

NOTICE
OF
MEETING

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

will meet on

FRIDAY, 28TH OCTOBER, 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 MANDY BRAR, SAYONARA LUXTON AND DAVID CANNON

Karen Shepherd – Head of Governance - Issued: 20 October 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 **Oran Norris-Browne** Oran.Norris-Browne@RBWM.gov.uk

Recording of Meetings – In line with the council's commitment to transparency the Part I (public) section of the virtual meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain. If you have any questions regarding the council's policy, please speak to Democratic Services or Legal representative at the meeting.

AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APPOINTMENT OF CHAIRMAN</u> To appoint a Chairman for the duration of the meeting.	-
2.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.	-
3.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.	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 VARIATION TO A PREMISES LICENSE</u> To consider an application for a variation to a premises license under the Licensing Act 2003 for The Boom Boom Bar, Windsor.	7 - 50

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 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.

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.

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
- l) 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 VARIATION TO A PREMISES LICENCE UNDER THE LICENSING ACT 2003

LICENSING PANEL SUB COMMITTEE: Cllr Brar, Cllr Cannon, Cllr Luxton.

OFFICER REPORTING: Craig Hawkings

A) The Application – (Appendix A)

Applicant: Vik Maharaj

Premises: Boom Boom Bar, 3 The Arches, Goswell Hill, Windsor, SL4 1RH

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

Current Licence;

- PL106992 **(Appendix C)**

The application is to:

1. To extend the licensable activities terminal hour by one hour on a Thursday and Sunday

Description of Premises: Late Night Bar

A summary of the application is as follows;

The application is for the following licensable activities:

- | | |
|-------------------------------------|---|
| • Live Music (indoors) | Monday to Wednesday 23:00 - 01:00
Thursday to Sunday 23:00 - 02:00 |
| • Recorded Music Indoors (Indoors) | Monday to Wednesday 11:00 - 01:00
Thursday to Sunday 11:00 - 02:00 |
| • Anything of a similar description | Monday to Wednesday 11:00 - 01:00
Thursday to Sunday 11:00 - 02:00 |
| • Late Night Refreshment | Monday to Wednesday 23:00 - 01:00
Thursday to Sunday 23:00 - 02:00 |
| • Supply of alcohol ON the premises | Monday to Wednesday 11:00 - 01:00
Thursday to Sunday 11:00 - 02:00 |
| • Hours premises are open | Monday to Wednesday 11:00 - 01:00
Thursday to Sunday 11:00 - 02:30 |

- Seasonal Variations

Christmas Eve 11:00 until 02:30 hrs

New Year's Eve from the end of permitted hours on New Year's Eve until the beginning of permitted hours New Year's Day.

Additional one (1) hour to be added on the occasion of clocks altering to British Summer Time

Additional one (1) hour on all public bank holidays

Designated Premises Supervisor (DPS): Barry James Smithers

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
c. Planning Officer:	None
d. Local Safeguarding Children's Board (LSCB)	None
e. Public Health:	None
f. Trading Standards:	None
g. RBWM Licensing:	None

Representations received from other persons are as follows;

- 2 Representations of objection received from other persons.

Redacted copies of the representations are at **(Appendix D)**

The applicant for the licence and the 2 persons who made representations were notified of this hearing in accordance with the statutory regulations.

All parties were required to notify the Licensing Authority, in advance, if they intended to attend the hearing and, if so, if they intended to be represented or call witnesses.

C) RBWM Licensing Policy

The RBWM Licensing Policy Statement 21 - 26

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

1.22 Framework Hours As in the 2016-2021 Licensing Policy, having considered the evidence of alcohol related crime, disorder and anti-social behaviour, 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:

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 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.

