

Public Document Pack

Notice of Meeting

Licensing & Public Space Protection Order (PSPO) Sub Committee
Councillors Mandy Brar, Genevieve Gosling and Geoff Hill

Wednesday 7 February 2024 1.00 pm
Council Chamber - Town Hall - Maidenhead & on [RBWM YouTube](#)

www.rbwm.gov.uk



Agenda

Item	Description	Page
1	Appointment of Chair The Sub Committee are asked to appoint a Chair for the duration of the hearing.	-
2	Apologies for Absence The Sub Committee shall receive any apologies for absence .	-
3	Declarations of Interest The Sub Committee are asked to declare any interests that they may have.	3 - 4
4	Procedures of the Sub Committee All attendees at the hearing are to note the procedures of the Sub Committee.	5 - 6
5	Consideration of an application for a new premises license to be granted under the Licensing Act 2003 The Sub Committee are to consider an application for a new premises license to be granted under the Licensing Act 2003 for Premier, 6 Harrow lane, Maidenhead, SL6 7PD.	7 - 48

By attending this meeting, participants are consenting to the audio & visual recording being permitted and acknowledge that this shall remain accessible in the public domain permanently.

Please contact Oran Norris-Browne, Oran.Norris-Browne@RBWM.gov.uk, with any special requests that you may have when attending this meeting.

Published: Monday 29 January 2024



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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:

- a) any unpaid directorships
 - b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
 - c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
- of which you are a member or in a position of general control or management

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, or a body included under Other Registerable Interests in Table 2 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 financial interest or well-being of a body included under Other Registerable Interests as set out in Table 2 (as set out above and in 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 (referred to in the paragraph above) **affects** the 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 are 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 Reporting Officer (as the licensing authority) shall outline the application and the decision to be taken
- b) Sub-Committee Members to ask questions of the Reporting Officer
- c) Applicant to ask questions of the Reporting Officer
- d) The Applicant to put their case to the Sub-Committee
- e) Sub-Committee Members to ask questions of the Applicant
- f) If applicable, any other persons to make their representations
- g) If applicable, Sub-Committee Members to ask questions of other persons
- h) If applicable, 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 & confirm that they have had every chance to say what they have wished too.
- k) Reporting Officer to sum up and restate the options for the Members of the Sub Committee
- l) Sub-Committee to retire and communicate their decision within 5 working days

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REPORT TO LICENSING PANEL SUB COMMITTEE

CONSIDERATION OF AN APPLICATION OF A NEW PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003

LICENSING PANEL SUB COMMITTEE: Cllr Brar, Cllr Gosling, Cllr Hill.

OFFICER REPORTING: Craig Hawkings

A) The Application – (Appendix A)

Applicant: AV Retails Ltd

Premises: Premier, 6 Harrow lane, Maidenhead, SL6 7PD

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

The application is to: Licence a convenience store

A summary of the application is as follows;

The application is for the following licensable activities:

- Supply of alcohol (OFF the premises) Monday to Sunday 06:00 – 23:00
- Hours open to the public Monday to Sunday 06:00 – 23:00

Designated Premises Supervisor (DPS): Mr Kathirvel Jegatharan

The application was advertised in accordance with the statutory regulations.

Last day of Representations: 11 January 2024

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. Thames Valley Police	Agreed Conditions
e. Public Health:	None
f. Trading Standards:	Agreed Conditions
g. RBWM Licensing:	None

Agreed Conditions – (Appendix C)

Representations received from other persons are as follows.

- 2 Representation of objection received from other persons.

A redacted copy of the representation is at **(Appendix D)**

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 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 premise

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 and plans

Appendix B – Map of the area

Appendix C – Agreed Conditions

Appendix D – Received representation

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.

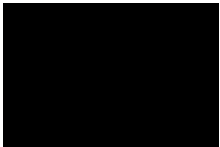


You may wish to keep a copy of the completed form for your records.

I/We AV Retails Ltd

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
			
Post town		Postcode	

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ £0

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as**

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
	i as a limited company/limited liability partnership	X	please complete section (B)
	ii as a partnership (other than limited liability)		please complete section (B)
	iii as an unincorporated association or		please complete section (B)
	iv other (for example a statutory corporation)		please complete section (B)
c)	a recognised club		please complete section (B)
d)	a charity		please complete section (B)

e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) individual applicants (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

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

Name	AV Retails Ltd
Address	
Registered number (where applicable)	15168642
Description of applicant (for example, partnership, company, unincorporated association etc.)	Limited Company

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
07	01	2024

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

DD	MM	YYYY

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

GROUND FLOOR, 6 Harrow Lane, Maidenhead, Berkshire, SL6 7PE shop with E class use. It has 40.69 square metres shop floor and 7.95 square metres storage. The premises has Nil non-domestic rateable value (NDRV) .We are aiming to set up a convenience store with sale of alcohol, lottery tickets, newspapers and magazines pay point and pay zone.

