

# Public Document Pack

## NOTICE OF MEETING

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

will meet on

**FRIDAY, 29TH JANUARY, 2021**

**At 2.00 pm**

in the

**VIRTUAL MEETING - ONLINE ACCESS VIA [RBWM YOUTUBE](#)**

TO: MEMBERS OF THE LICENSING & PUBLIC SPACE PROTECTION ORDER (PSPO) SUB COMMITTEE

COUNCILLORS JOHN BOWDEN, GERRY CLARK AND GEOFF HILL

Karen Shepherd – Head of Governance - Issued: 21 January 2021

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) or contact the Panel Administrator **Mark Beeley** 01628 796345/  
mark.beeley@rbwm.gov.uk

**Recording of Meetings –In line with the council's commitment to transparency the Part I (public) section of the virtual meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain.**

**If you have any questions regarding the council's policy, please speak to Democratic Services or Legal representative at the meeting.**

## AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APPOINTMENT OF CHAIRMAN</u>  To appoint a Chairman for the duration of the meeting.	
2.	<u>APOLOGIES FOR ABSENCE</u>  To receive any apologies for absence.	
3.	<u>DECLARATIONS OF INTEREST</u>  To receive any declarations of interest.	5 - 6
4.	<u>PROCEDURES FOR SUB COMMITTEE</u>  To note the procedural details for the meeting.	7 - 8
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 14a -15a Goswell Hill, Windsor, SL4 1RH Including The Plaza.	9 - 48

## MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

### Disclosure at Meetings

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

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

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

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

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

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

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

### Prejudicial Interests

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

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

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

### Personal interests

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

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

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## LICENSING SUB-COMMITTEE

### PROCEDURES

The Licensing Panel Sub-Committee to elect a Chair. The Chair will welcome all parties to the meeting, introduce the Sub-Committee Members and officers present. The hearing will then proceed as follows;

- a) The Officer Reporting (as the licensing authority) to outline the application and the decision to be taken
- b) Members to ask questions of the Officer Reporting
- c) Applicant to ask questions of the Officer Reporting
- d) The Applicant to put their case to the Sub-Committee
- e) Members to ask questions of the Applicant
- f) Other persons to make their representations
- g) Members to ask questions of other persons
- h) Applicant to ask questions of other persons
- i) Chair to ask if any parties have any further questions or anything they wish to add
- j) Applicant to briefly summarise their position
- k) Officer Reporting to sum up and restate the options for the Members of the Sub Committee
- l) Sub-Committee to retire and make their decision within 5 working days

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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 Hill and Cllr Clark

OFFICER REPORTING: Craig Hawkings

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

Applicant: Escape Experience Ltd

Registered: Company Number - 11521158

Premises: 14a – 15a Goswell Hill, Windsor, SL4 1RH Including the Plaza

Mr Graham Lumley has applied, under the Licensing Act 2003 for a New Premises Licence to be granted.

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

The application is to:

1. To Licence 14a – 15a Goswell Hill, Windsor, SL4 1RH Including the Plaza, Windsor for the purposes of operating as a Bar / Restaurant for the sale of alcohol for (Consumption On the premises).

A summary of the application is as follows:

The standard opening hours of the premises:

- 11:00 Until 23:00 hrs Monday to Sunday

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

- 11:00 until 22:00 hrs Monday to Sunday

Designated Premises Supervisor (DPS): Miss Amelia Lumley

#### **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:	Objection ( <b>Appendix C</b> )
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;

- None

Recommended and agreed conditions from Thames Valley Police are attached at (**Appendix D**)

### **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 “Restaurant” 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 licensed 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 & Plans

Appendix B – Map of the area

Appendix C – Responsible Authority Objection.