6.9 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 following will be taken into account by the licensing authority and responsible authorities where an application is made for a premises licence within close proximity to residential properties, and which may have an effect on the promotion of the licensing objectives:

- 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 appropriate, the licensing authority and responsible authorities may propose conditions relating to the following issues in relation to the Prevention of 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

8. Promoting Public Safety

Where appropriate, the licensing authority and responsible authorities may propose conditions relating to the following issues in relation to the Public Safety objective:

- The use of shatterproof glasses
- The promotion of sensible drinking
- Measures taken to prevent drug spiking
- Drugs policies
- Safe capacities

9. Promoting the Prevention of Public Nuisance

Where appropriate, the licensing authority and responsible authorities may propose conditions relating to the following issues in relation to the Prevention of 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

10. Promoting the Prevention of Children from Harm

The Royal Borough recognises 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 sexual expletives (for example, in the context of certain films and adult entertainment).

The licensing authority will consider the need to protect children from sexual exploitation when undertaking licensing functions. Applicants are therefore expected to provide a robust Operating Schedule outlining how they will address the Prevention of Children from Harm objective.

The licensing authority encourages licence holders and operators of licenced premises:

- To ensure that they are fully aware of the signs of child sexual exploitation
- and to understand that the sexual exploitation of a child is sexual abuse
- and a criminal offence
- Proof of Age Cards
- To raise awareness of their staff about child sexual exploitation and
- provide intelligence to the appropriate authorities about concerns and
- about perpetrators who may be operating in their areas.

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.

The licensing authority and other responsible authorities may propose conditions or restrictions in relation to the Protection of Children from Harm objective. These may include;

- Limitations on the hours when children may be present
- Age limitations below 18
- Limitations or exclusions when certain activities are taking place
- Requirements for accompanying adults
- Full exclusion of people under 18 from the premises when any licensable activities are taking place
- The provision of a full range of non-alcoholic drinks

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.

In making their decision the Sub-Committee is reminded that they have a duty to behave impartially and that their decision must be based on the evidence that has been presented to them.

In their written decision the Sub-Committee should;

- Refer to every relevant representation and the supporting evidence provided
- State the extent to which it has taken account of RBWM Policy and national Guidance
- When deciding in accordance with RBWM Policy and national guidance, explain why it has not considered a departure justified, if applicable
- When deciding contrary to RBWM Policy or national guidance, explain the basis and reason for the departure in all cases and the evidence that supported this decision

- When refusing an application in whole or in part, or modifying the activities and/or the hours and/or the conditions to a licence that is granted, state why it considered it appropriate to do so in order to promote one or more specified licencing objectives, and the evidence that supported this decision. Any such decision must be cogent and legally sound
- Use the legal adviser's help to draught its reasons and to assist in ensuring that the decision is legally robust, but the reasons must be the Sub-Committee's
- Ensure, as far as is reasonably possible, that their decision will be able to withstand scrutiny should any of the parties to this hearing appeal that decision the to the Magistrates Court

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

Appendix B – Map of the area

Appendix C – Licence PL106992

Appendix D – Received representations

Contact details: Craig Hawkings - Licensing Team Leader

Craig.Hawkings@RBWM.gov.uk

Mobile: 07833047887

APPENDIX A

Application to vary a premises licence 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 Vik Mahara
(Insert name(s) of applicant)
being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	PL 106992.
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Part 1 – Premises Details

Postal address of premises or, if none, Ordnance survey map reference or description			
BOOM BOOM BAR 3 THE ARCHES, GOSWELL HILL			
Post town	WINDSOR	Postcode	SL4 1RN

Telephone number at premises (if any)	01753 306070
Non-domestic rateable value of premises	£ 21 092.75.

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town	[REDACTED]	Postcode	[REDACTED]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD MM YYYY
[][] [][] [][][][]

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note

2) THE PREMISES IS A LATE NIGHT BAR SITED WITHIN A RAILWAY ARCH ON GOSWELL HILL. IT IS SURROUNDED BY OTHER SIMILAR BUSINESSES. THE LAYOUT IS TYPICAL OF A RAILWAY ARCH BEING BRICK BUILT WITH AN APPROXIMATE LENGTH OF 50M AND A WIDTH OF 5M. HAVING OPERATED IN THE CURRENT guise FOR THE LAST 7 YEARS, WE ARE COMPLYING WITH ALL OF THE LICENSING OBJECTIVES THROUGH OUR MANAGEMENT PROCESSES INCLUDING SECURITY STAFF, CCTV CAMERA, ALCOHOL MANAGEMENT AND FULLY TRAINED BAR STAFF.

