

# LICENSING & PUBLIC SPACE PROTECTION ORDER (PSPO) SUB COMMITTEE

TUESDAY, 20TH APRIL, 2021

At 10.00 am

by

VIRTUAL MEETING - ONLINE ACCESS, ON [RBWM YOUTUBE](#)

## SUPPLEMENTARY AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
5.	<u>CONSIDERATION OF APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003</u>  To consider an application for a new premises licence under the Licensing Act 2003 for Aldi Stores Limited, Dedworth Road, Windsor, SL4 4LH.	3 - 48

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## REPORT TO LICENSING PANEL SUB COMMITTEE

### CONSIDERATION OF AN APPLICATION OF A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003

LICENSING PANEL SUB COMMITTEE: Cllr Bowden, Cllr Davey, Cllr Hilton

OFFICER REPORTING: Craig Hawkings

#### **A) The Application – (Appendix A)**

Applicant: Aldi Stores Limited

Registered: Company Number - 2321869

Premises: Aldi, Dedworth Road, Windsor, SL4 4LH

A map of the area surrounding the premises is at **(Appendix B)**.

The application is to:

1. To Licence a supermarket selling food, alcohol, toiletries, clothing, hardware and electrical items. The premises have dedicated car parking

A summary of the application is as follows:

The standard opening hours of the premises:

- 06:00 Until Midnight - Monday to Sunday

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

- 06:00 until Midnight - Monday to Sunday

Designated Premises Supervisor (DPS): Lisa Joanne Gilligan

#### **B) Relevant Representations Received**

Where, as Here, Relevant representations have been made, the licensing authority must hold a hearing to consider them, unless agreed by the parties. The licensing sub-committee can take steps as are appropriate for the promotion of the Licensing Objectives as relevant.

To be “relevant”, the representation has to relate to the likely effect of the grant of the licence on the promotion of at least one of the four licensing objectives which are set out in the Licensing Act 2003.

The four licensing objectives are;

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

- The prevention of public nuisance; and
- The protection of children from harm.

In this case the representations received from the responsible authorities are as follows;

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

Representations received from other persons are as follows;

- 7 Representations (**Appendix C**)

### **C) RBWM Licensing Policy**

The RBWM Licensing Policy Statement 2016-21 can be found at [https://www3.rbwm.gov.uk/downloads/file/131/licensing\\_policy\\_statement\\_2016-21](https://www3.rbwm.gov.uk/downloads/file/131/licensing_policy_statement_2016-21)

The sections of the RBWM Licensing Policy relevant to this application are;

#### **6.1 Framework Hours**

Having considered the evidence of alcohol related crime, disorder and anti-social behavior, 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	• 09.00	• 23.00
• Restaurant	• 09.00	• 01.00
• Pub/bar/night club	• 10.00	• 02.00
• Takeaway	• n/a	• 02.00

(As can be seen, the licensed hours applied for in this application fall outside RBWM framework hours for “Off licence” premises.)

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

#### 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.
- (\*Note – not all of these will be relevant to this particular application)

## 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

(\*Note – not all of these will be relevant to this particular application)

## 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

(\*Note – not all of these will be relevant to this particular application)

## 10. Promoting the Prevention of Children from Harm

RBWM recognizes that 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 directly associated with alcohol consumption but also wider harms such as exposure to strong language and the need to protect children from sexual exploitation.

All applicants need to demonstrate how children and young people will be safeguarded if attending the licenced premises, or how it will be ensured that they do not gain access to the premises if not appropriate. Where relevant representations are made in relation to the protection of children from harm the Licensing Authority may impose conditions restricting the access of children or excluding them altogether from licensed premises.

### Proof of Age Cards

Where necessary and appropriate, a requirement for the production of proof of age cards before any sale of alcohol is made could be attached to any premises licence or club premises certificate for the protection of children from harm.

