

LICENSING & PUBLIC SPACE PROTECTION ORDER (PSPO) SUB COMMITTEE

Wednesday 20 December 2023

Present: Councillors Mandy Brar, Neil Knowles (Chair) and Kashmir Singh

Officers: Oran Norris-Browne, Craig Hawkings, Anthony Lenaghan and Ana Marcinkevic

Appointment of Chair

Councillor K Singh proposed that Councillor Knowles be Chair for the duration of the sub-committee. This was seconded by Councillor Brar.

AGREED: That Councillor Knowles be elected Chair for the duration of the meeting.

Apologies for Absence

No apologies for absence were received.

Declarations of Interest

No declarations of interest were made.

Procedures of the Sub Committee

All parties present noted the procedures of the sub-committee.

Consideration of an application for a new premises license under the Licensing Act 2003

Craig Hawkings, Reporting Officer for the Royal Borough of Windsor & Maidenhead, introduced the report to the Sub-Committee and outlined a hearing had needed to be convened. This was following the receipt of an objection to the closing timings of the premises. He stated that no representations had been made by any responsible authorities, including that of Thames Valley Police and conditions had been agreed between the RBWM Trading Standards team and the applicant, therefore no formal representation had been made by them either. He then added that the proposed operating hours of the premises fell within RBWM's framework hours.

Councillor Knowles, the Chair, asked for clarification that the building itself had already been a licensed premises in the past and if so, was it broadly in line with the application for a premises license that was being sought now. Craig Hawkings confirmed this and said that the only reason there was a need for a new license, was due to the previous one having elapsed. The new requested license was also less than what was previously seen at the premises too, with there being no desire for late night entertainment and instead just the serving of alcohol and food.

The applicants had no questions of the Reporting Officer, as they had various discussions prior to the meeting being convened. The Chair therefore invited them to put their case forward to the Sub-Committee.

Robert Sutherland, Applicant's Representative, said that when choosing the location, the applicant had various meetings with entities such as Thames Valley Police and the Local Authority, to make sure that the location fit the brand of Incognito and therefore made it a viable investment for the business. The brand operated currently in 3 other locations, Winchester, Richmond and Kingston. The other 3 premises operated with both food and alcohol currently, with a focus more being on alcohol. However, the focus at this particular site would be on developing the food side of things.

Alongside the authorities, the applicant had also met with various neighbours to the premises. They were supportive of it, which was further suggested by the sub-committee only having received one objection. The applicant's Kingston premises operated currently within a very residential area, with persons being very complementary of the operation there. The applicant then outlined some of the working processes that the premises will use, such as staggered booking times. There would likely be no more than 15-20 customers at the premises at any one time, which would assist in dispersal times.

Councillor Brar asked how many issues or complaints there had been during the time that the premises had been running. Robert Sutherland replied by clarifying that the premises in question was not yet open, so there were no past issues. Nick Robinson, Applicant, said that there had never been a single noise complaint or issue at any of their other 3 sites. He went on further to say that they had implemented factors to minimise complaints such as not allowing bookings over 6 persons for example and that quality was prioritised over quantity. The brand's booking policy was outlined clearly online, with the addition of there being no stag or hen does. He said that the majority of negative reviews that existed online currently, were down to persons being turned away if they turned up with more than 6 persons. This was a very strict rule that was adhered to, as the brand was all about the customer's experience.

Councillor K Singh asked how long they believed it would take (if the premises license was granted) for them to open for business. Nick Robinson said this would likely be the end of February 2024.

Councillor Brar asked if the premises was not open yet, why was there an objection? Was this because of an historic issue? Craig Hawkings said that historically there had been a few issues due to how the premises was being run, however that was no longer applicable.

The Chair said that he was pleased to see only one singular objection made for the application, as usually there would be a lot more. He found this encouraging. He then referenced some of the points that had been raised within the objection and stated that from what he could see, a number of these had been directly addressed by the volunteered conditions that existed within the report.

Robert Sutherland then summarised by saying that the volunteered conditions had addressed the objections made to the premises license and believed that how the business operated, went a long way in ensuring that the premises promoted the 4 licensing objectives. He therefore asked the Sub-Committee to grant the application as applied for.

Craig Hawkings was then invited to summarise, where he outlined the three options that were available to the Sub-Committee. These were to:

1. Reject the application;
2. Grant the application but modify the activities and/or the hours and/or the conditions of the license;
3. Grant the application.

The Sub-Committee thanked all parties for their attendance and reminded them that a decision would be communicated to them within 5 working days of the meeting.

The Applicant, the Applicant's Representative and the Reporting Officer left the room.

The Sub-Committee then began their deliberations alongside the Legal Officer and the Clerk.

The Chair began by saying that the hours that were being proposed were less than what had been seen within the past at the premises, which was a positive. He added that the conditions included within the report also addressed any issues that had been raised within the objection and therefore he wished to support the granting of the license as applied for.

Councillor Brar and Councillor Singh both agreed and said that it was a very good proposal and that it would be a good addition to that area of the high street.

AGREED UNANIMOUSLY: That the premises license for Incognito Holdco Limited, 13 High Street, Windsor, SI4 1LD, be granted as applied for.

The meeting, which began at 1.30 pm, finished at 2.10 pm

Chair.....

Date.....