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Royal Borough of Windsor & Maidenhead

NOTICE

OF

MEETING

LICENSING & PUBLIC SPACE PROTECTION ORDER (PSPO) SUB COMMITTEE

will meet on

THURSDAY, 17TH MARCH, 2022

At 10.00 am

In the

GREY ROOM - YORK HOUSE AND ON RBWM YOUTUBE

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

COUNCILLORS JOHN BOWDEN, MANDY BRAR AND DAVID CANNON

Karen Shepherd - Head of Governance - Issued: 9 March 2022

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 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.

<u>AGENDA</u>

<u>PART I</u>

<u>ITEM</u>	SUBJECT	<u>PAGE</u> <u>NO</u>
1.	APPOINTMENT OF CHAIRMAN	-
2.	To appoint a Chairman for the duration of the meeting.	
۷.	APOLOGIES FOR ABSENCE To receive any apologies for absence.	-
3.	DECLARATIONS OF INTEREST	3 - 4
	To receive any declarations of interest.	
4.	PROCEDURES FOR SUB COMMITTEE	5 - 6
	To note the procedural details for the meeting.	
5.	CONSIDERATION OF APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003	7 - 42
	To consider an application for a new premises license under the Licensing Act 2003 for Whitbread Group plc, Premier Inn Hotel, Mellor Walk, Windsor.	

Agenda Item 3

MEMBERS' GUIDE TO DECLARING INTERESTS AT 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 Disclosable Pecuniary Interest (DPI) or Other Registerable 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.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

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 (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her 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 council.
- Any licence to occupy land in the area of the council for a month or longer.
- Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.
- Any beneficial interest in securities of a body where:
 - a) that body has a place of business or land in the area of the council, 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 <u>or</u> (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.

Disclosure of Other Registerable Interests

Where a matter arises at a meeting which *directly relates* to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

Other Registerable Interests (relating to the Member or their partner):

You have an interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or

one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Disclosure of Non- Registerable Interests

Where a matter arises at a meeting which *directly relates* to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which affects -

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a body included in those you need to disclose under DPIs as set out in Table 1 of the Members' code of Conduct

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter *affects* your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer, you do not have to disclose the nature of the interest.

Other declarations

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

Revised September 2021

Agenda Item 4

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
- I) Sub-Committee to retire and make their decision within 5 working days



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 Brar, Cllr Cannon.

OFFICER REPORTING: Craig Hawkings

A) The Application – (Appendix A)

Applicant: Whitbread Group plc

Premises: (Proposed) Premier Inn Hotel, Mellor Walk, Windsor

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

The application is to:

1. To licence a stand-alone hotel with related licenced accommodation operating under the Premier Inn brand.

A summary of the application is as follows:

Non residents:

Recorded Music	Monday to Sunday 10:00 – 00:30					
Late Night Refreshment	Monday to Sunday 23:00 – 00:30					
Supply of alcohol (On & Off the premises)	Monday to Sunday 10:00 – 00:30					
Hotel residents:						

Recorded Music
 Monday to Sunday 10:00 – 01:00

• Late Night Refreshment Monday to Sunday 23:00 – 01:00

• Supply of alcohol (On & Off the premises) Monday to Sunday 00:00 – 00:00

Seasonal Variation

 To extend the proposed hours on New Year's Eve to New Year's Eve – terminal hour as proposed being 00:30 on 2 January.

Designated Premises Supervisor (DPS): Jacqueline Allum

Last day for representations: Friday 18th February 2022

7

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 and Public Space Protection Order 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
С.	Planning Officer:	None
d.	Local Safeguarding Children's Board (LSCB)	None
е.	Public Health:	None
f.	Trading Standards:	None
g.	Thames Valley Police:	None
h.	RBWM Licensing:	None

Representations received from other persons are as follows;

• 1 Representation (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 non-residents in this application fall within RBWM framework hours for a 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

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 gueues
- 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

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/attach ment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licen sing_Act_2003__April_2018_.pdf

The sections of the Guidance relevant to this application are;

Licensing objectives and aims

- 1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.
- 1.3 The licensing objectives are:
 - The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.
- 1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

- 1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:
- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

Crime and disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

Public nuisance

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Protection of Children from harm

- 2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly to alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered.
- 2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- Restrictions on the hours when children may be present;
- Restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- Restrictions on the parts of the premises to which children may have access;
- Requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

Hearings

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

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

E) Conclusion / Summary

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

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

In making its decision, the Sub Committee is also obliged to have regard to national guidance and the Council's own Licensing Policy. Of course, the Committee must have regard to all of the representations made and the evidence that it hears.

