

NOTICE
OF
MEETING

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

will meet on

MONDAY, 14TH JUNE, 2021

At 2.00 pm

by

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

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

COUNCILLORS JON DAVEY, PHIL HASELER AND SAYONARA LUXTON

Karen Shepherd – Head of Governance - Issued: 4 June 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 or contact the Panel Administrator **Shilpa Manek** 01628 796310

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.	3 - 4
4.	<u>PROCEDURES FOR SUB COMMITTEE</u> To note the procedural details for the meeting.	5 - 6
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 Windsor and Eton Brewery, Units 1-4 Vansittart Estate, Duke Street, Windsor, SL4 1SE.	7 - 46

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 Davey, Cllr Haseler, Cllr Luxton

OFFICER REPORTING: Craig Hawkings

A) The Application – (Appendix A)

Applicant: Windsor & Eton Brewery

Premises: Windsor & Eton Brewery, Units 1-4, Vansittart Estate, Duke Street
SL4 1SE

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

The application is to:

1. Licence the premises to now include the fourth unit in the building that the brewery operates, the brewery previously occupied the other 3 units. The brewery took over the unit in January 2021 and now has responsibility for all four units and the entire building. The unit will allow customers to try and sample all beers produced on site in a unique, well managed and comfortable environment. Brewery tours will also start and finish in the tap room with the tap room also becoming the brewery shop. the new tap room we will only trade until 10pm to showcase the bar as well managed. The purpose of licensing our entire demise is to no longer have to use TEN's when the brewery holds beer festivals which are held throughout the premises periodically.

A summary of the application is as follows:

Live music (Indoors):

- 12:00 hrs. until 23:00 hrs. – Monday – Sunday

Recorded Music (Indoors):

- 11:00 hrs. until – 23:00 hrs. – Monday - Sunday

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

- 09:00 hrs. until 23:00 hrs. - Monday to Sunday

The standard opening hours of the premises:

- 09:00 hrs. until 22:00 hrs. - Monday to Sunday

Designated Premises Supervisor (DPS): Mr. Miles Slade

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;

- 2 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

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 do not fall outside RBWM framework hours for “Off licence / bar ” 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

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 plan

Appendix B – Map of the area

Appendix C – Objections.

Appendix D – Agreed conditions requested by Trading Standards.

Contact details: Craig Hawkings - Licensing Enforcement Officer

Craig.Hawkings@RBWM.gov.uk

07833047887

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 Windsor & Eton Brewery

(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

Windsor & Eton Brewery, Units 1-4, Vansittart Estate, Duke Street			
Post town	Windsor	Postcode	SL41SE
Telephone number at premises (if any)		01753854075	
Non-domestic rateable value of premises		£	83,000

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 X | 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)	
Surname			First names		
Date of birth		I am 18 years old or over		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	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		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.

14

Name Windsor & Eton Brewery
Address Units 1-4, Vansittart Estate, Duke Street, SL41SE
Registered number (where applicable) 7069266
Description of applicant (for example, partnership, company, unincorporated association etc.) This is a local brewery with brewing of individual ale and craft beers as the main business operation. Supplementary to this the business runs a small number of bars and pubs. Currently the brewery has a tap room for customers to try beers and this application is to allow the business to deliver a wider offer to customers including food

and coffee. In addition, the new tap room has the space required to operate within current guidelines relating to COVID and any other similar trading conditions in the future. The brewery is an asset to the local community and will continue to operate in a respectable nature that is recognised throughout the town and wider.

Telephone number (if any) 01753854075

E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY		
2	1	0	6	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)

The premises is a former engineering business and the fourth unit in the building that the brewery operates, the brewery previously occupied the other 3 units. The brewery took over the unit in January 2021 and now has responsibility for all four units and the entire building. The unit will allow customers to try and sample all beers produced on site in a unique, well managed and comfortable environment. Brewery tours will also start and finish in the tap room with the tap room also becoming the brewery shop which is why the hours requested start as early. It is our intention to allow off sales until 11am each day and initially, due to resident's concerns raised during many meetings to engage them, the new tap room we will only trade until 10pm to showcase the bar as well managed. A noise management plan is attached to the application and this will be managed and followed at director level to ensure it is implanted and followed. The purpose of licensing our entire demise is to no longer have to use TEN's when the brewery holds beer festivals which are held throughout the premises periodically.

