise. All McDonald's restaurant doors are self-closing and we try to encourage our customers to be considerate to our neighbours and to limit noise both when ordering their food and on leaving the local area.

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

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

- Checklist:** **Please tick to indicate agreement**
- I have made or enclosed payment of the fee. X
  - I have enclosed the plan of the premises. X
  - I have sent copies of this application and the plan to responsible authorities and others where applicable.
  - I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
  - I understand that I must now advertise my application. X
  - I understand that if I do not comply with the above requirements my application will be rejected. X
  - [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

**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.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	<input type="text"/> Elaine Rayner, Shoosmiths LLP
Date	24 <sup>th</sup> August 2023
Capacity	Solicitors on behalf of the Applicant





## Appendix B – Representation from Thames Valley Police

## THAMES VALLEY POLICE

Division/Station: High Wycombe

From: Andy Dean c2915  
Licensing OfficerTo: Licensing Authority  
South Oxfordshire District

Ref:

Date: 15<sup>th</sup> September 2023

Tel.No. 01865 309275

Subject:

**OBJECTION; - McDonalds restaurant, The Orchard Centre, Didcot**

I am employed by Thames Valley Police as a Licensing Officer and thereby represent the Chief Officer of the said Police Service in relation to licensing matters.

WE have received an application from McDonalds Restaurants for a premises licence for Late Night Refreshment at the above location and to be open 24 hours. The application provides a number of generic conditions boasting their prowess as a company that has all these policies and procedures in place to manage the Four Licensing objectives however they do not provide those policies and procedures for those making decisions like 24 hour food sales to make objective decisions. This is not the first company in my experience to do this – most of the major retailers do this as well.

They also did not enter in to any pre-consultation prior to submission of the application so that issues that did crop up could be discussed and agreement sought to help the provision of the granting of the application.

In my role I have approached McDonalds who have in fairness discussed the concerns raised but again tended to try to sell the fact that they are worldwide, they are renowned for their product and they don't sell alcohol and also that none of their drinks are sold in glass containers so this automatically reduces the issues of Crime and Disorder.

They do train their managers in conflict resolution and have an external security overview team to monitor their premises and to call the police should issues arise that it appears cannot be dealt with unless Police are present. So another level of notification of incidents.

I have prior to this submission forwarded some specifically worded conditions to the company which have been agreed and I also requested that closing time should be no later than 02.00 hrs daily but they have stuck to wanting the full 24 hours. The Local Neighbourhood Policing Team did suggest separately that the premises should shut earlier due to the levels of AntiSocial Behaviour in the area due to food outlets.

So to the concerns of Thames Valley Police;- At present another local late night refreshment outlet now only opens to 21.00 hrs as they have been suffering from a lot of Anti Social Behaviour. They have made 23 calls to police for service this year that are listed although there have been many more issues raised directly with the local policing team. Such have been the problems that the local neighbourhood policing team have worked hard with this other outlet and have at last managed to get door staff on duty to help prevent the issues; - which were the local young people using the location as a youth club and sitting there all evening but not spending anything but causing all sorts of issues with their behaviour and language. The youths are now no longer in the outlet but generally hanging about in the Centre causing general anti social behaviour.

Although McDonalds are trying to sell this new premises utilising the fact that it is on a Retail park – the fact is this retail park has residential properties within yards on two sides. It is also about a 5 minute walk from the High Street. With the increase in traffic to the retail park after the rest of the premises are closed and the fact that it is at night and sound travels further then the residential properties will be subjected to increase noise especially if those drivers are the type to 'show off'. – thus vehicular Anti social behaviour. At present there is a 24 hour McDonald's a three and a half mile drive away if persons want late night food. Other than the evening Anti social behaviour caused by the youths there are few incidents of Crime and / or Disorder in the Night Time Economy. It is felt that this will seriously increase should McDonalds get what they want.

McDonalds have not provided anything within their application to manage their customers so I have as part of the conditions I wanted to add one that requires them to provide a policy to manage their customers inside and out – which they have agreed to.

Another concern is that those that have been drinking within the town will make their way in their intoxicated states towards McDonalds for food and then sit in the restaurant to consume it.