## **D) Revised Guidance issued under section 182 of the Licensing Act**

### **2003**

The full document is found at

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/705588/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_April\\_2018\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf)

The sections of the Guidance relevant to this application are;

### **Licensing objectives and aims**

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

1.3 The licensing objectives are:

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

- The prevention of public nuisance; and
- The protection of children from harm.

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;
- 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.

## **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).

2.3 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.



## **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 may 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.

2.19 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 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 perfectly 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.

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.

## **Hearings**

9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy.

## **E) Conclusion / Summary**

The Licensing Panel Sub Committee is obliged to determine this application with a view to promoting the four licensing objectives which are:

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

In making its decision, the Sub 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 that it hears.

The Sub-Committee must, having regard to the application and to the relevant representations, take such step or steps as it considers appropriate for the promotion of the licensing objectives. The steps are:

- (a) Reject the application;
- (b) Refuse to specify a person in the licence as the premise's supervisor;  
(\*Note – not all of these will be relevant to this particular application)
- (c) Grant the application but modify the activities and/or the hours and/or the conditions of the licence;
- (d) Grant the application.

Where conditions are attached to a licence then reasons for those conditions must be given.

The Sub-Committee are reminded that any party to the hearing may appeal against the decision of the Sub-Committee to the Magistrates' Court within 21 days of the notification of the determination.

**The Sub-Committee are asked to determine the application.**

**Financial implications:** None directly but Members should be aware that any decision of the Sub-Committee may be appealed against in the Magistrates' Court and such an appeal may involve additional costs and possible costs against the Council.

**Environmental/Sustainability Implications:** Any authorisation under the Licensing Act 2003 may give rise to environmental implications both positive and negative depending upon the application and any measures proposed to take control adverse environmental factors.

**Legal implications:** As outlined in the report.

**Equality Implications:** None.

**Risk Implications:** None.

**Community Safety Implications:** As outlined in the report.

**Background papers:**

Licensing Act 2003

Licensing Act 2003 Section 182 Statutory Guidance

Royal Borough of Windsor and Maidenhead Council Licensing Policy

**Enclosures/Appendices:**

Appendix A – Application and plans

Appendix B – Map of the area

Appendix C – Responsible Authority Objection.

Appendix D – Agreed conditions requested Trading Standards and Thames Valley Police

[REDACTED]

# APPENDIX A

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 Aldi Stores 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 Aldi Dedworth Road			
Post town	Windsor	Postcode	SL4 4LH

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

Part 2 - Applicant details

Please state whether you are applying for a premises licence as      Please tick as appropriate

- a)    an individual or individuals \*                      ☐    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 partnership)   | <input type="checkbox"/>            | complete section (B) liability) |
| 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"/>            | 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)     |

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or I am making the application pursuant to a statutory function or a function discharged by virtue of Her Majesty's prerogative ☒

(A) INDIVIDUAL APPLICANTS (fill in as applicable) ☐

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)



Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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 Aldi Stores Limited
Address Holly Lane Atherstone Warwickshire CV9 2SQ
Registered number (where applicable) 2321869

Description of applicant (for example, partnership, company, unincorporated association etc.)  
Company

Telephone number (if any) [REDACTED]

E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY

0	4	1	0	2	0	2	1
---	---	---	---	---	---	---	---

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)

Supermarket selling food, alcohol, toiletries, clothing, hardware and electrical items.  
The premises have dedicated car parking.

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) ☐
- anything of a similar description to that falling within (e), (f) or (g)  
h) ☐
- (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

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

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
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</u> (please read guidance note 6)		
Sat					
Sun					

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<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</u> (please read guidance note 6)		
Sat					
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Wed					
Thur					
			<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 6)		
Fri					
Sat					
Sun					



Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<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</u> (please read guidance note 6)		
Sat					
Sun					

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

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	06:00	00:00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Tue	06:00	00:00			
Wed	06:00	00:00			
Thur	06:00	00:00	<u>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</u> (please read guidance note 6)		
Fri	06:00	00:00			
Sat	06:00	00:00			
Sun	06:00	00:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Lisa Joanne Gilligan	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) Harborough [REDACTED]	