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) **X**
- f) recorded music (if ticking yes, fill in box F) **X**
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	-----	-----			
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	-----	-----			

C

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

D

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

E

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	X
				Outdoors	
				Both	
Day	Start	Finish			
Mon	12pm -----	11pm -----	<u>Please give further details here</u> (please read guidance note 4) It is our intention to provide customers periodically with live bands and instrument led music only.		
Tue	12pm -----	11pm -----			
Wed	12pm -----	11pm -----	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) None required		
Thur	12pm -----	11pm -----			
Fri	12pm -----	11pm -----	<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) None		
Sat	12pm -----	11pm -----			
Sun	12pm -----	11pm -----			

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

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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Mon	-----	-----		Outdoors	
				Both	
Tue	-----	-----	Please give further details here (please read guidance note 4)		
Wed	-----	-----			
Thur	-----	-----	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	-----	-----			
Sat	-----	-----	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	-----	-----			

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)		On the premises	
					Off the premises	
					Both	X
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5) None to be specified as part of the application.			
Mon	9am -----	11pm -----				
Tue	9am -----	11pm -----				
Wed	9am -----	11pm -----				
Thur	9am -----	11pm -----				
			<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	9am -----	11pm -----	None.			
Sat	9am -----	11pm -----				
Sun	9am -----	11pm -----				

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		Miles Slade
Date of birth		
Address		
Postcode		
Personal licence number (if known)		

Issuing licensing authority (if known)
RBWM

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).

We feel that no activity will give any concern with regard to the safety of children. Indeed, we feel that due to the wider offer a larger premise provides including a full menu and coffee, that families will regularly use the bar to eat and socialise safely in a well-managed environment.

L

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) None.
Day	Start	Finish	
Mon	9am	10pm	
Tue	9am	10pm	
Wed	9am	10pm	
Thur	9am	10pm	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6) None.
Fri	9am	10pm	

Sat	9am -----	10pm -----	
Sun	9am -----	10pm -----	

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)

Windsor and Eton brewery has operated for over a decade in a responsible and diligent manner with no concerns raised with any of the business operations which include brewing, deliveries and a small bar/restaurant estate.

Our operating procedures ensure that all activity we undertake is done so in a responsible and considered manner to ensure all we serve recognise us as a good operator. In line with this business has taken steps to strengthen its operating of bars/pubs by recruiting on to the board Miles Slade who previously worked for the industry standard leading JD Wetherspoon managing their entire estate as operations director.

Miles will oversee the tap room on a day to day basis and have complete responsibility of ensuring it meets and indeed supersedes all of the licensing objectives.

In advance of this application a meeting has been held with both police and council licensing officers to agree the following conditions for the license:

- 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.
- DPS or nominated persons will actively participate in the local Pub Watch scheme when in existence.
- Refusals Register to be on the premises and kept up to date and made available upon the request of Thames Valley Police employees and Authorised Persons as defined by Sections 13 & 69 Licensing Act 2003

b) The prevention of crime and disorder

This will be in line with the pre agreed conditions with the licensing authorities. In addition the brewery will risk assess the need for door security as required.

c) Public safety

This will be in line with the pre agreed conditions with the licensing authorities which should ensure adequate steps are in place to achieve this objective.

d) The prevention of public nuisance

We feel the biggest concern of those in the locality of the brewery and of course tap room is the noise produced from the bar. We have carefully ensured that as part of the build the building is soundproofed throughout and that a noise management plan written to be followed every day. With the good management we have put in place we are confident that the bar will not create any public nuisance.

e) The protection of children from harm

We feel that no activity will give any concern with regard to the safety of children. Indeed, we feel that due to the wider offer a larger premise provides including a full menu and coffee, that families will regularly use the bar to eat and socialise safely in a well-managed environment.

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.

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	<ul style="list-style-type: none"> [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). 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)
Signature	
Date	
Capacity	



For joint applications, signature of 2nd applicant or 2nd 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	[REDACTED]
Date	30/03/2021
Capacity	[REDACTED]



Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Miles Slade
Windsor & Eton Brewery, Units 1-4, Vansittart Estate, Duke Street