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

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

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

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

The Sub-Committee are asked to determine the application.

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

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

Legal implications: As outlined in the report.

Equality Implications: None.

Risk Implications: None.

Community Safety Implications: As outlined in the report.

Background papers:

Licensing Act 2003 Licensing Act 2003 Section 182 Statutory Guidance Royal Borough of Windsor and Maidenhead Council Licensing Policy

Enclosures/Appendices:

Appendix A – Application and plans

Appendix B – Map of the area

Appendix C – Received representation

Appendix D – Agreed conditions requested by Thames Valley Police

Contact details: Craig Hawkings - Licensing Team Leader

Craig.Hawkings@RBWM.gov.uk

Mobile: 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.

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

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description								
Proposed Premier Inn, Mellor Walk								
1								
Post	town							
Wind			Posi SL4	t code				
Teleph	one n	umber of premises (if any)						
Non-de	omest	ic rateable value of premises	٤0					
Part 2	- Ap	plicant Details						
Please	state	whether you are applying for a premises licence a	ıs					
a) An i	individ	dual or individuals*		Please tick	please complete section (A)			
b) a pe	erson	other than an individual*						
	1.	as a limited company		⊠	please complete section (B)			
	II. III.	as a partnership as an unincorporated association or			please complete section (B) please complete section (B)			
	ív.	other (for example a statutory corporation)			please complete section (B)			
c) a re	cognis	sed club			please complete section (B)			
d) a ch	arity				please complete section (B)			
e) the	propri	etor of an educational establishment			please complete section (B)			
f) a he	alth s	ervice body			please complete section (B)			
g) a pe Standa hospita	irds A	who is registered under Part 2 of the Care ct 2000 (c14) in respect of an independent			please complete section (B)			
h) the	chief (officer of police of a police force in England and W	ales		please complete section (B)			

Converted to Word by John Gaunt & Partners Licensing Solicitors

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* If y	* If you are applying as a person described in (a) or (b) please confirm: Please tick ✓ yes I am carrying on or proposing to carry on a business which								√ yes
		involves th	ne use of	the premise	es for lice	nsable acti		\boxtimes	
				function or					
		o A	function	discharged	by virtue	of Her Ma	jesty's pre	rogative	
(A) I	NDIVIDUA	L APPLICA	ANTS (fil	II in as app	licable)				
Mr		Mrs		Miss		Ms		Other title (For example, Rev)	
Surna	me					First	names		
Date	of Birth:					I am 18	years old		Please tick
	nality;								
`share	applicable (if code' provide	demonstrati d to the app	ng a right licant by th	to work via the service (p	he Home O lease see n	ffice online ote 15 for I	right to work nformation)	checking service), the 9	-digit
Curre	nt postal add	dress if diff	erent		_				
	premises ad								
Post 7	Town						Postcode		
Dayti	me contact t	elephone n	umber						
Email	address (op	tional)							
Seçoi	nd Individu	al Applica	nt (if ap	plicable)					
Mr		Mrs		Miss		Ms		Other title (For example, Rev)	
Surna	me					First	names		
Date o	of Birth:					I am 18	years old o		lease tick
Where 'share	nafity: applicable (if code' provided	demonstration to the appli	ng a right to	to work via th at service (pl	e Home Of	fice online rote 15 for in	ight to work formation)	checking service), the 9-	digit
Currer from p	nt postal add premises add	lress if diffe fress	erent						
Post T	own						Postcode		
Daytin	ne contact to	elephone n	mber						
			attibei						

(B) OTHER APPLICANTS

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

Name
Whitbread Group Plc
Address
Whitbread Court, Porz Avenue, Dunstable , Bedfordshire, LU5 5XE
Registered number (where applicable)
29423
Description of applicant (for example, partnership, company, unincorporated association etc.) Public Limited Company
rabile difficed Company
Telephone number (if any)
E-mail address (optional)
L-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

On completion of the works – to be advised in due course

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

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

Day	Month	Year	
Day	Month	Year	

N/A

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

This is a development site for which no rateable value has been fixed attributable to the proposed development of a Premier Inn with associated food and beverage provision. Building works have yet to commence.