Appendix D – Agreed conditions requested by Thames Valley Police

**Contact details:** Craig Hawkings - Licensing Enforcement Officer

[Craig.Hawkings@RBWM.gov.uk](mailto:Craig.Hawkings@RBWM.gov.uk)

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# 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** Graham Lumley

*(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**

14a – 15a Goswell Hill, Windsor, SL4 1RH, inc the plaza see attached plan.			
<b>Post town</b>	Windsor	<b>Postcode</b>	SL4 1RH

Telephone number at premises (if any)	████████████████████
Non-domestic rateable value of premises	£15,000

**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** please complete section (B)
  - ii as a partnership (other than limited liability) please complete section (B)
  - iii as an unincorporated association or please complete section (B)
  - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body 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 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 please complete section (B)
- h) the chief officer of police of a police force in England and Wales 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	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
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	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over		Please tick yes	
<b>Nationality</b>					
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	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(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 Escape Experience LTD
Address 15a Goswell Hill, Windsor, Berks, SL4 1RH
Registered number (where applicable) 11521158
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company

Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
1	2	2 0 2 2

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)  
 Business located in archway with additional outdoor bar servery see attached plan

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

**NONE**

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

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

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

**In all cases complete boxes K, L and M**

A

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

**B**

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

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Tue			
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Fri			
Sat			
Sun			



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors		
Day	Start	Finish		Outdoors		
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue						
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)			
Thur						
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Sat						
Sun						

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for the performance of live music</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 live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Sat						
Sun						

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	
Day	Start	Finish	Indoors	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

			<b><u>Please give further details here</u></b> (please read guidance note 4)	
			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)	
			<b><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></b> (please read guidance note 6)	

**G**

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	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<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)		
Sat					
Sun					

**H**

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

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	X
				Off the premises	
				Both	
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	1100	2300			
Tue	1100	2300			
Wed	1100	2300			
Thur	1100	2300			
Fri	1100	2300			
Sat	1100	2300			
Sun	1100	2300			
			<b>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</b> (please read guidance note 6) Christmas Eve, New Year's Eve, 4 <sup>th</sup> July		

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	Amelia Lumley & <del>Graham Lumley</del>
Date of birth	[REDACTED]
Address Both at:	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	TBA

Issuing licensing authority (if known)

**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).  
**NONE**

**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	1100	2300	
Tue	1100	2300	
Wed	1100	2300	
Thur	1100	2300	
Fri		2300	
<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)			

Sat	1100	2300	
Sun	1100	2300	

## 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)**

Nothing beyond existing health and safety requirements and fire regulation

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

Nothing beyond existing health and safety requirements and fire regulation in addition both the inside space and outside space have CCTV  
We will also engage with our local police force and have security personnel at key times at the weekends and evenings

**c) Public safety**

Nothing beyond existing health and safety requirements and fire regulation in addition both the inside space and outside space will have CCTV.

**d) The prevention of public nuisance**

Nothing beyond existing health and safety requirements and fire regulation in addition both the inside space and outside space will have CCTV.



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

Nothing beyond existing health and safety requirements and fire regulation in addition both the inside space and outside space will have CCTV.

**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. N/A
- 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). N/A