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). N/A

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)	
Day	Start	Finish		
Mon	06:00	00:00		
Tue	06:00	00:00		
Wed	06:00	00:00		
Thur	06:00	00:00		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 (please read guidance note 6)
Fri	06:00	00:00		
Sat	06:00	00:00		
Sun	06:00	00:00		

## 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)

Aldi operate over 800 stores in the UK. It is submitted that as a responsible operator, selling alcohol for consumption off the premises only, no conditions need to be attached to the premises licence other than the mandatory conditions specified in the Licensing Act 2003.

b) The prevention of crime and disorder

The applicant is a responsible retailer and takes appropriate measures to deter thieves and shoplifters. There are no other likely crime and disorder issues.

c) Public safety

The applicant is a responsible retailer and takes appropriate measures to ensure the safety of those members of the public who visit the store. There are no public safety issues in particular that need to be addressed.

d) The prevention of public nuisance

The applicant is a responsible retailer and takes appropriate measures to ensure the prevention of public nuisance. It has not been an issue in any of their other stores.

e) The protection of children from harm

The applicant is a responsible retailer and takes appropriate measures to ensure the protection of children from harm. Procedures are in place to attempt to ensure at all times that no person under the age of eighteen is sold alcohol.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. I have enclosed the plan of the premises. ☒
- 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. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [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.




For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 150px; height: 15px; margin-bottom: 5px;"></div>			
Post town	<div style="background-color: black; width: 100px; height: 15px;"></div>	Postcode	<div style="background-color: black; width: 100px; height: 15px;"></div>
Telephone number (if any)	<div style="background-color: black; width: 150px; height: 15px;"></div>		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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.

Declaration	<p><input checked="" type="checkbox"/> [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).</p> <p><input checked="" type="checkbox"/> 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</p>
	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)
Signature	
Date	26 January 2021
Capacity	Solicitors for the Applicant



# APPENDIX B



# New Aldi Retail Site Dedworth Road Windsor

Date: 2021-04-08T11:57:41.436

Scale at A4: 1:1,250

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 Survey 100018817



# APPENDIX C

Thu 25/02/2021 07:44

[REDACTED]

Thank you for your email. I apologise that I made a careless typing error when I mentioned the store opening hours.

However, I still wish to object on the basis that the store is situated in a quiet, dimly lit residential area and the availability of alcohol late at night could lead to anti-social behaviour and public nuisance.

There is also the potential for increased crime in that area.

An opportunity to purchase alcohol outside of normal shop trading hours could make it easier for under age children to obtain alcohol

Kind regards,

[REDACTED]

On 24 Feb 2021, at 15:57, [REDACTED]

Dear [REDACTED]

Concerns have been raised for what is being applied for, contradicts their Planning / The Sunday Trading Act 1994 opening hours restrictions.

The premises will definitely only operate in accordance with Planning / Sunday Trading legislation. However in the event that Sunday Trading restrictions are relaxed on occasion (as they were during the 2012 Olympics) this will future proof the licence against variation applications to extend their licensable hours.

Section 182 Guidance is also clear that the Act should not duplicate other legislation and ultimately whether it be planning, licensing or Sunday Trading legislation, whichever states the most restrictive time will take precedence with its own enforcement regime.

The hours of operation will be:

Mon - Sat 0800 - 2200  
Sunday 1000 - 1700

For a representation to be valid it must be made in relation to one of the 4 licensing objectives which are:

Prevention of Crime and Disorder  
Public Safety  
Prevention of Public Nuisance  
Protection of children from harm.

If still you wish to object knowing the actual opening hours please let me know by 27 March 2021.

Kind Regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**Sent:** 23 February 2021 07:47  
**To:** Licensing <[Licensing2@RBWM.gov.uk](mailto:Licensing2@RBWM.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** Aldi Store Dedworth Road Windsor

**CAUTION:** This email originated from outside the council. Do not click any links or open attachments in this email unless you recognise the sender and are sure that the content is safe.

