



**LICENSING SUB-COMMITTEE HEARING
MEMBERS' RECORD OF DETERMINATION**

**ROMANELLI'S PIZZA RESTAURANT, ELFIELD PARK, MILTON KEYNES
NEW PREMISES LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003
(‘THE ACT’)**

5 JANUARY 2021

Constitution of the Sub-Committee: Councillors Bowyer and Nazir
Chair Councillor Legg

Legal Advisor: Meurig Tiley
Committee Manager: Jane Crighton

Licensing Officers: Simon Teesdale Licensing and Business Manager
Adam Ward Licensing Officer

Applicants/Licence Holders Filippo Romanelli Romanelli's Pizza Restaurant

Also Present: Councillor Nolan (Interested Party)

Documentation: Report of the Licensing Officer and documentation.

Apologies: None

Disclosures of interest: None

CHAIRMAN	Councillor Legg
SIGNATURE	
DATE	5 January 2021

1. Reason for Hearing

The Licensing Officer advised the Sub-Committee that a hearing was necessary to determine an application for a New Premises Licence under Section 17 of the Licensing Act 2003 in respect of Romanelli's Pizza Restaurant, for the following licensable activities:

Sale of Alcohol and Late Night Refreshments (Off Sale)

11.00 to 02.00, Sunday to Thursday

11.00 to 05.00, Friday to Saturday

The Licensing Officer informed the Sub-Committee that the applicant traded from a purpose-built self-contained catering unit which was located off the V4. However, the unit was set back from the main road but was visible from the highway.

The applicant had been trading from the area for approximately twelve months and provided food and non-alcohol beverages for collection or delivery only.

2 Considerations

During the consultation process, an objection had been received from Councillor Nolan, a Ward Councillor for Loughton and Shenley.

Councillor Nolan informed the Sub-Committee that, whilst she supported local businesses, the hours applied for were excessive; people may purchase alcohol and consume it in neighbouring public areas and add to the existing problems of litter; people drinking alcohol in the parks would spoil other people's enjoyment of the parks; existing graffiti, anti-social behaviour and gangs would escalate; the impact on the recently licensed outdoor cinema at Elfield Park; and the concern that children and young people would have access to alcohol.

The applicant informed the Sub-Committee that alcohol would only be sold with food following a pre-order made by a customer either for collection or delivery; only beer and wines would be sold; the premises would operate a comprehensive CCTV system; staff would undertake adequate training relating to underage sales; and there had not been any complaints about noise.

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3. Decision

The Sub-Committee carefully considered all the evidence before it, including the applicant's comments and the representation, and resolved:

That the application for a New Premises Licence be granted, with the following conditions:

- (a) that the licensable activities be as follows:
 - (i) 11.00 am to midnight, Sunday to Thursday;
 - (ii) 11.00 am to 2.00 am, Friday to Saturday;
- (b) that alcohol, in the form of beer and wines, only be sold with food;
- (c) that the shutters to the catering unit be closed at 10.00 pm and to operate a delivery service only from this time;
- (d) that collections be made 20 minutes after placing an online / mobile order; and
- (e) take the necessary steps to reduce litter.

4. Reasons

The Sub-Committee heard from the applicant and carefully considered the submissions from the interested party on this matter.

It noted that the extended hours applied for were to increase the applicant's sales and he had sought advice from the Licensing team about the necessary measures to promote the licensing objectives; and had submitted proposed conditions with the application.

The Sub-Committee noted the concern regarding an effective Challenge 25 policy, more specifically with deliveries. The applicant, had, however, assured the Sub-Committee that an effective Challenge 25 policy would be implemented, and, at the point of delivery, drivers would challenge any persons who appeared to be under the age of 25 and request that adequate proof be provided.

It noted the concern of the interested party in relation to the existing problem of litter, however, there had been no evidence whether this problem was caused by customers frequenting the premises.

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5. Appeal

An appeal must be commenced by notice of appeal given by the applicants to the designated officer for the Magistrates' Court within the period of 21 days beginning with the day on which the applicant was notified by the Sub-Committee of the decision appealed against.

Should they choose to appeal this decision, they are advised to seek independent legal advice prior to doing so.

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