**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)

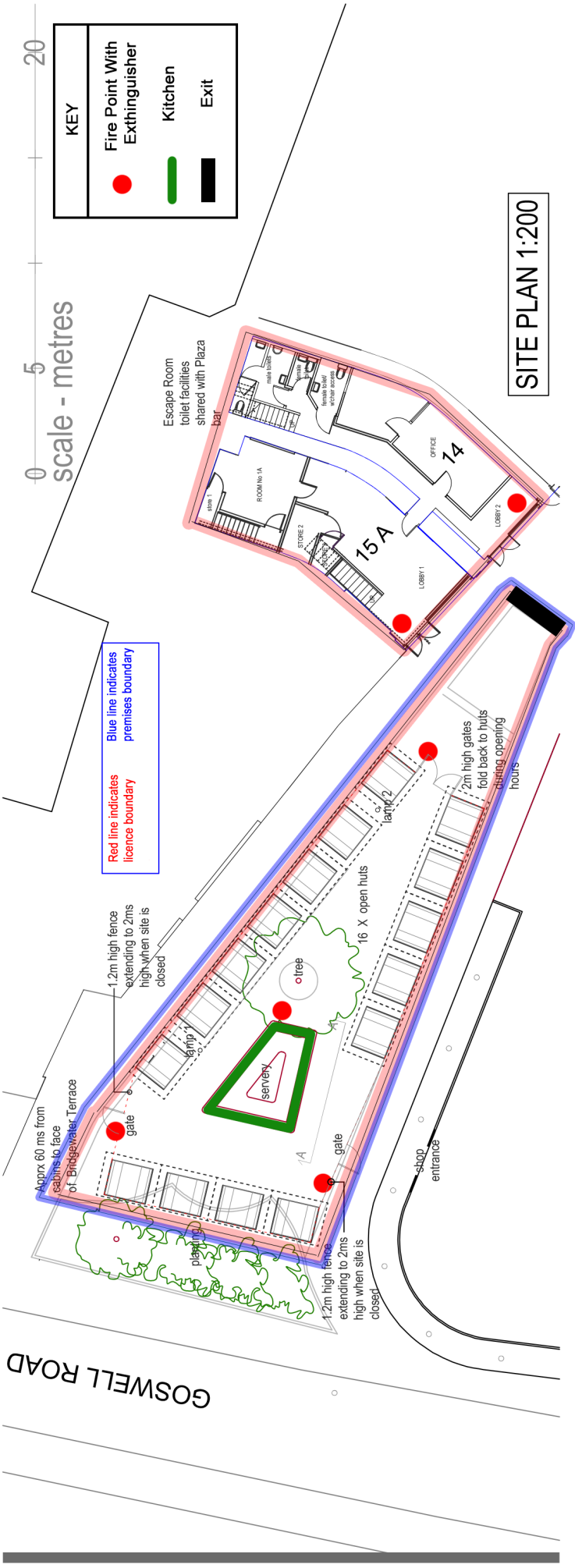
**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<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	[Redacted]
Date	17-11-20
Capacity	Director

**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	

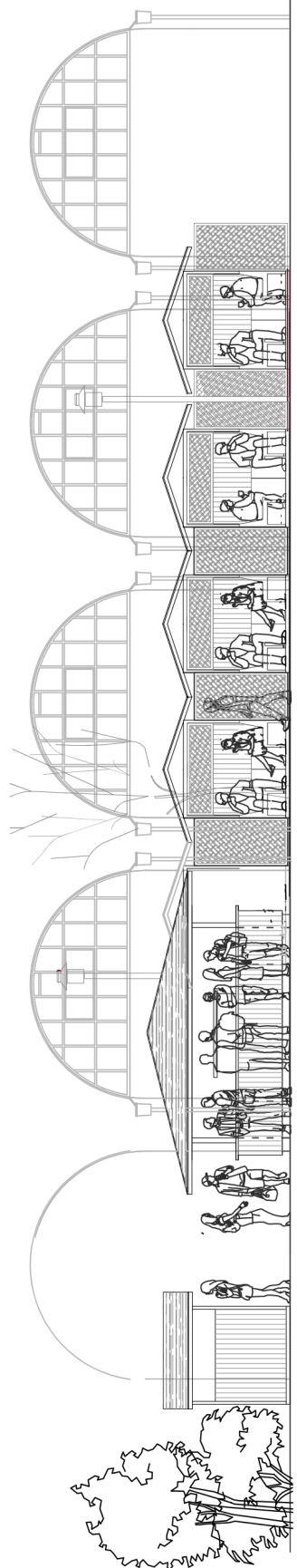
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
[Redacted]			
Post town	Windsor	Postcode	[Redacted]
Telephone number (if any)	[Redacted]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[Redacted]			