Unfortunately in my experience within licensing and prior to this in Policing when you get intoxicated people in one place for an amount of time somebody will rub someone up the wrong way and this can lead to altercations. This was experienced within High Wycombe when the McDonalds there (a Franchise like this one will be) opened 24 hours and increased Aspects of Crime.

The below numbers have been taken from our Crime recording database by me physically counting each crime that was recorded under a number of headings over two periods of time (before and during 24 hours opening)

The first period is a similar length of time in months prior to it becoming a 24 hr venue

The second period is the time it became 24 hours until a new Franchisee took over and refused to open after 23.00 hrs because of the cost implications.

Offence type	13/07/2014 to 13/11/2018	13/11/2018 to 13/2/2023	% increase
Theft	21	31	47%
Assault	23	70	204%
Hate incident	2	7	250%
Sexual assault	0	10	***
Drugs	0	2	***
Anti social behaviour	3	6	100%
Public order offences	9	41	355%
TOTALS	58	167	187%

\*\*\* With regard to the Sexual assault and the drug results these are not calculatable because it would result in 'infinity % increase.

You also might say that this increase in specific numbers over a period of 3 or 4 years is nothing. However in policing terms it becomes a demand on policing which the specific venues should be managing themselves. Obviously these are only numbers recorded by police it doesn't cover the everyday incidents that occur that are not reported but this still will increase. People will hang about if there is the slightest chance to rather than head for their places of abode.

So with regard to Crime and Disorder it increased by about 187 percent. Now I'm not saying that the new premises will increase necessarily Crime and Disorder by this amount but I use it to show that the longer a refreshment venue is open into the Night Time Economy, the increased chances of crime and disorder happening.

This also depends on the number of Late Night closure premises near to the location hence the percentage increase seen in High Wycombe.

There is also talk locally that another late night food venue is hoping to open in the Town and they will no doubt also try to get a 24 hour opening Late Night Refreshment premises licence so the McDonalds application will have a bearing on future late night food outlets. It is only human nature that if one person gets something then everyone else wants the same.

McDonalds although haven't as yet identified the new Franchisee to take on the Didcot McDonalds, they are asking you to agree to a licence in the hope that you will take it on face value and on faith that whoever they identify as the new franchisee will abide by all their policies and procedures. All these don't take into account human behaviour and the fact that money talks.

Yes they have agreed to the conditions requested however to prevent an increase in Crime and Disorder to the above extent Thames Valley Police are asking - as a compromise - that the premises close at 00.00 hours (midnight) daily to try to keep Crime and Disorder down.



**From:** Kaur, Beverley (P2051) <beverley.kaur@thamesvalley.police.uk>  
**Sent:** 13 September 2023 14:57  
**To:** Dean, Andy (C2915) <andy.dean@thamesvalley.police.uk>  
**Subject:** McDonald's 24 hours

Hi Andy,

Hope the following is sufficient;

If Mcdonald's were to open 24 hours in Didcot this will attract ASB to the location which is preventable, no businesses open beyond 10pm in the Orchard Centre.

Burger King initially when they opened in July 2019 were opening until 10pm however due to youths in the area causing issues and using the place as a Youth Centre, causing damage and being anti social towards staff they reduced their opening hours to 8pm and now are opening until 9pm. Burger King had to bring in Security Staff to help with the problems that were occurring, then COVID hit. Again this year there has been the same issues at Burger King with youths causing criminal damage, key code access has had to be put on the toilet doors. Burger King have employed two security staff as of August, one of whom was assaulted him and his colleague have refused to work in Didcot.

Mcdonald's opening for 24 hours will give the local youths somewhere to go past 9pm and into the early hours, to use the place as a hang out with there being no closing time. When the pubs close instead of people going straight home it would again be somewhere for individuals who will be intoxicated to gather and potentially cause ASB

There is no necessity for a 24 eatery in Didcot, it is only 3.5 miles from McDonald's in Milton which opens 24 hours, outlets like Deliveroo and Just Eat are also available for those who want to eat beyond opening time

Bev

**Proposed conditions for McDonalds, Didcot**

General:-

Staff training, CCTV, SIA risk assessment, incident log,

Prevention of Crime and Disorder;

*RE-write*

CCTV; The premises licence holder will ensure that;-

They maintain a digital CCTV system with cameras located within the premises to cover all public areas including entrances and exits and the serving area which will operate at all times the premises are open for licensable activities.