Post town	Windsor	Postcode	SL41SE
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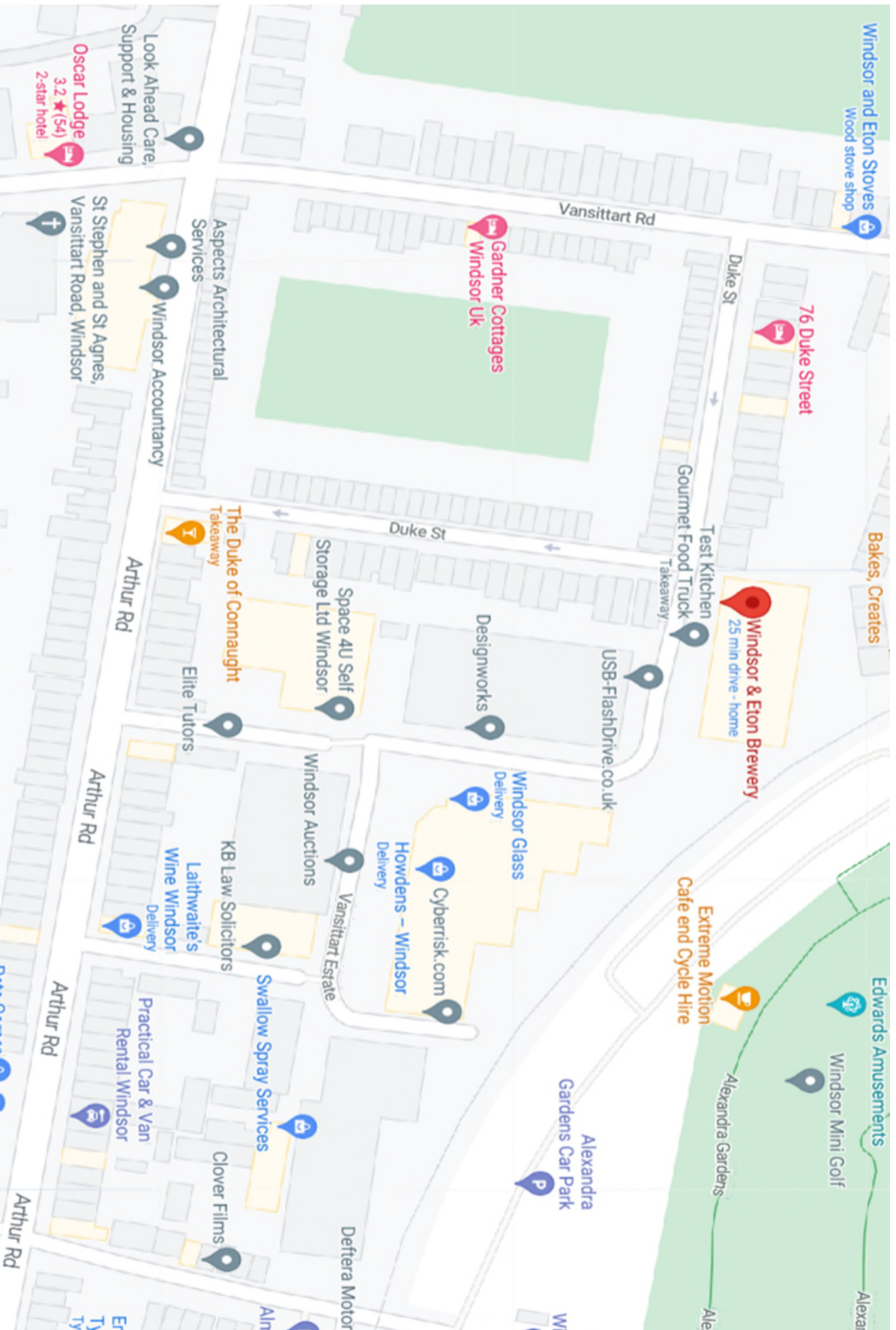
Telephone number (if any)	[REDACTED]
---------------------------	------------

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

[REDACTED]



APPENDIX B



APPENDIX C

From: [REDACTED]
Sent: 19 May 2021 19:16
To: Licensing <Licensing2@RBWM.gov.uk>
Subject: Windsor and Eton Brewery

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.

Hi there. I would like to make some comments on the Licensing application for Windsor and Eton Brewery,

- 1) Noise Insulation. This is single brick, end-building, with a thin roof. It is adjacent to an arched railway bridge that amplifies and reflects noise within the estate (e.g. we can hear the "Loading Bay" 200 metres away when they have a live event). The plans submitted reflect a DIY approach to the potential noise and acoustics issues. At a minimum we would expect a report to be conducted at the expense of the Brewery by an independent consultant from either the Institute of Acoustics or the Association of Noise Consultants. Any remedial noise reduction actions proposed by such a report should mean that any noise from Unit 4 will be substantially inaudible to residents in their homes and gardens in Barry Avenue and Duke Street.
- 2) Live events and Regulated Music. Given the issues that we have had to date this stands to be exacerbated by increasing the footprint of the area in which live events and music will be played. We would anticipate that any noise generated by live events or regulated music would be directed through a noise limiting device that would cut amplification when noise levels became audible in the gardens of adjacent houses. We would not want any more than 1 live event per week and for this to end by 10pm.
- 3) License. I believe this will require a variation in the licence to move from Unit 1 to Unit 4. We do not believe it would be appropriate to grant an application to a pub in this location after 10pm on any night. We do not believe that is in the character of the neighbourhood to have a pub and café open here on a Sunday.
- 4) Pavement Café. The plans do not state that in future the Brewery will consider having a pavement café in the area outside of the doors facing the railway bridge. We believe that this is out of character with the neighbourhood and inappropriate in an industrial estate. In a previous event where the Brewery organised a funrun in this area the noise, amplified by the bridge, was very loud in our back gardens. People eating, drinking outside, with amplified music coming through the doors would not be welcome. We would ask that in the unwelcome granting of this application that any outdoor areas to (the front/rear of/adjacent to) the premises must not be used by customers or staff.
- 5) People congregating under the arches to smoke, drink, wait for taxis, chat before going home. Each year we have a few weeks when we have to contact the police to move on people making noise under the arches adjacent to the brewery (it is episodic as the people moved on then tend to congregate elsewhere as a result) As mentioned above these sounds are amplified by the arches. Having a pub at Unit 4 will make this situation worse as it will be continuous.