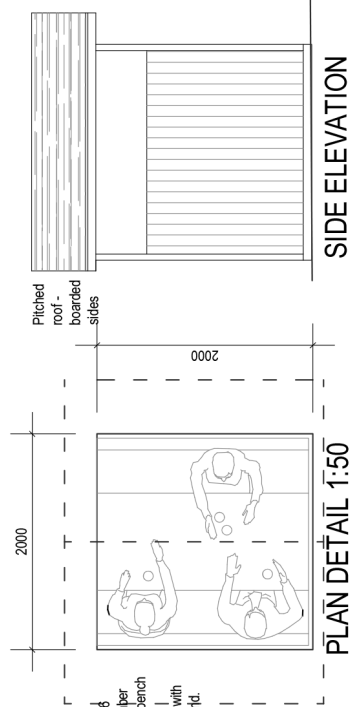
**SITE PLAN 1:200**

GOSWELL ROAD

176925



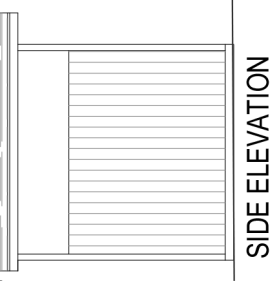
**Elevation AA looking towards arches**



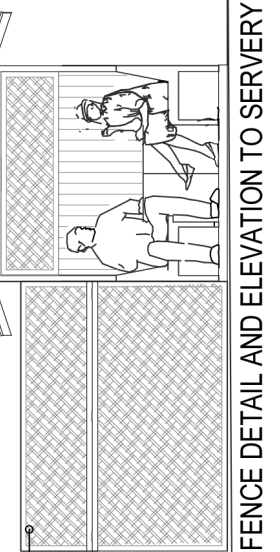
**PLAN DETAIL 1:50**

**SIDE ELEVATION**

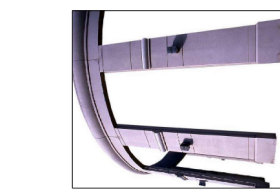
**open seating details**



**FENCE DETAIL AND ELEVATION TO SERVERY**



**FENCE DETAIL AND ELEVATION TO SERVERY**



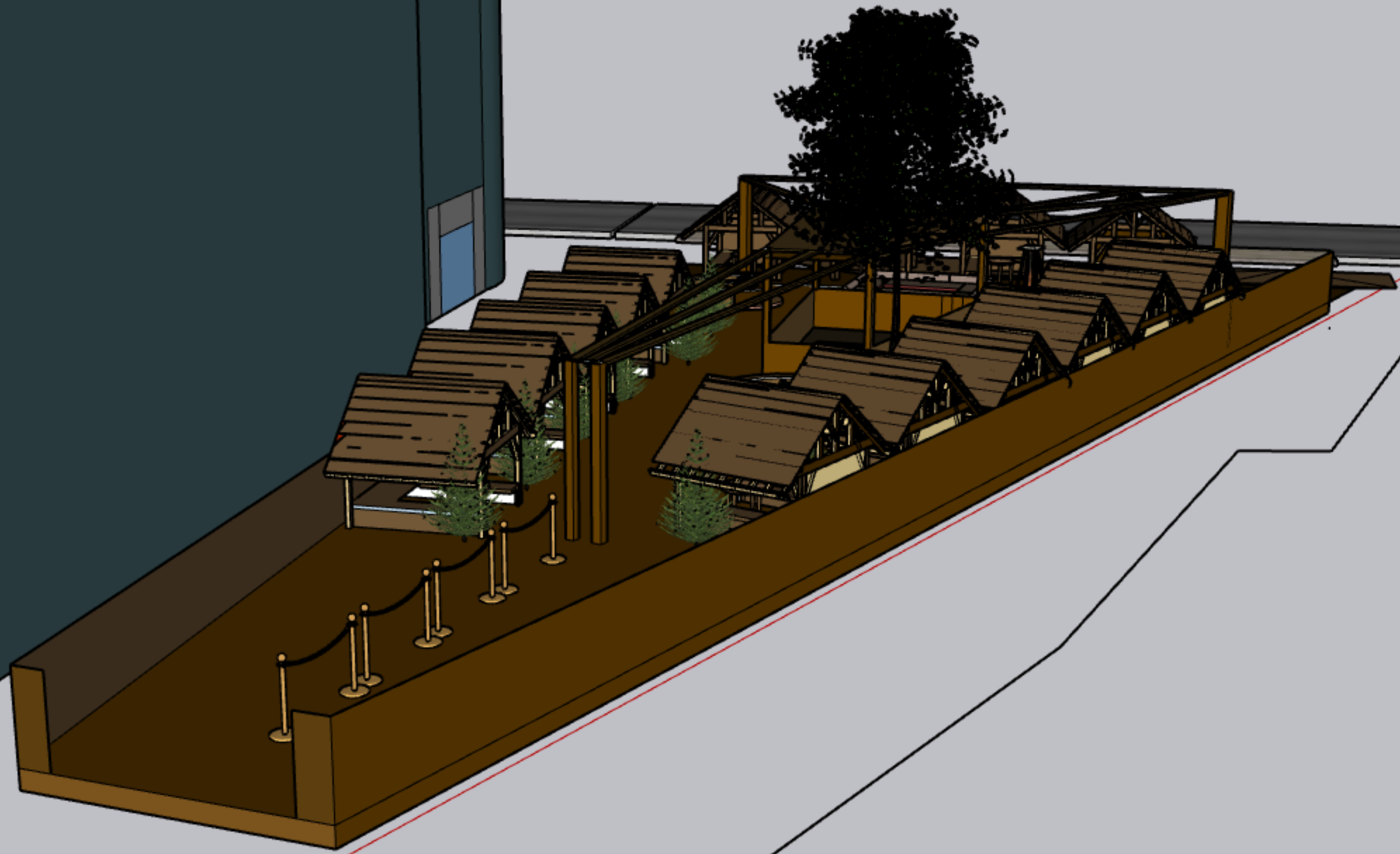
**Elevation AA looking towards arches**

Seating for 6 people - timber tables and bench seats.  
High backs with one open end.

Lattice timber trill to hardwood frames, hinged to fold up for security when site is closed

**PROJECT:** Outdoor bar  
**SITE:** The Plaza, The Arches  
**Windsor, SL4 1RH**  
**Proposed Site Plan & details**  
**1:200 @A3**  
**DATE:** October 2020  
**DRG. NO.:** Licencing 18.11.2020

michael lumley & associates - 12, College Baths Road, Cheltenham, GL53 7QU tel: 01242 221013 michael@lumley.com