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

No

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

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	
b) films (if ticking yes, fill in box B)	
c) indoor sporting events (if ticking yes, fill in box C)	
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	
e) live music (if ticking yes, fill in box E)	
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)	

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	X

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
Day	Start	Finish		Off the premises	X
				Both	
Mon	06.00	23.00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	06.00	23.00			
Wed	06.00	23.00			
Thur	06.00	23.00		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 6)	
Fri	06.00	23.00			
Sat	06.00	23.00			
Sun	06.00	23.00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	Mr Kathirvel Jegatharan
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	Ealing Council

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) None
Day	Start	Finish	
Mon	06.00	23.00	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 6)
Tue	06.00	23.00	
Wed	06.00	23.00	
Thur	06.00	23.00	
Fri	06.00	23.00	
Sat	06.00	23.00	
Sun	06.00	23.00	

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The Council's statement of Licensing policy has carefully been considered and in order to promote the four licensing objectives the following conditions are offered as part of our operating schedule: 1. The CCTV system serving the premises (in accordance with Home Office Guidelines) shall be maintained fully operational and in good working order at all times; make and retain clear images that include the points of sale of alcohol and facial images of the purchasers of the alcohol; show an accurate date and time that the images were made; will include a monitor, visible to the salesperson when serving at the tills, that displays the images being recorded by the external camera.

SEE ATTACHMENT

b) The prevention of crime and disorder

In the event that an incident occurs for which the police have been called, the crime scene shall be preserved to enable police to carry out a full forensic investigation. Appropriate signage of the CCTV, any restrictions on the admittance of individuals according to age and or any conditions of entry to the premises shall be displayed in conspicuous positions. AV Retail Ltd will maintain liaison with the neighbourhood police officers regarding any issues relating to the premises. The alcohol for sale display shall be within the sight of staff and not closer to Entrance or Exit of the Shop. Spirits and tobacco products will be kept behind the till. Area will be kept clean and free from obstacles for customers, premises bins will be kept and cleaned regularly. We will ensure that any person selling or supplying alcoholic drink under the authority of a personal licence holder asks for a photo ID proof of age where they have reason to suspect. Notices will be displayed inside the premises stating that a Challenge25 policy is in force. We operate a zero tolerance to aggressive and/or violent behaviour towards staff members.

c) Public safety

AV Retail Ltd will at all times maintain adequate levels of staff and security measures (CCTV will be operating 24/7 and Shop will be burglar alarmed during its' non operational hours). Such staff and security levels will be disclosed, on request, to the licensing authority and police. A fire risk assessment to be conducted and reviewed regularly in accordance with the requirements of the Regulatory Reform ((Fire Safety) order 2005. We will be responsible for the disposal of waste on the frontage of the premises and make provision for the emptying of litter bins in the vicinity of the premises. We will ensure that lighting is provided outside the premises during the hours of darkness when any licensable activity takes place on the premises

d) The prevention of public nuisance

Area immediately in front of the store shall be inspected on a regular basis and management and staff shall use their best endeavours to prevent our customers from loitering in the said areas, persons refusing to move shall be subject of a report to the Police to facilitate safe dispersal. Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents. No deliveries or removals other than newspaper, milk and bread shall take place between the hours of 23:00 hours and 06:00 hours the following day. Lighting serving the premises and under the control of the Premises Licence Holder shall not cause nuisance to the occupiers of nearby properties.

e) The protection of children from harm

The premises licence holder will ensure that the age verification policy operated at the premises shall be "Challenge 25". This means that whilst alcohol may be sold to persons aged 18 years or over, any person who appears under 25 years of age shall be required to provide proof of age using an acceptable form of ID. The only forms of ID that may be accepted shall be : a) a proof of age card bearing the PASS hologram logo; b) a passport; c) a UK photo driving licence; or d) a military ID card

SEE OPERATING SCHEDULE

Checklist:

Please tick to indicate agreement

•	I have made or enclosed payment of the fee.	X
•	I have enclosed the plan of the premises.	X
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	X
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	X
•	I understand that I must now advertise my application.	X
•	I understand that if I do not comply with the above requirements my application will be rejected.	X
•	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	


It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Part 4 – Signatures (please read guidance note 11)