OUR REQUEST IS TO EXTEND OUR THE HOURS OF LICENSABLE ACTIVITIES ON BOTH A THURSDAY AND SUNDAY FROM ITS CURRENT 01:00 AM POSITION TO A NEW TIME OF 02:00 AM.

IN PARTICULAR: THE ACCOMPANIE OF LIVE MUSIC.

THE PLAYING OF RECORDED MUSIC.

LATE NIGHT RECRUITMENT (INDOOR)

THE SALE BY RETAIL OF ALCOHOL FOR CONSUMPTION ON and OFF the PREMISES.

WE WOULD LIKE THE OPENING HOURS OF THE PREMISES TO BE EXTENDED ON THE THURSDAY AND SUNDAY FROM 01:00 AM TO 02:30 AM.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to charge if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- 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 4)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
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 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Wed					
Thur			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 (please read guidance note 7)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			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 (please read guidance note 7)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	01:00	Please give further details here (please read guidance note 5) PERFORMANCES OF ALL ACTIVITIES WILL BE AMPLIFIED.		
Tue	23:00	01:00			
Wed	23:00	01:00	State any seasonal variations for the performance of live music (please read guidance note 6) NEW YEAR'S EVE: UNTIL 03:00 AM CHRISTMAS EVE: UNTIL 02:00 AM ADDITIONAL (1) HOUR TO BE ADDED ON THE OCCASION OF CLOCKS ALTERING TO BRITISH SUMMER TIME		
Thur	23:00	02:00			
Fri	23:00	02:00	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 (please read guidance note 7) NEW YEAR'S EVE: UNTIL 03:00 AM CHRISTMAS EVE: UNTIL 02:00 AM ADDITIONAL (1) HOUR TO BE ADDED ON THE OCCASION OF CLOCKS ALTERING TO BRITISH SUMMER TIME.		
Sat	23:00	02:00			
Sun	23:00	02:00			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	01:00	Please give further details here (please read guidance note 5) <i>RECORDED MUSIC WILL BE AMPLIFIED.</i>		
Tue	23:00	01:00			
Wed	23:00	01:00	State any seasonal variations for the playing of recorded music (please read guidance note 6) <i>CHRISTMAS EVE: 23:00 UNTIL 02:00 NEW YEARS EVE: FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE UNTIL THE BEGINNING OF PERMITTED HOURS ON NEW YEARS DAY. ADDITIONAL (1) HOUR ON OCCASION OF CLOCKS ADJUSTING TO BRITISH SUMMERTIME.</i>		
Thur	23:00	02:00			
Fri	23:00	02:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7) <i>CHRISTMAS EVE: 23:00: UNTIL 02:00 NEW YEARS EVE FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE UNTIL THE BEGINNING OF PERMITTED HOURS ON NEW YEARS DAY. ADDITIONAL (1) HOUR ON OCCASION OF CLOCKS ADJUSTING TO BRITISH SUMMERTIME.</i>		
Sat	23:00	02:00			
Sun	23:00	02:00	<i>ADDITIONAL (1) HOUR ON ALL PUBLIC BANK HOLIDAYS</i>		

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both		
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)</p>			<p>Please give a description of the type of entertainment you will be providing <i>KARAOKE, OPEN MIKE PERFORMANCE.</i></p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	23:00	01:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	23:00	01:00	<p>Please give further details here (please read guidance note 5) <i>ALL ACTIVITIES WILL BE AMPLIFIED,</i></p>		
Wed	23:00	01:00			
Thur	23:00	02:00	<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6) <i>ADDITIONAL (1) HOUR TO BE ADDED ON THE OCCASION OF CLOCKS ALTERING TO BRITISH SUMMERTIME</i> <i>ADDITIONAL (1) HOUR ON ALL PUBLIC BANK HOLIDAYS</i></p>		
Fri	23:00	02:00			
Sat	23:00	02:00	<p>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 7) <i>ADDITIONAL (1) HOUR TO BE ADDED ON THE OCCASION OF CLOCKS ALTERING TO BRITISH SUMMERTIME.</i> <i>ADDITIONAL (1) HOUR ON ALL PUBLIC BANK HOLIDAYS.</i></p>		
Sun	23:00	02:00			