The CCTV system will record clear images allowing the identification of individuals and the equipment will have accurate and constant date and time generation. All recorded footage must be securely retained for a minimum of 31 days. There will be on site someone that can allow the immediate viewing of CCTV upon request of a Police Officer or an Officer of a Responsible Authority. They must be able to provide recorded images on removable media (DVD / CD / USB to the cost of the premises) or upload the recorded images direct to a secure Police database if requested. If not immediately then at least within 48 hours of that request providing the business is open for licensable activities. This request must be in line with Data Protection legislation (or similar if legislation changes).

*Amend wording; -*

The premises shall ensure that signs will be placed in prominent positions around the premises to notify customers that CCTV is in operation.

*Add; -*

The licensee will devise and implement a written policy to manage customers both inside and outside the premises and within the area in which they are located

*Add; -*

The premises will have an 'Incident Log' that will record all incidents that occur within the premises footprint in relation to the Licensing Objectives. This log will include; date, time, nature of incident, what action taken (to include any Police reference no. (if reported)) and staff member dealing. This log will be available for inspection on demand of an Officer of a Responsible Authority or a Police Officer

The requirement for door supervisors to be engaged on duty shall be risk assessed. A written risk assessment shall be carried out by the licence holder or nominated representative and produced upon request to Officers of Responsible Authorities or a Police Officer. If Door Supervisors are utilised on duty they (a minimum of 2 (two)) will complete a written record containing the following information,; - Name, SIA registration number, Date and times of duty, signature of duty manager.

Public safety;-

As is

Prevention of Public nuisance;-

As is

*Add ; –*

The premises will have clearly displayed notices at all exit points requesting customers to leave the area quickly and quietly so not to disturb the neighbours

Protection of Children from harm;-

As is

**Appendix C – Email from applicant’s solicitor agreeing conditions but not timings**

**From:** Rayner, Elaine <Elaine.Rayner@shoosmiths.com>  
**Sent:** 11 September 2023 11:19  
**To:** Dean, Andy (C2915) <andy.dean@thamesvalley.police.uk>  
**Cc:** French, Richard <Richard.French@southandvale.gov.uk>  
**Subject:** RE: 23-09-07 Proposed conditions McDonalds Didcot

Good morning Andy

I have received confirmation from my clients that they are happy to agree to the attached conditions.

They have confirmed, however, that they do not agree to the suggested earlier closing time of 02:00 daily.

Please let me know if you have any queries.

Kind regards  
Elaine

**Elaine Rayner**  
LICENSING TEAM LEADER/PARALEGAL

**T** +44 (0)3700 863 086  
**M** +44 (0)7712 546 418

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**SHOOSMITHS**

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**FOR  
WHAT  
MATTERS**

**Appendix D – Proposed conditions**

[model conditions sourced from our [Guidance for Applicants and Licence Holders](#)]

CCTV

- 1) A digital CCTV system shall be installed and maintained in accordance with current Home Office Guidelines relating to UK Police Requirements for Digital CCTV Systems. The system shall ensure all licensed areas of the premises (except toilet facilities) are monitored, including all entry and exit points and external areas, and should ensure frontal identification of every person entering and in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept and available for a minimum of 31 days with accurate time and date stamping. Any breakdown or system failure shall be notified to Thames Valley Police immediately and remedied as soon as practicable. A member of staff trained in data retrieval and viewing from the CCTV system shall be available at all times when the premises is open to the public. Recordings shall be made available to an authorised officer of Thames Valley Police or an authorised officer of the council together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available within 48 hours. Any request from Thames Valley Police, Trading Standards or the council for a copy of the CCTV recording to be made for evidential purposes must be carried out within 48 hours.
- 2) Signs shall be placed in prominent positions on the premises notifying customers that CCTV is in operation.