It is intended that the proposed premises will operate as a stand alone Hotel with related licensed accommodation operating under the Premier Inn brand.

The proposed Hotel will have at ground floor level a secure entrance lobby with the Hotel reception and food and beverage area (usual in developments of this type) situated on the ground floor. The bedrooms (which will be unlicensed) will comprise in all some 116 bedrooms and will be located on the ground floor and upper floors.

The details of the development are shown on the drawings identified below, deposited with this application.

A Licensed Premises Notification will be given for 2 gaming machines under the Gaming Act 2005.

It is proposed that the permitted hours for licensable activities for these premises should be :-

Monday to Sunday: 10:00 - 00:30 inclusive for non residents with the premises closing to the general public 30 minutes thereafter. However, the premises will remain open 24 hours a day for the sale of alcohol to hotel residents.

This application seeks to licence the premises specifically to authorise under the Licensing Act 2003 the following activities:

- Exhibition of a film principally non-live television or educational videos.
- The sale of alcohol.
- The provision of late night refreshment after 23.00

The appropriate drawings deposited with this application are :-

- Site Location Plan numbered 1474/AFL/1100 Rev A
- Site Plan Drawing numbered 1491/LG/1200 Rev A
- Site Plan showing proposed lower ground floor/upper ground floor 1491/LG/1210 Rev G
- Detailed licensing layout 5572/L/01
- Hotel First Floor plan showing unlicensed bedrooms numbered 1491/LG/1211 Rev B
- Hotel Second Floor plan showing unlicensed bedrooms numbered 1491/LG/1212 Rev B
- Hotel Third Floor plan showing unlicensed bedrooms numbered 1491/LG/1213 Rev B

Please further note that the appropriate fire safety precautions will be incorporated within the development in consultation with the Fire Safety Officer and under the Building Regulation approval process.

It is not anticipated that the proposed development will adversely affect crime and disorder or public nuisance.

It is proposed that the redevelopment of the site and particularly the development of a Premier Inn at this location will improve the area by providing jobs for the local community and a new Hotel facility at this location with associated food and beverage provision.

It is understood that the site does not fall within any area of cumulative impact as adopted by the local Council but it will be noted that developments of this type in any event are not normally known to undermine the licensing objectives and particularly those of crime and disorder and public nuisance.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Pro	ovision of regulated entertainment (please read guidance note 2)	Please tick √ yes
a)	Plays (if ticking yes, fill in box A)	
b)	Films (if ticking yes, fill in box B)	\boxtimes
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 bo	ox H) □
Pro	vision of late night refreshment (if ticking yes, fill in box I)	\boxtimes
Sug	oply of alcohol (if ticking yes, fill in box J)	⊠
In a	all cases complete boxes K, L and M	

Α

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 {Y} (please read guidance note 3).	Indoors Outdoors	
Day	Start	Finish			
	Start	FIIIISII		Both	
Mon			Please give further details here (please read guidance note 4)		
T	-				
Tue					
Wed	***************************************		State any seasonal variations for performing plays (please read	guidance note 5)	
Thur		-			
Fri	-		Non standard timings. Where you island to use the applicant		
			Non standard timings. Where you intend to use the premises f at different times to those listed in the column on the left, pleas	se list (please read	
Sat			guidance note 6)		
Sun					