I wish to object to the application by Aldi for a liquor licence from 0600-2300

This is totally unnecessary as their opening hours are from 0800-2300.

The store is situated in a semi-rural, residential area and this could attract noise, disturbance and encourage anti-social behaviour.

There is a psychiatric clinic adjacent to the store and these increased hours could be detrimental to the peace and welfare of the residents.

This end of the Dedworth Road already suffers from regular crime and the ability to purchase alcohol late at night could further exacerbate this situation.

[REDACTED]

-----Original Message-----

**From:** [REDACTED]  
**Sent:** 22 March 2021 10:59  
**To:** Licensing <[Licensing2@RBWM.gov.uk](mailto:Licensing2@RBWM.gov.uk)>  
**Subject:** Application for license for alcohol-Aldi store,Windsor

CAUTION: This email originated from outside the council. Do not click any links or open attachments in this email unless you recognise the sender and are sure that the content is safe.

Application for license for alcohol for Alcohol- Aldi store Windsor

Dear Sirs

I wish to object to the hours of the license application made by Aldi ,Dedworth road ,Windsor .



These hours far exceed the stores opening hours ,which are to long as it is ,if you compare them to Tesco's .

The crime in Dedworth is already high with in our neighbourhood watch Alert ,I think crime would greatly increase if the alcohol was readily available from Aldi at the times listed 6am-midnight .

So I object on the basis of  
Possible increase in crime  
Greater temptation for youths  
Nuisance in the Community

Sincerely ,

[REDACTED]

[REDACTED]

4 March 2021

Licensing Team  
Royal Borough of Windsor and Maidenhead  
Town Hall  
St Ives Road  
Maidenhead Berkshire SL6 1RF

Application by Aldi Stores Limited for a premise license for the Aldi Store, Dedworth Road, Windsor SL4 4LH

To Whom It May Concern:

I would like to register my strongest objection to the application by Aldi Stores Limited for a license for the retail sale of alcohol for consumption off the premises seven days a week between 06.00 and 00.00.

My understanding is that the RBWM Planning Department have approved the following hours of operation for the new Aldi store;

Mon - Sat 08.00 – 22.00  
Sunday 10.00 – 17.00

Whilst I understand and do not object to the need for a license during those stated opening hours, the application for the premise license extends far beyond these approved hours and represents some 35 additional licensing hours per week. I understand from Craig Hawkins, Licensing Enforcement Officer for the RBWM, that the extended licensing hours beyond opening hours have been applied for so that "In the event that Sunday Trading restrictions are relaxed on occasion (as

they were during the 2012 Olympics) this will future proof the licence against variation applications to extend their licensable hours.”

My concerns are, firstly, if the additional licensing hours are to cover the possibility of exceptional Sunday Trading extensions then why the need for an additional 4 hours per day Monday-Saturday?

Secondly, while granting the extended licensing hours may at this point be intended as an “insurance” to cover “one-off” type events, like the Olympics, it will afford Aldi the opportunity in the future, to apply for extended opening hours and automatically benefit from 35 additional licensing hours without due consideration by the licensing authorities that no doubt, such an extension would warrant.

I do not believe that “future proofing” a license is something that should be considered by the RBWM and that Aldi are well capable of applying for a one-off extension should the situation arise.

The reasons I believe the extended hours are wholly inappropriate and inconsistent with the four licensing objectives are as follows;

#### 1. Prevention of Crime and Disorder

Evidence shows that the easier it is to buy alcohol the more people will drink. This is of particular concern with a cut-price store where the lower unit price of alcohol will further promote consumption. This free availability of cut-price liquor from potentially 6am through to midnight will only fuel those with drinking and substance abuse issues and will inevitably lead to increased crime and anti-social behaviour in what is essentially a quiet residential area. Looking through crime statistics for Thames Valley Police for Jan-Dec 2020, anti-social behaviour represents 16% of crime in Windsor West, with violent crime representing a worrying 33% of recorded crimes. My concern is that the possible early morning/late night availability of cheap alcohol will only escalate an already substantial problem. Visiting any emergency department late at night will only reinforce the problems associated with late night drinking and its impact on the spread of domestic violence cannot be denied.