# APPENDIX

# B



ETON

ADVENTURE ACTIVITIES

Riverside Sta

WINDSOR

Windsor Castle

Bridgewater Way, Windsor, SL4 1RH

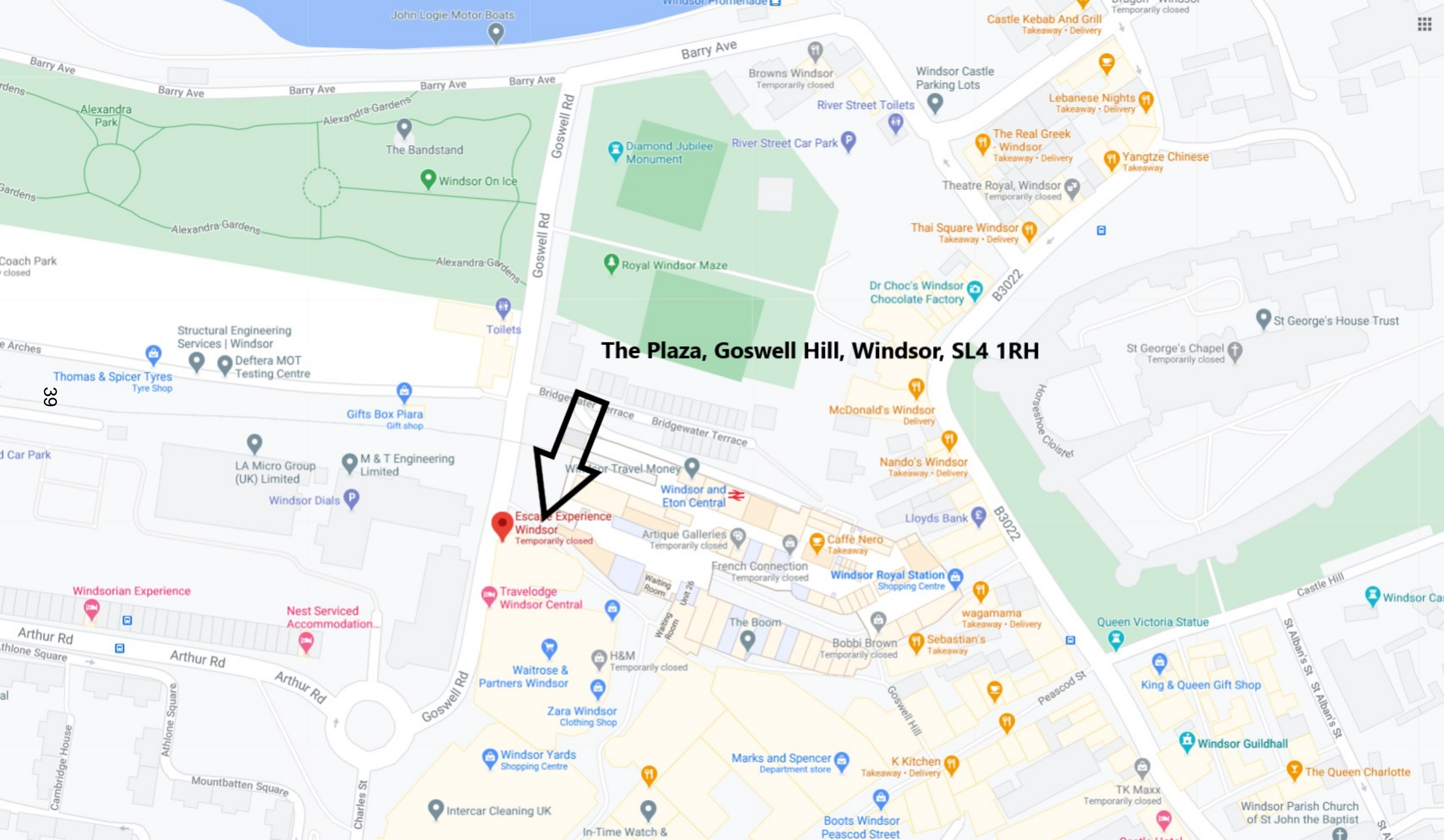
Central Sta

The Goswells

The Brocas

Slopes Lodge

ART CENTRE



**The Plaza, Goswell Hill, Windsor, SL4 1RH**



Escape Experience Windsor  
Temporarily closed

Travelodge Windsor Central

Waitrose & Partners Windsor

Windsor Yards Shopping Centre

Windsor and Eton Central

Windsor Royal Station Shopping Centre

The Boom

H&M Temporarily closed

Marks and Spencer Department store

McDonald's Windsor Delivery

Nando's Windsor Takeaway · Delivery

Caffe Nero Takeaway

French Connection Temporarily closed

Bobbi Brown Temporarily closed

K Kitchen Takeaway · Delivery

The Real Greek - Windsor Takeaway · Delivery

Thai Square Windsor Takeaway · Delivery

Dr Choc's Windsor Chocolate Factory

Lloyds Bank

wagamama Takeaway · Delivery

Sebastian's Takeaway

TK Maxx Temporarily closed

Windsor Guildhall

The Queen Charlotte

Windsor Parish Church of St John the Baptist

Windsor Castle Parking Lots

St George's Chapel Temporarily closed

St George's House Trust

Structural Engineering Services | Windsor

Deftera MOT Testing Centre

LA Micro Group (UK) Limited

M & T Engineering Limited

Windsor Dials

Windsorian Experience

Nest Serviced Accommodation...