В

Films Standard days and timings (please read			Will the exhibition of films take place indoors or outdoors	Indoors	V	
guidan	ce note 7)		or both - please tick {Y}(please read guidance note	Outdoors		
Day	Start	Finish	3).	Both		
Mon	10:00	00:30	Please give further details here (please read guidance	note 4)		
Tue	10:00	00:30	Exhibition of a film principally video entertainment on	screens and tv s	screens.	
Wed	10:00	00:30	State any seasonal variations for the exhibition of film note 5)	s (please read g	uidance	
Thur	10:00	00:30	N/A – save as below			
Fri	10:00	00:30	Non standard timings. Where you intend to use the p of films at different times to those listed in the column	remises for the	exhibition	
Sat	10:00	00:30	(please read guidance note 6)		ise rise	
Sun	10:00	00:30	When hours for sale of alcohol are extended hereunder these hours are extended (see box J below)			

С

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			-
Tue			State any seasonal variations for indoor sporting events (please read guidance
			note 4)
Wed			-
Thur			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,
Fri			please list (please read guidance note 5)
Sat			
Sun			-

D

Boxing or wrestling entertainment			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y}(please read guidance	Indoors	
Standard days and timings (please read guldance note 6)			note 2).	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue			-		
Wed			State any seasonal variations for boxing or wrestling entertains note 4)	ment (please read guidance	
Thur			-		
Fri			Non standard timings. Where you intend to use the premises f entertainment at different times to those listed in the column o	or boxing or wrestling n the left, please list	
Sat			(please read guidance note 5)		
Sun	Safata (NO. of one one one	-			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y}(please read guidance note 2).	Indoors Outdoors	
Day	Start	Finish	1	Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for the performance of live music (please real guidance note 4)		
Thur					
Fri		-	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 the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y}	Indoors Outdoors
			(please read guidance note 2).	
Day	Start	Finish	1	Both
Mon			Please give further details here (please read gu	idance note 3)
Tue			-	
Wed			State any seasonal variations for playing record guidance note 4)	ded music (please read
Thur				
Fri			Non standard timings. Where you intend to use the premises for playing of recorded music entertainment at different times to the	
Sat			listed in the column on the left, please list (please 5)	se read guidance note
Sun				
			<u> </u>	

G

Standa		gs (please read guidance	Will the performance of dance take place indoors or outdoors or both – please tick {Y}	Indoors	
note 6)			(please read guldance note 2).	Outdoors	
Day	Start	Finish	7	Both	
Mon			Please give further details here (please read gu	idance note 3)	
Tue			-		
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises performance of dance entertainment at different times to the the column on the left, please list (please read guidance note		
Sat	-77 TOTA WALLES AND ADMINISTRATION OF THE PARTY OF THE PA				
Sun	***************************************		-		

Н

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			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 {Y} (please read guidance note 2).	Indoors
				Outdoors
Mon				Both
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for entertainment of a similar de within (e), (f) or (g) (please read guidance note 4)	scription to that falling
Fri				
Sat			Non standard timings. Where you intend to use the premises similar description to that falling within (e), (f) or (g) at differe	for the entertainment of
Sun			the column on the left, please list (please read guidance note	5)

I

	ght refreshn rd davs and	nent timings (please read	Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please	Indoors	√
	ce note 6)	Commission (pressed road	read guidance note 2).	Outdoors	
Day	Start	Finish	1	Both	
Mon	23:00	00:30	Please give further details here (please read guidance n	ote 3)	•
			To allow the provision of hot food and drinks for consum	option on and off	the
Tue	23:00	00:30	premises at the manager's discretion and in the areas in		
Wed	23:00	00:30	State any seasonal variations for the provision of late night refreshment (ple read guidance note 4)		(please
Thur	23:00	00:30	N/A - save as below		
Fri	23:00	00:30	Non standard timings. Where you intend to use the premises for the provision late night refreshment at different times, to those listed in the column on the please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		vision of the left,
Sat	23:00	00:30			
Sun	23:00	00:30			lso

J

		gs (please read guidance	Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7) On the premises Off the premises Both		
Ved	Start	Finish		Both /	
Mon	10:00	00:30	guidance note 4)		
Tue	10:00	00:30			
Wed	10:00	00:30			
Thur	10:00	00:30	Non-standard timings. Where you intend to use the premises fo supply of alcohol at different times to those listed in the column left, please list (please read guidance note 5) To extend the proposed hours on New Year's Eve to New Year's terminal hour as proposed being 00.30 on 2 nd January.		
Fri	10:00	00:30			
Sat	10:00	00:30			
Sun	10:00	00:30	The premises shall remain open to residents 24 hours a day.	permit the sale of alcohol to hotel	

ate the name and details of the individual whom you wish to specify or	the licence as premises supervisor
ame: Jacqueline Allum	

Κ

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 8)

NONE save for the presence of gaming machines the use of which is not permitted by persons under the age of 18.