Access and Dispersal

- 3) The management of the premises shall devise and implement a written policy to control the access and exit of persons to and from the premises. The policy shall include, but not be limited to ejections and dispersal. The policy shall be made available upon request to an authorised officer of the council and Thames Valley Police.
- 4) Prominent, clear and legible notices are to be displayed and maintained at all exits requesting customers to respect the needs of local residents and to leave the premises and area quietly. All reasonable steps shall be taken to ensure that people entering or leaving the premises do so in an orderly manner and do not in any way cause annoyance to residents and people passing by the premises.

Incident log

- 5) Any incident at the premises which impacts any of the four licensing objectives shall be recorded in a register kept at the premises and shall contain the following information:
  - a) time and date
  - b) exact location
  - c) nature of incident

- d) name of staff members or door supervisors involved
- e) name of any offender (where known)
- f) action taken as a result of the incident
- g) name of member of staff recording the incident

This record must be retained at the premises for a period of not less than six months and be available on request by any authorised officer of the council or Thames Valley Police. The record should be signed off by a duty manager or a nominated representative at least once a week.

#### Door supervisors and risk assessment

- 6) The requirement for door supervisors to be engaged on duty shall be risk assessed. A written risk assessment shall be carried out by the licence holder, DPS or a nominated representative and produced upon request to authorised officers of the council and Thames Valley Police.
- 7) (If door supervisors are utilised) There shall be a minimum of 2 door supervisors on duty at the premises at all times during **opening hours / licensable activities / when under-18s are present on the premises (delete as appropriate)**.
- 8) A written record shall be kept in respect of all door supervisors working at the premises containing the following information:
  - a) Name
  - b) SIA registration number
  - c) Dates and times at which door supervisor commenced and finished duty
  - d) Details of any incident involving crime and disorder or public safety in which the door supervisor is involved, including calls to police and any action taken.

This record must be kept at the premises for a period of not less than six months and be available for inspection on request by any authorised officer of the council or Thames Valley Police.

## Appendix E – Representation from Anne Marie Birchall

**From:** REDACTED

**Sent:** 29 August 2023 04:37 PM

**To:** Licensing South <[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)>

**Cc:** MacDonald, Denise <[Denise.MacDonald@southoxon.gov.uk](mailto:Denise.MacDonald@southoxon.gov.uk)>; MacDonald, Axel <[Axel.Macdonald@southoxon.gov.uk](mailto:Axel.Macdonald@southoxon.gov.uk)>; Khan, Mocky <[Mocky.Khan@southoxon.gov.uk](mailto:Mocky.Khan@southoxon.gov.uk)>

**Subject:** McDonald's Didcot Premises licence application

Dear Sir or Madam,

Ref: LAPREM/22459/23 | Premises Licence

I write with regard to the above application, a premises licence for McDonald's in the Orchard Centre Didcot. The applicant wishes for the restaurant to sell hot food and non-alcoholic drinks for consumption on and off the premises, and is looking at the provision of late night refreshments between 00.00 hours and 05.00 hours every day, thereby enabling it to open 24 hours a day, shown as 05.00 to 05.00, Monday to Sunday.

I am making a strong objection to the 24 hours application for the following reasons:

- **Disturbance:** it is very likely it would increase crime, disorder and public nuisance in the town centre. The premises is located in the heart of Didcot, with 3 licenced premises (Broadways, Berro Lounge and The Prince of Wales) close by. Broadways has a closing time of 3am on Fridays and Saturdays and The Prince of Wales's and Berro's are both midnight. I firmly believe that if the licence is granted it will result in an increase of crime, disorder and public nuisance, because the venue will create a meeting point for people that have had too much to drink after the pubs close. It may also attract 'gangs' that prey on drunk individuals resulting in a surge of victims of crime such as robbery and assault.
- **Safety:** It will make residents (especially women) returning from the train station or walking home from shift work late at night more vulnerable.
- It will bring anti-social behaviour, during most people's sleeping hours, to the surrounding neighbours as the customers make their way home. High Street, East Street, and Church Street are especially at risk from this behaviour as they are narrow streets with houses that are not set back from the road, and will therefore be particularly disturbed by anti social behaviour. The selling of food late at night is also known to hinder the dispersal of persons, as people will often loiter in the area consuming food prior to going home. Such delays in leaving an area, by people who have been consuming alcoholic drinks is likely to increase crime, disorder and public nuisance in that area. As stated, there are several licenced premises that provide alcohol, and all of which are in close proximity to McDonald's. If the venue was successful with the application, I think that when the pubs and bars close, McDonalds would be a venue that they would attend.
- **Crime:** It may also attract criminal activities in the small hours, such as drug dealing, pick pocketing and street robbery.