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	01:00	Please give further details here (please read guidance note 5)		
Tue	23:00	01:00			
Wed	23:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6) <i>ADDITIONAL (1) HOUR ON ALL PUBLIC BANK HOLIDAYS.</i>		
Thur	23:00	02:00			
Fri	23:00	02:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7) <i>CHRISTMAS EVE: 23:00 UNTIL 02:00 am</i> <i>ADDITIONAL (1) HOUR TO BE ADDED ON THE OCCASION OF CLOCKS ALTERING TO BRITISH SUMMERTIME.</i> <i>ADDITIONAL (1) HOUR ON ALL PUBLIC BANK HOLIDAYS</i>		
Sat	23:00	02:00			
Sun	23:00	02:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	23:00	01:00	State any seasonal variations for the supply of alcohol (please read guidance note 6) CHRISTMAS EVE: UNTIL 02:00 NEW YEARS EVE: FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE UNTIL THE BEGINNING OF PERMITTED HOURS ON NEW YEARS DAY. ADDITIONAL (1) HOUR ON ALL PUBLIC BANK HOLIDAYS	Both	<input checked="" type="checkbox"/>
Tue	23:00	01:00			
Wed	23:00	01:00			
Thur	23:00	02:00		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 (please read guidance note 7)	
Fri	23:00	02:00		ADDITIONAL (1) HOUR TO BE ADDED ON THE OCCASION OF CLOCKS ALTURNING TO BRITISH SUMMER TIME.	
Sat	23:00	02:00		ADDITIONAL (1) HOUR ON ALL PUBLIC BANK HOLIDAYS	
Sun	23:00	02:00			

K

<p>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 10).</p> <p>N/A.</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	11:00	01:30	CHRISTMAS EVE: UNTIL 02:30 NEW YEAR'S EVE: FROM THE END OF PERMITTED HOURS ON NEW YEAR'S EVE UNTIL THE BEGINNING OF PERMITTED HOURS ON NEW YEAR'S DAY. ADDITIONAL (1) HOUR TO BE ADDED ON THE OCCASION OF CLOCKS BEING ALTERED TO BRITISH SUMMER TIME. ADDITIONAL (1) HOUR ON ALL PUBLIC BANK HOLIDAYS
Tue	11:00	01:30	
Wed	11:00	01:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) ADDITIONAL (1) HOURS TO BE ADDED ON THE OCCASION OF CLOCKS ALTERING TO BRITISH SUMMER TIME. ADDITIONAL (1) HOUR ON ALL PUBLIC BANK HOLIDAYS.
Thur	11:00	02:30	
Fri	11:00	02:30	
Sat	11:00	02:30	
Sun	11:00	02:30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

ONLY THE LIMITATIONS TO THE HOURS ON THE THURSDAY AND SUNDAY AND BANK HOLIDAY WEEKENDS.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

WE HAVE FULLY TRAINED AND LICENCED MANAGEMENT ON SITE DURING OPEN HOURS.
FULLY TRAINED DOORSTAFF VIA SIA. DOORSTAFF NUMBER ARE IN EXCESS OF LICENCE REQUIREMENT
27 CCTV CAMERAS ARE STRATEGICALLY PLACED AROUND THE VENUE.
EMPLOYMENT OF AN ID SCANNER TO VERIFY AGE.
DISPOSAL POLICY WRITTEN AND REVIEWED REGULARLY.

b) The prevention of crime and disorder

BETW TRAINED SIA DOORSTAFF AT ALL TIMES OF OPENING.
CCTV CAMERAS THROUGHOUT THE VENUE INCLUDING ON STREET AND FRONT DOOR.
TOWN LINK RADIO SUBSCRIBER.
INTERNAL 2WAY RADIOS FOR ALL DOOR STAFF, BAR STAFF AND MANAGEMENT. ALL DOORSTAFF IN ORANGE SHIRTS FOR CLEAR FEMALE DOORSTAFF IDENTIFICATION.
RANDOM SEARCHES.