L

open to		gs (please read guidance	State any seasonal variation (please read guidance note 4)
Day	Start	Finish	1
Mon	06:00	01:00	-
Tue	06:00	01:00	
Wed	06:00	01:00	
Thur	06:00	01:00	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	06:00	01:00	The premises shall remain open 24 hours a day for hotel residents.
			For non residents, the premises will close 30 minutes after the end
Sat	06:00	01:00	of the non-standard timings identified in box J above.
Sun	06:00	01:00	

М

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

We have undertaken our own risk assessment to propose the following steps:-

The steps which we have identified in relation to the four licensing objectives are listed below

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

- The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
- Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
- There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular
 checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely
 and handed to the police.
- The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
- The management of the premises will liaise with police on issues of local concern or disorder.
- CCTV will be installed with recording facilities such recordings shall be retained for a period of 31 days
 and made available within a reasonable time upon request by the police, such as to cover the main
 entrance to the premises.
- There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.

c) Public safety

No further risks have been identified which need to be addressed, save as below

To comply with the reasonable requirements of the fire officer from time to time.

- The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.
- Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
- Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
- Toughened glasses will be used in the premises where appropriate.
- Fire Exits and means of escape shall be kept clear and in good operational condition.

d) The prevention of public nulsance

No further risks have been identified which need to be addressed, save as below

- Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
- Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
- Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
- Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons
 requiring a taxi.

e) The protection of children from harm

- The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.
- No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
- Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre booked function or resident in the hotel.
- There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
- The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
- Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

Please tick ✓ Yes I have made or enclosed payment of the fee

 \boxtimes I have enclosed the plan of the premises X I have sent copies of this application and the plan to responsible authorities and \bowtie others where applicable I have enclosed the consent form completed by the individual I wish to be premises \boxtimes supervisor, if applicable I understand that I must now advertise my application \boxtimes I understand that if I do not comply with the above requirements my application will be rejected \boxtimes {Applicable to all individual applicants, including those in a partnership which is not a limited \boxtimes 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.

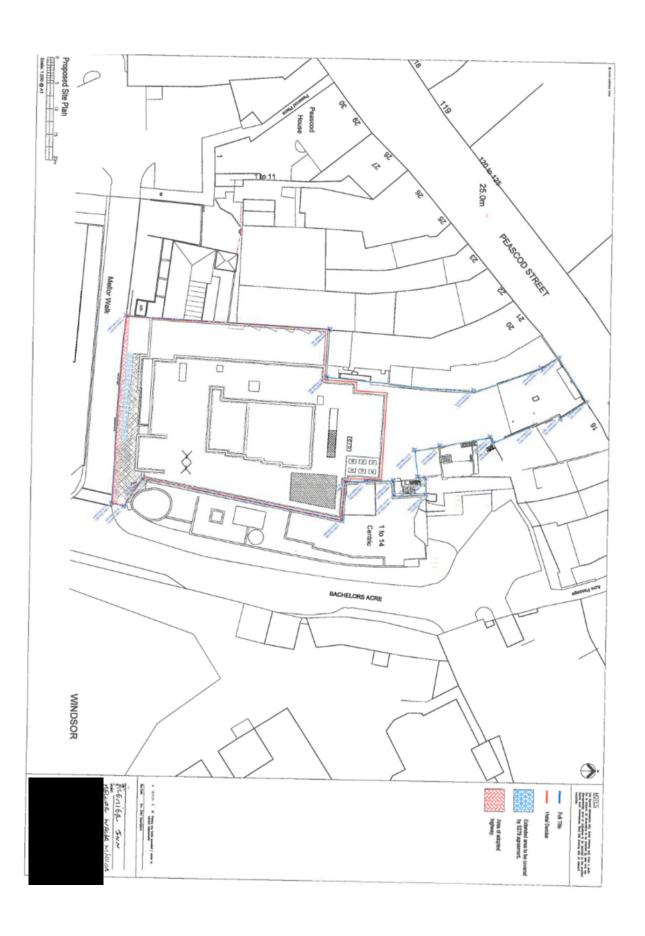
Part 4 - Signatures (please read guidance note 11)