#### 2. Public Safety

As stated above, my concern is that the availability of early morning/late night cheap alcohol will inevitably result in a substantial threat to public safety. The remote nature of the Dedworth Road site will inevitably mean people drive to the store. This could potentially increase the incidence of drink driving with its devastating effects on public safety. Excessive consumption of alcohol, particularly late at night, has historically resulted in an escalation of violence against the wider community. I see no reason why the same wouldn't occur in this case.

#### 3. Prevention of Public Nuisance

Similar to my above concerns, excessive consumption of alcohol, particularly late into the night, will result in littering, anti-social behaviour and criminal damage which is already an

issue in Windsor West according to Thames Valley Police. In such a quiet neighbourhood, I am concerned that the extended license will attract people with substance abuse problems into the area and bring with them all the social issues usually associated with their abuse problems.

#### 4. Protection of children from harm

This is perhaps the most serious impact of the provision of alcohol for such extended periods. Alcohol abuse does not only result in health and social problems for the drinker but also for their families. There have been numerous studies which link the abuse of children, both physical and sexual, to the abuse of alcohol by their parents or carers. Additionally, the abuse of alcohol by parents and carers often results in the economic deprivation of their family. Providing the opportunity to purchase alcohol for the proposed extended hours can only escalate these dreadful issues.

I

I implore the RBWM Licensing Team to reject Aldi Stores Limited application as it stands and to only consider a license for the current approved opening hours, that is, 08.00-22.00 (Monday-Saturday) and 10.00-17.00 (Sunday). I strongly believe these hours are more than adequate and the request to "future proof" the license for an event in the future which may not necessarily ever happen is inappropriate.

Kind regards

[REDACTED]

**From:** [REDACTED]  
**Sent:** 15 February 2021 18:42  
**To:** Licensing <[Licensing2@RBWM.gov.uk](mailto:Licensing2@RBWM.gov.uk)>  
**Subject:** Aldi Windsor - drink licence

**CAUTION:** This email originated from outside the council. Do not click any links or open attachments in this email unless you recognise the sender and are sure that the content is safe.

Hello

I would like to log my fierce objection to the above.

As a very close resident to Tesco and the new Aldi I feel that a) a licence that late would need to also be given to Tesco and this would create a lot of antisocial behaviour b) it would put the smaller local stores under financial pressure. These stores charge higher prices that offer deterrents to purchasing alcohol at night at will c) we should not be promoting the selling of alcohol into all hours d) we need to keep the residential area quite at certain times. D) despite the opening hours stated they could in theory have some kind of off licence designed in to their premises and having the licence would mean that couldn't be stopped.

Thank you

All the best

[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**Sent:** 16 March 2021 10:05  
**To:** [REDACTED]  
**Subject:** Application for Licence to sell Alcohol - Aldi store, Windsor

**CAUTION:** This email originated from outside the council. Do not click any links or open attachments in this email unless you recognise the sender and are sure that the content is safe.

Dear Sirs,

I wish to object to the hours of the Licence Application made by Aldi, Dedworth Road, Windsor.

There is no need for a licence from 06.00 until Midnight, unless they plan to increase opening times.. The hours requested represent 35 hours per week above their opening hours. I understand that there is occasionally a need for an extension to the hours for special occasions, such as the Olympics. The hours, requested, is way over the top. It should be pointed out that the application was not advertised correctly, in the first instance.

Notices were not displayed for public scrutiny for nearly a month and length of time to respond, subsequently, had to be increased.

By comparison, Tesco, Dedworth Road, Windsor, also has a Licence for more than their opening times. These hours represent 24 hours per week above opening hours.