c) Public safety

CCTV CAMERAS FITTED TO ENTIRE PREMISES. 27 CAMERAS IN TOTAL. 30 DAY RECORDING FACILITY.
TRAINED SIA DOORSTAFF.
THE USE OF POLYCARBONATE CHASSWARE WHERE POSSIBLE - 90%
FULL FIRE RISK ASSESSMENTS ANNUALLY.
STAIRS + STEPS ALUMINIUM.
APPROPRIATE FIRST AID KITS AND FIRE COMBAT EQUIPMENT ON SITE + MAINTAINED.
MANY OTHERS -

d) The prevention of public nuisance

SOUND SYSTEM MANAGER FOR DIRECTION TO ENSURE LITTLE OR NO EGRESS TO REAR RESIDENTIAL AREA.
NOTIFICATION TO CUSTOMERS TO DISPERSE QUIETLY.
NO ALCOHOL OR OPEN CONTAINERS ALLOWED OFF PREMISES.
CONTAINED SMOKING AREA TO ENSURE SAFETY OF CUSTOMERS
DISPOSAL OF WASTE OUTSIDE OF PREMISES NOT ALLOWED AFTER 22:00.
FULLY VENTILATED BUILDING WITH ADDITIONAL AIR CONDITIONING.

e) The protection of children from harm

VENUE OPERATES A PROOF OF AGE POLICY SUPPORTED BY THE USE OF A CLUB SCANNER (IDSCAN).
ON CHILDREN'S PERFORMANCES ALL SIA TRAINER STAFF ARE CRB CHECKED.
MINIMUM NUMBER OF ATTENDANTS ON DUTY IS 1 ATTENDANT PER 50 CHILDREN.
SPECIAL DISPOSAL PROCEDURES FOR CHILDREN'S PERFORMANCES.
NO UNDER 15'S PERMITTED ON NORMAL CLUB OPENING