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

{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). Declaration 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 licesable 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: John Gaunt & 20/1/20 Date: Capacity: Solicitors...... For Joint applications signature or 2" 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: John Gaunt & Partners Date:..... Capacity: Solicitors..... Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14) John Gaunt & Partners address (optional)

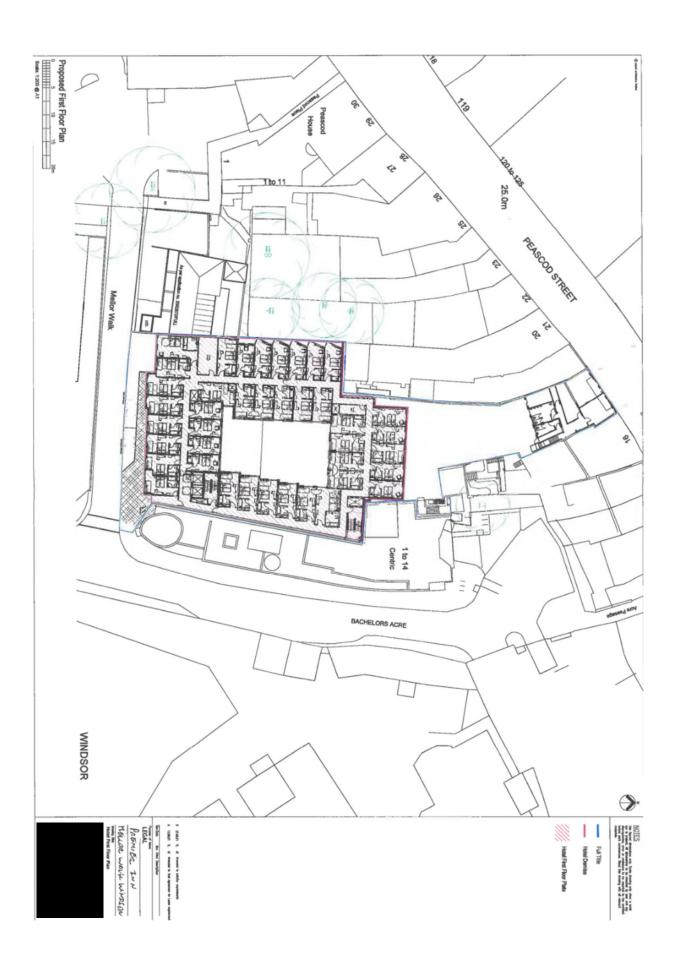
Notes for Guidance







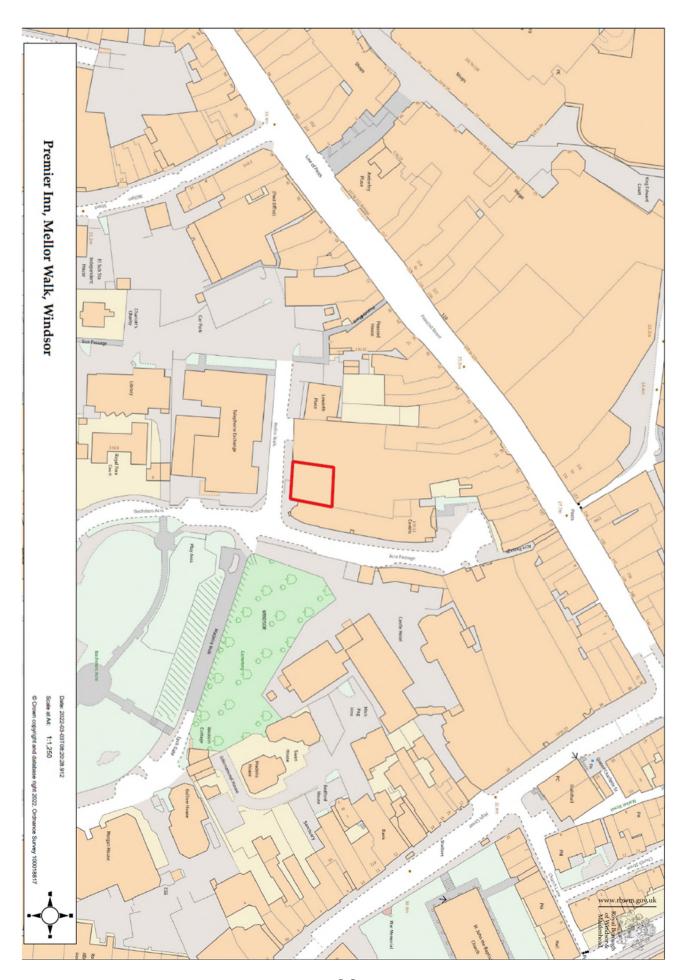








APPENDIX B



APPENDIX C

Sent: 18 February 2022 15:24

To: Licensing < Licensing 2@RBWM.gov.uk >

Subject: Representation - Premier Inn Hotel - Premises License Application

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

Hello,

As the owner of ______ the building adjoined onto the back of the current Boots site (and proposed Premier Inn Hotel), I would like to make sure that all aspects of this premises licence application have been properly considered.

Although the current area around the hotel site may seem non-residential, this is due to change considerably over the coming years. Leworth Place, which is due to complete by the end of the year, contains 8 new residential apartments. Alongside our building, there are a number of other residential sites surrounding the proposed Premier Inn hotel, such as the Patrick Ruddy development, the apartments on Peascod Place and the apartments on Bachelors Acre. I would like to make this clear before highlighting our concerns, as the impact of this premises licence will directly impact these properties for years to come.

With regards to their current application, I would like to state that I have no objection to the 24 hour supply of alcohol to residents on-premises, given that this development is a hotel. My issues are with the late-night refreshment, proposed hours and off-premises aspect of their application.

It would be very helpful I could get answers to the following questions:

- How are they going to manage the noise outside and around the premises? (As mentioned previously, Leworth Place sits directly next to the proposed hotel entrance and all of our windows are on the front of our building, so any noise will have a huge impact on the tenants of our apartments)
- Where are they planning on allowing their guests to smoke? And how do they plan on managing the noise in the smoking area? (Smoking areas tend to be one of the biggest causes of noise nuisance, and I would like to make sure that this will not impact our tenants)
- How do they plan on dealing with unsocial behaviour and activity? Will there be security guards
 present? (With the high turnover of guests in hotels, many will have little care for the
 surrounding properties in terms of noise and unsocial behaviour. I would like to make sure that
 this is carefully considered before granting the license)

Here are some suggested changes to their application:

- Removal of the late-night refreshment (11pm 12:30am) for non-residents (to bring them in line with the other hotels and bars in residential areas of Windsor)
- Reduce the suggested hours for sale/supply of alcohol for non-residents to 10am 11pm
- A zero noise policy outside the hotel after a certain time (to deal with the smoking area)
- A security guard to be present in the evenings (to make sure noise and unsocial behaviour is managed and minimised)

Before this licence is granted, I would like to make sure all of my points are addressed and that there are sufficient conditions attached to the license to protect the residents nearby and ensure there is zero impact on our property and the surrounding area.

Looking forward to hearing their response.

Kind regards, Michael Coulton

APPENDIX D

THAMES VALLEY POLICE

HQ Licensing

Subject :

From: Debie Pearmain To: Greg Nelson

Police Licensing Officer Licensing Manager, RBWM

Ref: Date: 7th February 2022 Tel.No.

Application for a Premises Licence - Premier Inn, Mellor Walk, Windsor

Thames Valley Police request the following conditions are attached to the premises licence:

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 person to be an active member of the Local Hotel Watch/Pub Watch scheme whilst in existence.

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

Regards

Debie Pearmain Police Licensing Officer