Why do Aldi require so much more?

Neighbourhood Alert reports crime in Dedworth in almost every report.

The area around the Aldi store has very little street lighting. Young people will be able to buy alcohol until 22.00 Monday - Saturday. A perfect combination to misbehave. I therefore worry about the local community.

Cardinal Clinic (Established 45 years ago)- Patients from the Cardinal Clinic on a detox program will be able to buy alcohol much more easily. It is not a locked Hospital. There are very few problems at the moment, but with alcohol on sale just a stones throw away, this will be a greater temptation.

So, I object on the basis of :  
Possible increase in crime.

Greater temptation to young people (/children) and Mentally ill patients.  
To prevent public nuisance and protect local community.

Sincerely,

██████████

Please acknowledge this objection. Thank you

Licensing Team  
Royal Borough of Windsor & Maidenhead  
Town Hall  
St. Ives Road  
Maidenhead SL6 1RF

Dear Sir/Madam,

Application by Aldi Stores Limited for the following licensable activities: sale by retail of Alcohol OFF the premises Monday to Sunday 06:00 to 00:00

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] is concerned at the proposed hours provided for in the above referenced application compared to the hours of operation for the proposed store permitted in the Council's Decision Notice dated 22 January 2021. These are 08.00 to 22.00 Mondays to Saturdays and 10.00 to 17.00 on Sundays, Bank or Public Holidays.

We cannot see any reason for the wide disparity in the permitted hours under the Decision Notice and the licence application, unless Aldi anticipates that it may seek an extension to the currently approved hours of operation in the future. However, that should be considered at the time by reference to an assessment of the impact of the operation of the store which is not anticipated to commence trading until November this year. It has also been suggested that granting extended hours will 'future proof' the licence against variation applications, but we consider that any such variations (other than one off events – the 2012 Olympics have been cited) should be a matter of proper scrutiny at the time. We are also concerned at the longer hours of operation granted to Aldi compared to the Tesco superstore located less than half a mile away along Dedworth Road and the potential for public nuisance as it attracts people from central Windsor late at night. Tesco's own premises licence is also more restrictive than that sought by Aldi. The Aldi store is located in an area with limited street lighting, near residential properties and next to The Cardinal Clinic. The Cardinal Clinic is a private mental health hospital which treats a wide range of conditions including alcohol, substance and behavioural addictions and easy access to alcohol 'next door' represents an unwelcome temptation. Neighbourhood Alert reports indicate greater prevalence of minor crime/anti-social behaviour reports in the Dedworth area.

We therefore object to the proposed hours of the subject application because of the potential for public nuisance and possible increase in crime and disorder in the vicinity and impact on the local community.

23 March 2021

[REDACTED]  
[REDACTED]  
[REDACTED]

# APPENDIX D

Dear [REDACTED]

Further to your email below, I have made some minor amendments to reflect the measures in store but can confirm my clients agreement to the conditions listed below:

1. A 'Challenge 25' to be adopted, where any person who looks under 25 years of age will be asked to prove their age when attempting to purchase age restricted products such as alcohol and appropriate signage of the adopted challenge policy should also be displayed within the premises. All staff authorised to sell alcohol should be trained in the Challenge 21 or 25 policies with appropriate training documented to reflect this.
2. Acceptable ID should include photographic identification documents; including passport, photo-card, driving license or proof of age card bearing the PASS hologram or any identification recognised or approved by either the Licensing/Responsible Authority or Thames Valley Police.
3. Be aware of Proxy sales of alcohol - staff trained to discourage the sale of alcohol to customers on behalf of children.
4. A refusal book/forms/electronic log to be used/kept at the premises to record all incidents and updated as and when required, and made available for inspection on request by either a Responsible Authority such as Licensing or Trading Standards or the Police.
5. Staff training records (written or electronic) to be kept.

Thames Valley Police request the following conditions are attached to the premises 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.

If the applicant agrees to the above conditions there will be no police objections.

Regards

[REDACTED]