Arthur Rd

Athlone Square

Mountbatten Square

Charles St

The Bandstand

Windsor On Ice

Royal Windsor Maze

Toilets

Gifts Box Piara Gift shop

M & T Engineering Limited

Windsor Dials

Windsorian Experience

Nest Serviced Accommodation...

Arthur Rd

Athlone Square

Mountbatten Square

Charles St

Intercar Cleaning UK

In-Time Watch &

Diamond Jubilee Monument

Royal Windsor Maze

Toilets

Gifts Box Piara Gift shop

M & T Engineering Limited

Windsor Dials

Windsorian Experience

Nest Serviced Accommodation...

Arthur Rd

Athlone Square

Mountbatten Square

Charles St

Intercar Cleaning UK

In-Time Watch &

Boots Windsor Peascod Street

Bridgewater Terrace

Windsor Travel Money

Windsor and Eton Central

Artique Galleries Temporarily closed

French Connection Temporarily closed

The Boom

H&M Temporarily closed

Marks and Spencer Department store

Boots Windsor Peascod Street

In-Time Watch &

River Street Toilets

River Street Car Park

Dr Choc's Windsor Chocolate Factory

Lloyds Bank

wagamama Takeaway · Delivery

Sebastian's Takeaway

TK Maxx Temporarily closed

Windsor Guildhall

The Queen Charlotte

Windsor Parish Church of St John the Baptist

Windsor Castle Parking Lots

St George's Chapel Temporarily closed

St George's House Trust

Windsor Castle Parking Lots

St George's Chapel Temporarily closed

St George's House Trust

The Real Greek - Windsor Takeaway · Delivery

Lebanese Nights Takeaway · Delivery

Yangtze Chinese Takeaway

Thai Square Windsor Takeaway · Delivery

Dr Choc's Windsor Chocolate Factory

McDonald's Windsor Delivery

Nando's Windsor Takeaway · Delivery

Caffe Nero Takeaway

French Connection Temporarily closed

The Boom

H&M Temporarily closed

Marks and Spencer Department store

Boots Windsor Peascod Street

In-Time Watch &

Boots Windsor Peascod Street

In-Time Watch &

Lebanese Nights Takeaway · Delivery

Yangtze Chinese Takeaway

Thai Square Windsor Takeaway · Delivery

Dr Choc's Windsor Chocolate Factory

McDonald's Windsor Delivery

Nando's Windsor Takeaway · Delivery

Caffe Nero Takeaway

French Connection Temporarily closed

The Boom

H&M Temporarily closed

Marks and Spencer Department store

Boots Windsor Peascod Street

In-Time Watch &

Boots Windsor Peascod Street

Boots Windsor Peascod Street

In-Time Watch &

Lebanese Nights Takeaway · Delivery

Yangtze Chinese Takeaway

Thai Square Windsor Takeaway · Delivery

Dr Choc's Windsor Chocolate Factory

McDonald's Windsor Delivery

Nando's Windsor Takeaway · Delivery

Caffe Nero Takeaway

French Connection Temporarily closed

The Boom

H&M Temporarily closed

Marks and Spencer Department store

Boots Windsor Peascod Street

In-Time Watch &

Boots Windsor Peascod Street

Boots Windsor Peascod Street

In-Time Watch &

Lebanese Nights Takeaway · Delivery

Yangtze Chinese Takeaway

Thai Square Windsor Takeaway · Delivery

Dr Choc's Windsor Chocolate Factory

McDonald's Windsor Delivery

Nando's Windsor Takeaway · Delivery

Caffe Nero Takeaway

French Connection Temporarily closed

The Boom

H&M Temporarily closed

Marks and Spencer Department store

Boots Windsor Peascod Street

In-Time Watch &

Boots Windsor Peascod Street

Boots Windsor Peascod Street

In-Time Watch &

# APPENDIX

# C



# ENVIRONMENTAL PROTECTION

## MEMORANDUM

### Licensing Consultation Response

**To:** Licensing

**Date:** 09/12/2020

**From:** Environmental Protection

**Our Ref:** 20/05001/LICPRM

---

#### **Proposal:**

Licensed Premises serving alcohol and including the provision of outdoor serving and drinking area with operating times proposed from between 11:00am and 23:00pm.