- Hygiene: local services such as public toilet provision and street cleaning may not be able to meet the extra demand, leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people here.
- Deliveroo Drivers: these motorcycle delivery operators will congregate in the adjacent car park. Surely the last thing we want is them staying in the town centre 24hrs a day, to be on hand if a nearby resident orders a burger. And, of course, the noise of their bikes (as they deliver to the purchaser) will additionally disturb those who are asleep.
- Vermin: most of their sales at night will be take-away. This will create a lot of discarded food and packaging, with an increased presence of foxes, mice and rats in the night-time.
- Children: given the lure of fast food for under 18s, there is a clear risk that they may visit this McDonald's in the early hours, when they may be putting themselves at risk of physical and mental harm.

In conclusion, the proposed site is adjacent to a residential area where people lead normal lives, need sleep and have work and families to think of. It would be unfair to turn it into a 24 hour entertainment area.

Didcot has no other 24 hour food venues in the town centre and does not need one now. Our local policing and street cleaning is already stretched thin by budget constraints. A 24 hour McDonald's would create more unnecessary pressure on them: for those that really want it, an alternative outlet at Milton Interchange is 24 hours, but is out of town. Let's keep it that way.

yours sincerely

Anne-Marie Birchall  
High Street  
Didcot

**Appendix F – Representation from Natalie Haddrell**

**From:** Nat  
**Sent:** 29 August 2023 05:51 PM  
**To:** Licensing South <[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)>  
**Subject:** LAPREM/22459/23

To whom it may concern,

I would like to object to the 24 hour licensing for McDonalds in the orchard centre.

LAPREM/22459/23

My concern would be they already struggle with security during the day time at Burger King and I would hate to encourage anti social behaviour in our residential neighbourhood. Especially late at night where many of the residents in Northbourne are elderly. It would also increase noise and disturbance around the neighbourhood at all hours of the night. I would also query whether this is necessary as the Milton park services already has a 24 hours device.

Kind regards,  
Natalie Haddrell  
East St  
Didcot



## Appendix G – Representation from Penny Dakin-Kiley

**From:** Penny Kiley

**Sent:** 05 September 2023 01:17 PM

**To:** Licensing South <[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)>

**Subject:** McDonald's Restaurants, Orchard Centre, Didcot: provision of late night refreshment

Hello

I note that McDonald's have applied for a late night licence in the Orchard Centre, Didcot.

This is a terrible idea. There is no reason, need or demand for McDonald's or any other food and drink business to operate throughout the night in Didcot.

Didcot does not have a "night time economy" and it does not need one. The Orchard Centre is close to residential areas, and this has the potential to cause increased traffic, litter, noise and anti-social behaviour. It will be detrimental to residential communities nearby.

I believe your policies on Prevention of Crime and Disorder and Prevention of Public Nuisance are relevant in this case.

I have read McDonald's application on your website and it seems to be lacking any detail in how they will address these issues. Also, their vague references to their "systems" continually repeat the disclaimer "as far as reasonably practicable", which does not suggest any real commitment to compliance.

They talk about working in partnership with the local police service to prevent crime and disorder, but this will just put an additional burden on the police, which have limited resources. For example, I have never yet seen police patrols in the Orchard Centre.

Furthermore, the text is cut off so there is information missing including the link to the "Our World" section of their website – I could not find this on [www.mcdonalds.com](http://www.mcdonalds.com).