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity:**

Signature	
Date	
Capacity	<i>OWNER.</i>

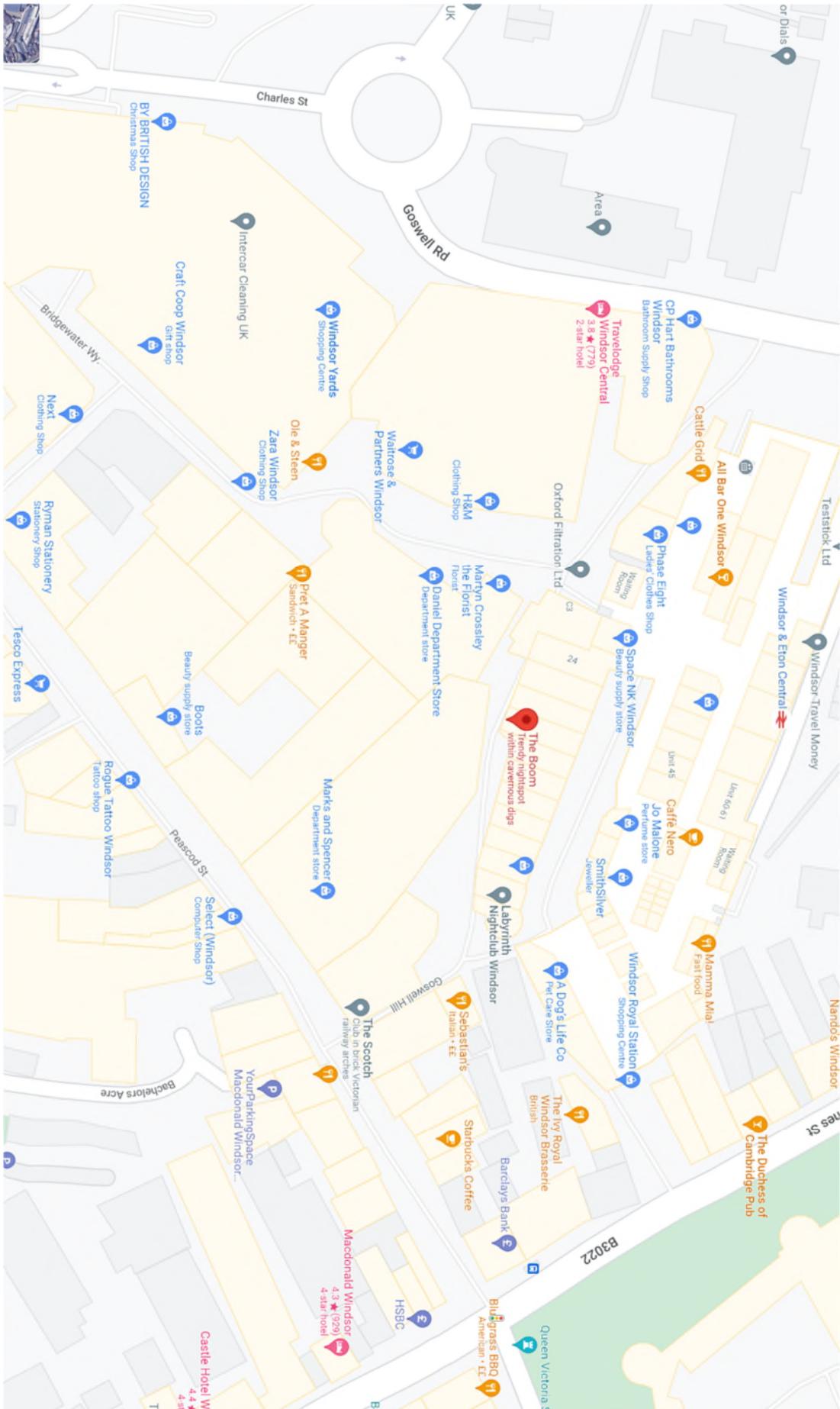
Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Post town		Post code	
Telephone number (if any)			

APPENDIX B



APPENDIX C

Licensing Act 2003
Premises Licence

PL106992

LOCAL AUTHORITY

The Royal Borough of Windsor & Maidenhead
 Town Hall
 St Ives Road
 Maidenhead
 SL6 1RF

tel: 01628 683840
 web: www.rbwm.gov.uk

www.rbwm.gov.uk



Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Boom Boom Bar

3 The Arches, Goswell Hill, Windsor, SL4 1RH.

Telephone 01753 832960

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Thursday	6:00pm	Midnight
	Friday to Sunday	Noon	Midnight
E. Performance of live music (Indoors)	Monday to Thursday	11:00pm	1:00am
	Friday and Saturday	11:00pm	2:00am
	Sunday	11:00pm	1:00am
	Seasonal Variations: New Years Eve 23:00 until 03:00 and Christmas Eve 23:00 until 02:00 Seasonal Variations: Additional one (1) hour to be added on the occasion of clocks altering to British Summer Time		
F. Playing of recorded music (Indoors)	Monday to Thursday	11:00am	1:00am
	Friday and Saturday	11:00am	2:00am
	Sunday	11:00am	1:00am
	Seasonal Variations: Christmas Eve 11:00 until 02:00 and New Years Eve from the end of permitted hours on New Years Eve until the beginning of permitted hours New Years Day Non Standard Timings: Additional one (1) hour to be added on the occasion of clocks altering to British Summer Time		



THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
G. Performance of dance (Indoors)	Monday to Thursday	11:00am	12:30am
	Friday and Saturday	11:00am	1:30am
	Sunday	11:00am	12:30am
	Non Standard Timings: Additional one (1) hour to be added on the occasion of clocks altering to British Summer Time		
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Thursday	11:00am	12:30am
	Friday to Sunday	11:00am	1:30am
	Non Standard Timings: Additional one (1) hour to be added on the occasion of clocks altering to British Summer Time		
L. Late night refreshment (Indoors)	Monday to Thursday	11:00pm	1:00am
	Friday and Saturday	11:00pm	2:00am
	Sunday	11:00pm	1:00am
	Non Standard Timings: Additional one (1) hour to be added on the occasion of clocks altering to British Summer Time		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Thursday	11:00am	1:00am
	Friday and Saturday	11:00am	2:00am
	Sunday	11:00am	1:00am
	All licensable activities to be included in the new Mezzanine area with the same hours as on the existing premises licence		
	Seasonal Variations: Christmas Eve 11:00 until 02:00 and New Years Eve from the end of permitted hours on New Years Eve until the beginning of permitted hours on New Years Day		
	Non Standard Timings: Additional one (1) hour to be added on the occasion of clocks altering to British Summer Time		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday	11:00am	1:30am
Tuesday	11:00am	1:30am
Wednesday	11:00am	1:30am
Thursday	11:00am	1:30am
Friday	11:00am	2:30am
Saturday	11:00am	2:30am
Sunday	11:00am	1:30am
Seasonal Variations: Christmas Eve 11:00 until 02:30, New Years Eve from the end of permitted hours on New Years Eve until the beginning of permitted hours New Years Day		
Additional one (1) hour to be added on the occasion of clocks altering to British Summer Time		

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises



Licensing Act 2003
Premises Licence

PL106992

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Vikash Maharaj

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Barry James SMITHERS

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. 18/01208/LAPER

Issued by Bracknell Forest



ANNEXES

ANNEX 1 - Mandatory Conditions

- No supply of alcohol may be made under the premises licence:
 - i. at a time when there is no designated premises supervisor in respect of the premises licence, or
 - ii. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- 1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise)
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

- The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

- (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph date of birth and either -
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

- The responsible person shall ensure that -
 - (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available in the following measures -
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
 - (iii) still wine in a glass: 125ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises, and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

- 1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.



ANNEXES continued ...

- 2) For the purpose of the condition set out in paragraph 1 -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
where -
 - i) P is the permitted price.
 - ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged in relation to the alcohol as if the duty were charged on the date for the sale or supply of the alcohol and
 - iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol.
 - (c) "relevant person" means, in relation to the premises in respect of which there is in force a premises licence -
 - i) the holder of the premises licence.
 - ii) the designated premises supervisor.
 - iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a charge to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
- Any individual employed to carry out a security activity must be licensed by the Security Industry Authority (SIA).
- Admission of children is restricted in accordance with the recommendation by the British Board of Film Classification. If the film has not been classified the restriction of children must be approved by the Licensing Authority. (Children means any person under 18 years).

ANNEX 2 - Conditions consistent with the Operating Schedule

General

Prevention of Crime and Disorder

- 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
- CCTV to cover the new Mezzanine area upstairs.
DPS or nominated person to be trained on how to work the CCTV system to the standard where the nominated person is able to download any potential evidence required by Thames Valley Police employees and Authorised Persons as defined by Sections 13 & 69 Licensing Act 2003 upon request
- DPS or nominated person is responsible in supplying the necessary media (discs, data stick) containing any downloaded content.
- CCTV to cover the front entrance.
- SIA door staff on Friday and Saturday night, one from 21:30 until close and a second from 22:30 until close.
- Member of pubwatch (where in existence)



ANNEXES continued ...

Public Safety

- None

Prevention of Public Nuisance

- Noise arising from any PA or amplified or live music, vocalisation, live or recorded event transmission or any other source should be controlled to such a level that the noise will be inaudible inside residential properties at the rear of the venue.
- All windows, doors (with the exception of access and egress) must remain closed during regulated entertainment i.e. the playing of recorded and live music performances.
- No live or recorded music shall be played outside the premises.
- Speakers should not be placed outside the premises at any time. Indoor speakers should be pointing away from residential properties and should not be positioned close to openings such as doors or windows
The disposal of bottles into waste receptacles outside the premises is not permitted between 22.00 hours and 08.00 hours.

Protection of Children from Harm

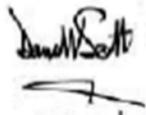
- A recognised proof of age policy will be enforced
- During performance of burlesque no children will be permitted

Annex 3 - Conditions attached after a Hearing by the Licensing Authority

None

ANNEX 4 - PLANS

See attached.