#### **Address:**

14-15A Goswell Hill  
Windsor  
SL4 1RH

#### **BACKGROUND**

Environmental Protection have numerous and ongoing complaints of noise nuisance from existing licensed premises within the Goswell Hill area. The high walls in this area have the effect of amplifying any noise whether it be from human voices to played music.

#### **COMMENTS**

##### Public Noise Nuisance

Environmental protection has over an elongated period of time received numerous complaints of noise nuisance from the Goswell Hill area of Windsor. The high walls in this area tend to amplify any noise created and causes a potential statutory nuisance. The proposed operating times would also lead to an extension of this potential noise nuisance well into the evening hours.

##### Public Safety

After reviewing the submitted plans we can see that there is insufficient provision for public convenience/toilet facilities. In our experience this can lead to the use of the local area for urination which can result in a public health and safety risk as well as an odour problem, odour is already a problem in this area.

## OBJECTIONS

As the responsible authority for Environmental Health we objects to the application on the grounds of public nuisance and public safety.

As the responsible authority for Health and Safety we objects to the application on the grounds of public nuisance and public safety.

## RECOMMENDATIONS

We would recommend that if a licence was granted for this bar that the following conditions are considered:

- Opening hours to be until 7pm with no extensions.
- Further provisions for public convenience/toilet facilities is made.
- A management plan is created in which the licensee outlines how they will liaise with the local residents and deal with complaints. This plan should also demonstrate how they will liaise with Environmental protection on such matters.

Kind regards

Michael McNaughton  
Environmental Protection Officer

# APPENDIX

## D

**From:** Pearmain Debie [REDACTED]  
**Date:** Monday, 18 January 2021 at 12:49  
**To:** Graham Lumley [REDACTED]  
**Cc:** 'Craig Hawkings' <[Craig.Hawkings@RBWM.gov.uk](mailto:Craig.Hawkings@RBWM.gov.uk)>,  
**Subject:** RE: The Plaza, Licensing Sub-Committee Hearing

Hi Graham

Further to our conversation last week, I have spoken to Inspector Croucher this morning and we have agreed to the below conditions, which are in relation to the Premises Licence application for The Plaza, Goswell Hill:

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 is able to download any potential evidence required by Thames Valley Police employees and Authorised Persons as defined by Sections 13 & 69 Licensing Act 2003 .

DPS or nominated person is responsible in supplying the necessary media (discs, data stick) containing any downloaded content.

DPS or nominated person to attend the Local Pub watch scheme

Appropriate barriers to be used to ensure the seating area is enclosed and controlled.

12 customers to be seated at the bar area

Sale of Alcohol to be 10.00pm with the premises to be closed at 11.00pm

As you have agreed to all of the above, Thames Valley Police will withdraw the objection

Regards

Debie

## **Trading Standards Requested conditions**

1. Acceptable ID will be those with photographic identification documents; including passport, photo-card, driving license or proof of age card bearing the PASS hologram.
2. A challenge 25 policy to be put in force, where any person looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and appropriate signage to this effect to be displayed at the premises. All staff authorised to sell alcohol will be trained in the Challenge 25 scheme and this training will be documented.
3. Proxy sales of alcohol will not be permitted - all staff trained to discourage the sale of alcohol to customers on behalf of children.
4. A refusal book/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 to a Licensing Officer, Police or other responsible authority.
5. Written staff training records to be kept.

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