Please refuse this licence.

regards

Penny Dakin-Kiley (Ms)

## Appendix H – Representation from Aimee Bushell

From: Aimee Drury  
Sent: 08 September 2023 12:11 PM  
To: Licensing South <[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)>  
Subject: Ref: LAPREM/22459/23 | Premises Licence

Dear Sir or Madam,

Ref: LAPREM/22459/23 | Premises Licence

I write with regard to the above application, a premises licence for McDonald's in the Orchard Centre Didcot. The applicant wishes for the restaurant to sell hot food and non-alcoholic drinks for consumption on and off the premises, and is looking at the provision of late night refreshments between 00.00 hours and 05.00 hours every day, thereby enabling it to open 24 hours a day, shown as 05.00 to 05.00, Monday to Sunday. I am making a strong objection to the 24 hours application for the following reasons:

**Disturbance:** it is very likely it would increase crime, disorder and public nuisance in the town centre. The premises is located in the heart of Didcot, with 3 licenced premises (Broadways, Berro Lounge and The Prince of Wales) close by. Broadways has a closing time of 3am on Fridays and Saturdays and The Prince of Wales's and Berro's are both midnight. I firmly believe that if the licence is granted it will result in an increase of crime, disorder and public nuisance.

**Safety:** It will make residents (especially women) returning from the train station or walking home from shift work late at night more vulnerable.

**Noise:** It will bring anti-social behaviour, during most people's sleeping hours, to the surrounding neighbours as the customers make their way home. High Street, East Street, and Church Street are especially at risk from this behaviour as they are narrow streets with houses that are not set back from the road, and will therefore be particularly disturbed by anti social behaviour. The selling of food late at night is also known to hinder the dispersal of persons, as people will often loiter in the area consuming food prior to going home.

**Hygiene:** local services such as public toilet provision and street cleaning may not be able to meet the extra demand, leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people here.

In conclusion, the proposed site is adjacent to a residential area where people lead normal lives, need sleep and have work and families to think of. It would be unfair to turn it into a 24 hour venue.

There is no precedent for opening hours such as this and I do not believe they are required or will give additional benefit to the local community.

Yours sincerely,  
Aimee Bushell  
High Street, Didcot

**Appendix I – Representation from David Topliss**

**From:** David Russell K  
**Sent:** 08 September 2023 07:28 PM  
**To:** Licensing South <[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)>  
**Subject:** ref LAPREM/22459/23

Dear Sir/Madam

I object to 24hour opening of MacDonaldis in Didcot.

It will encourage more unhealthy eating, litter, noise and antisocial behaviour.

There is nothing positive for the local community or the environment from allowing yet another fast food outlet.

Kind Regards  
David Topliss

**Appendix J – Representation from Chris Jacks**

**From:** Chris Jacks

**Sent:** 10 September 2023 02:48 PM

**To:** Licensing South <[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)>

**Subject:** LAPREM/22459/23

RE: application for 24 hour licencing for McDonald's restaurant in Didcot Orchard Centre.

I have lived in Didcot for over 30 years, live less than 10 minutes walk from proposed location and have family and friends who are all in agreement, that having another fast food restaurant let alone 24 hours a day will be detrimental to the town.

It's shameful the council are happy to have another renown unhealthy fast food location in the town centre

It is nativity or ignorance to assume it will not increase litter.

It is a significant negative impact on all the local independent restaurants in the town.

Yet another focal point for for the anti social behaviour now synonamous with burger king in town.

It will increase demand on the small short term car park by Caprinos.

I assume it is unfortunately too late to stop the location opening, I trust the above is more than evident the majority of the town will not need or want 24 hour opening hours.

Regards  
Mr Jacks

**Appendix K – Representation from John Naughton**

**From:** John Naughton  
**Sent:** 17 September 2023 03:44 PM  
**To:** Licensing South <[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)>  
**Subject:** McDonalds, Didcot 24 Hr licence

Dear Sir/Madam

I am writing to object in the strongest possible terms to the proposed 24 hr licence for the new McDonalds in the Orchard Centre, Didcot.

This will clearly have a detrimental impact on the surrounding area in terms of noise, anti-social behaviour and litter. The nearby Burger King (which is not open 24 hrs) is nevertheless a magnet for trouble and already has to employ security personnel on the doors. A new McDonalds would attract exactly the same problems, but to a far greater degree, given that it will be open when the pubs and clubs are closing. Please exercise some common sense and recognise the views of council tax-paying citizens of Didcot and if you must open another fast food outlet in the town, restrict its opening hours to something like midday to 8pm.