6) Currently the space behind the brewery and adjacent to the houses on Barry Ave is used on occasion to hold a beer festival. Given the increase in footprint for the brewery with Unit 4 I propose that in future there is no further use of this space for the beer festival.

I would also propose a continuation of this clause in the licence.

Condition 3 “The rating level of the noise emitted from the site shall be lower than the existing background level (to be measured over the period of operation of the proposed plant and equipment over a minimum time interval of 1 hour in the daytime and 5 minutes at night) by at least 10dB(A). The noise level shall be determined 1m from the nearest noise-sensitive premises and the measurement shall be made in accordance with the BS 4142:1997. Method for rating industrial noise affecting residential and industrial area.”

Best regards,

A black rectangular redaction box covering the signature.

From: [REDACTED]
Sent: 20 May 2021 12:18
To: Licensing <Licensing2@RBWM.gov.uk>
Subject: Licence for Windsor and Eton Brewery

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 Sir/Madam,

I am writing to you as I would like to comment on the Licensing application for Windsor and Eton Brewery, following the planning application approval on their new on-site pub.

As a resident of Barry Avenue, we already have had several years of noise from groups of people drinking and playing loud music from around the railway arches, Alexandra car park and trading estate during the evenings during week and weekends. This has been discussed with police, PCSO Bullock, local councillors like Councillor Raynor and community wardens to take action where they can to stop. But the area is recognised by all as a hot spot for antisocial behaviour and noise.

These events have all been logged over the last 5 years with police 101.

My concerns are around a pub being granted a planning application for museum and brewery tours, then asking for a late licence for events, night time pub trading etc. will add to the current noise and anti-social behaviour issues already in this area.

I worry the new licence will have the following impacts on local residents:

Noise from a single brick building being turned into a pub that will have a large customer capacity.

The railway bridge tunnels amplify any noise on the industrial estate. This has been tested with decibel readings in the past, with previous live music events at the brewery and Loading Bay (also on the trading estate) can be heard from our garden but also inside our homes. Many of us in the neighbourhood have had to approach the venues to request the lowering of any noise.

Consideration of outside trading - The current pub area in the brewery does have customers standing outside, especially on sunny days to drink and smoke. With the bar being moved to a different area with more outdoor space, this is likely to exasperate and bring drinkers closer to the local resident areas.

This also sets a precedence for the previous anti-social groups in the area to continue to congregate.

Live events - There have been several live events held over the years where the noise has increased e.g. fun runs, bike events, live sport events, beer festivals and live music events. For a residential area, the congregation of people can be in the hundreds and with alcohol involved can be quite over-whelming with noise, increased transport and of course – the anti-social behaviour.

Post trading - People leaving the venue tend to have walked and we have had experience of hearing the customers raised voices as they leave the venue or wait for a lift home. With a bigger capacity venue, this level of noise is likely to increase and impact all residential roads in the area – especially post 11pm.

Please could you acknowledge receipt of email and that my comments have been recorded in your documentation.

Many thanks.

Best wishes,

A black rectangular redaction box covering the signature of the sender.

APPENDIX D

1. A challenge policy such as 'Challenge 25' to be adopted, where any person who looks under either 25 years of age should be asked to prove their age when attempting to purchase or accepting upon delivery 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 policy 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. A refusal book/log/electronic log should be kept at the premises to record all incidents surrounding issues with deliveries 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.
4. Be aware of the possibility of Proxy sales of alcohol
5. The brewery will continue to maintain the current age verification procedures in place at the purchase point for all on-line sales. The brewery will liaise with trading standards over the coming months regarding the purchase of on-line alcohol sales and delivery procedures. A full review of business process will be completed to ensure that all company procedures are to the required industry standard in regard to the delivery of alcohol purchases made where a delivery is required.