David V Scott
Head of Communities



APPENDIX D

From: carol mackenzie [REDACTED]
Sent: 08 October 2022 12:14
To: Licensing <Licensing2@RBWM.gov.uk>
Subject: Fwd: The Boom Boom bar Ltd Goswell Hill SL41rh

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Fwd: The Boom Boom bar Ltd Goswell Hill SL41rh

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Sent from my Android phone with [mail.com](mailto:) Mail. Please excuse my brevity.
On 08/10/2022, 12:10 carol mackenzie [REDACTED] wrote:

Dear Sirs

With regards to the above application I must strongly object to any extra hours/extension time for this bar.

As a resident of Bridgewater terrace and Castleview house with elderly residents, we cannot tolerate anymore disruption to our neighbourhood.

As you are fully aware this is history repeating itself and for the health and safety of residents enough is enough.

We have had an improvement with the nightclubs with the help of the NTE but still suffer anti social behaviour and major traffic problems in Bridgewater terrace right opposite Castleview House with cars turning and drop off/pick ups in the late and early hours of the morning.

On behalf of residents mental health please consider and take into consideration this is a residential area.

Regards
Carol Mackenzie

From: Sally Shanly [REDACTED]
Sent: 10 October 2022 16:41
To: Licensing <Licensing2@RBWM.gov.uk>
Subject: The Boom Boom Bar Ltd., 3 Goswell Hill, SL4 1RH - For a Variation of a Premises Licence under the Licensing Act 2003

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FAO:
The Licensing Team
RBWM
St Ives Road
Maidenhead
SL61RF

10th October 2022

Dear Sir/Madam

Re: The Boom Boom Bar Ltd., 3 Goswell Hill, SL4 1RH - For a Variation of a Premises Licence under the Licensing Act 2003 - No Planning App No. Found

Apologies for my late response to this matter, but I do not understand why **all** residents living in close proximity to Goswell Hill, were not informed of this application by email or post following your validation of the application on 21st September 2022. I only just found out about it from a resident located in Bridgewater Terrace, and subsequently found it online. I understood that councils had a statutory requirement to advise residents who would be affected by your ultimate decision.

However, as a long time resident, in respect of the above matter I emphatically object to any continued relaxation of restrictions, or longer opening hours regarding this premises licensing hours.

Planners should be very well aware of the history regarding Goswell Hill Clubs & Bars, and how for more than a decade the decisions made in favour of the 'night time economy' have marginalised people (council tax payers) living in this location, and adversely impacted our lives and mental health. We have had some small respite due to Covid, and the efforts of the new NTE organisation, but it is a big worry that this application, and the ambiguous, and unidentified application concerning Arches 19-21 may be yet another blow for residents.

Suffice to say, this particular Conservation/National Trust area of Windsor, despite a token presence in the town centre, has been for some years completely devoid of any trained & effective police presence (PCSOs, Community Wardens etc are not equipped, or have any authority to deal with violence or dangerous behaviour). Consequently, it is no exaggeration to say we live in a completely lawless area. Especially in the early hours of the morning, when the clubs release heavily inebriated customers onto nearby streets (Goswell Road and Bridgewater Terrace), there is no chance of an immediate response when the element that are bent on ASB, crime, and drug use do so within a stones throw of residents' front doors, and doorsteps. Notwithstanding, the use of Bridgewater Terrace, and Lavender Green Car Park (immediately opposite Castlevue House) for vehicle drop offs and pick ups, all of which information should still be in your files.

Just to add grist to the mill, the residents referred to in this email are also subject to additional unconscionable noise pollution that has been allowed, by those in authority, to carry on

regardless for years, despite meetings with council members, the Highways Department, Police, and Community Wardens et al. Very difficult to understand why simple preventative measures afforded throughout other Windsor streets are not financially viable for Goswell Road.

I am hoping that my brief comments regarding the Boom Boom Bar situation will not be so unheeded.

Yours faithfully

Sally Shanly



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