Yours

John Naughton

## Appendix L – Representation from Arija Cruz

**From:** arija.cruz

**Sent:** 21 September 2023 09:49 PM

**To:** Licensing South <[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)>

**Subject:** Objection to late night refreshment licence proposed for McDonald's Restaurants, Unit R04 The Orchard Centre Didcot OX11 7LL

Dear Licensing Team,

I would like to object to the late night refreshment licence applied for: McDonald's Restaurants, Unit R04 The Orchard Centre Didcot OX11 7LL, from 23:00 until 05:00 Mondays to Sundays for the consumption on and off the premises. My objections are as follows:

1. Noise. As a resident on Lower Broadway, living close to the car park, additional noise will be generated throughout the night, if this application is granted. This could cause a mental health issue with residents not being able to sleep, especially those overlooking the small car park and down the road on Lower Broadway, which would be used by those going to McDonald's over night.
2. Use and access of nearest car park to proposed outlet. The small car park on Lower Broadway will be predominately used, and already this is busy during the day and will continue to be used overnight. The access onto Lower Broadway is often obscured by parked vehicles on the corner in the evening. Any ambulances/emergency vehicles coming down Broadway might be put at risk of collision with constant traffic on this entrance.
3. Anti social behaviour. Already Burger King in the Orchard Centre employ security staff during their opening hours, there is an increasing risk that the overnight opening hours might attract anti social behaviour during night-time hours, which will not be good for residents around Lower Broadway.

I am pleased that McDonalds are coming to Didcot, but the proposed opening hours need to be revised and kept within keeping of the other outlets in the Orchard Centre and along Broadway. Please do not allow the overnight opening hours to be granted as applied for.

Yours sincerely,

Mrs A Cruz  
Broadway  
Didcot

**Appendix M – Representation from Didcot Town Council**

**From:** Arek Guzinski <[aguzinski@didcot.gov.uk](mailto:aguzinski@didcot.gov.uk)>

**Sent:** 18 September 2023 09:47 AM

**To:** Licensing South <[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)>

**Subject:** RE: REF: LAPREM/22459/23 -McDonald's Restaurants Limited : Unit R04  
The Orchard Centre Didcot OX11 7LL - Premises Licence Application

Good Morning,

Thank you for letting me know, the Committee was not entirely sure on the rules and the statutory licensing objectives.

The revised response is as follows:

Didcot Town Council's Planning and Development Committee would like to object to this application, as the Committee believes that the long opening hours would cause public nuisance and potentially increase the risk of crime and disorder within the area, particularly in the late evenings and overnight.

The long opening hours could cause loud gatherings, and combined with the lights, other noise, and litter, would cause a nuisance to the residents in the early and late hours.

The Committee would prefer the license to not exceed the opening hours of the surrounding units within the Orchard Centre (such as Nando's, Burger King, and the Berro Lounge)

Best wishes,

**Arek Guzinski**  
**Planning and Allotment Officer**

Tel: Didcot Civic Hall

Email: [aguzinski@didcot.gov.uk](mailto:aguzinski@didcot.gov.uk)



Didcot Town Council contact details: 01235 812637 /  
[council@didcot.gov.uk](mailto:council@didcot.gov.uk) / [www.didcot.gov.uk](http://www.didcot.gov.uk)

[Didcot Civic Hall contact details: 01235 512436 / civichall@didcot.gov.uk /](mailto:civichall@didcot.gov.uk)

**Appendix N – Representation from Richard Maskell**

**From:** Richard Maskell  
**Sent:** 09 September 2023 08:51 AM  
**To:** Licensing South <[licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)>  
**Subject:** ref LAPREM/22459/23

Dear Sir/Madame,

I'd like to express my support for the referenced planning application in regards to nighttime opening hours.

While those it impacts negatively are usually most vocal, I think encouraging more business development, job opportunities and expansion of the Didcot Orchard Centre is a great idea.

The late opening hours would enable shift workers more opportunities as well as giving the business the best chance of succeeding.

As a food outlet, such a business would support the surrounding retail outlets by attracting custom.

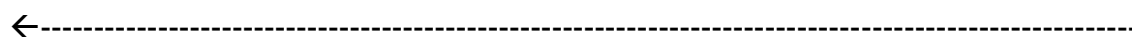
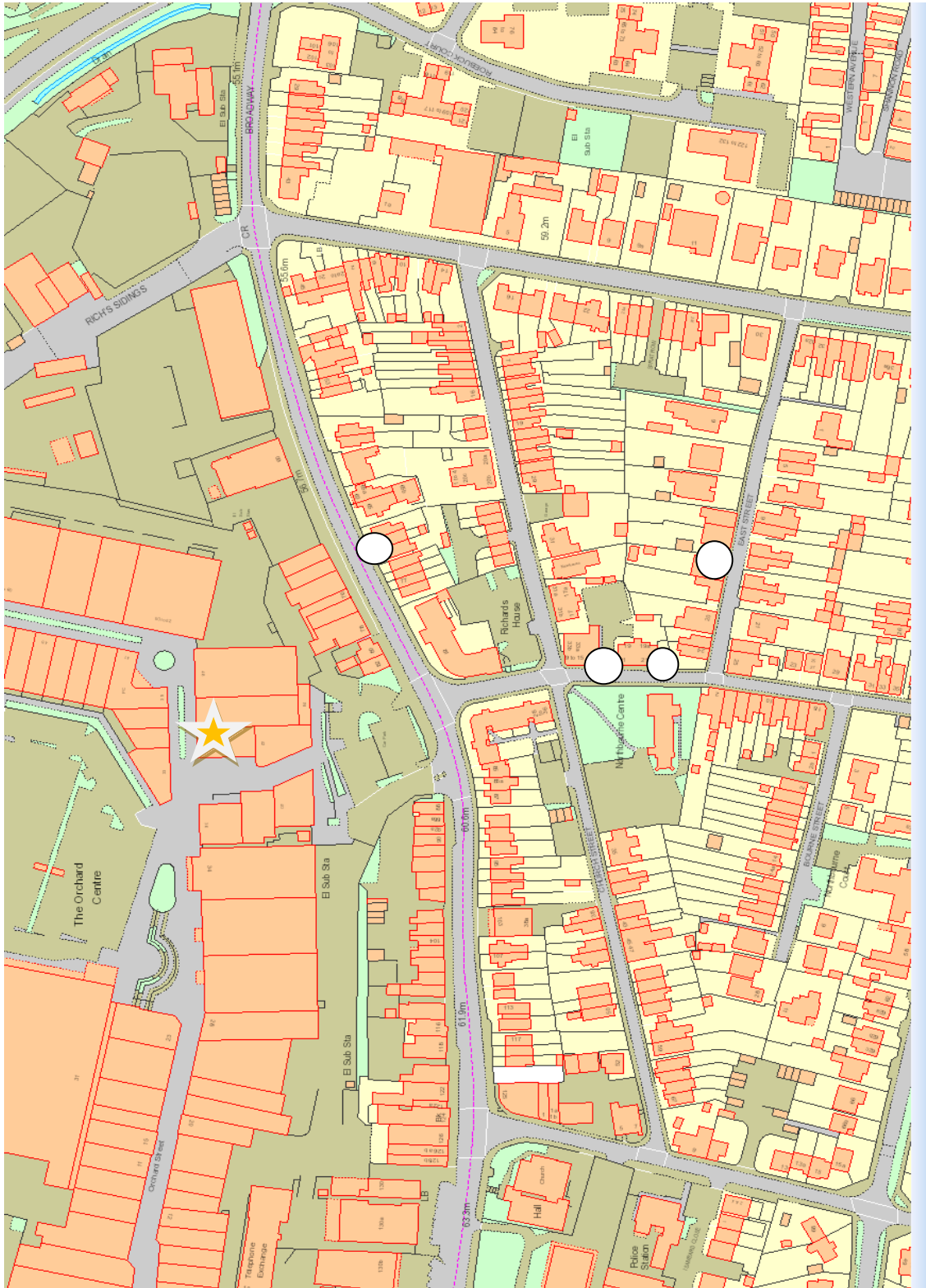
Addressing concerns of anti-social behaviour and nighttime noise, the location is a good distance from any residential properties. As well as an easily policeable location in the centre. If anything, I believe this should help the control of anti-social behaviour within Didcot.

Thank you for the consideration

Kind Regards,  
Richard Maskell



Appendix O – Location plan



Key



Approximate location of premises



Approximate location of representation location (when known)