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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office
--------------------	--

	online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	
Capacity	Company Director

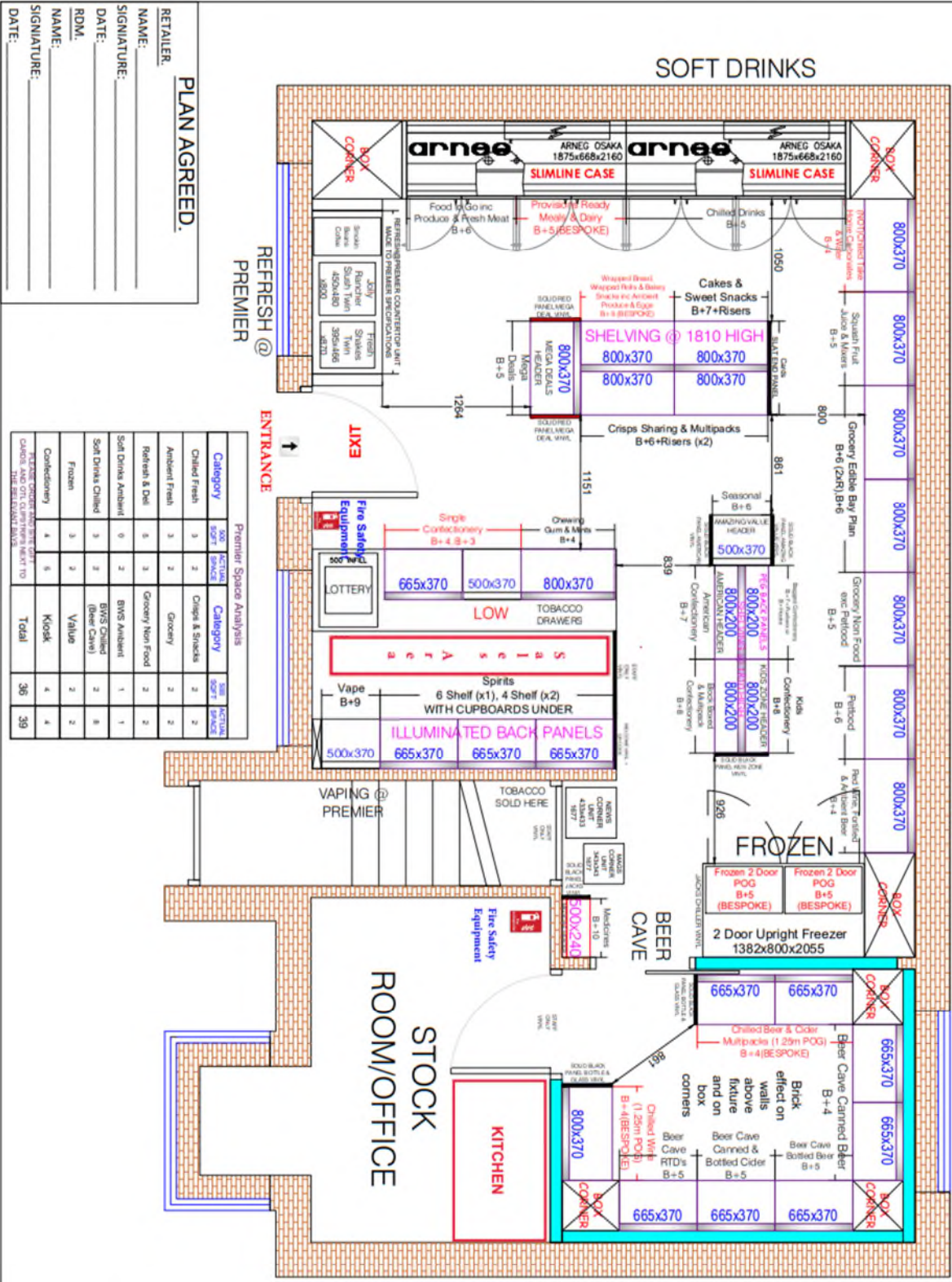
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

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

COMMODITY LAYOUT

RED WINE



PLAN AGREED.

RETAILER: _____

NAME: _____

SIGNATURE: _____

DATE: _____

RDM: _____

NAME: _____

SIGNATURE: _____

DATE: _____

Premier Space Analysis

Category	500 SQ FT ACTUAL SPACE	500 SQ FT ACTUAL SPACE	500 SQ FT ACTUAL SPACE
Chilled Fresh	3	2	2
Ambient Fresh	3	2	2
Refresh & Deli	3	3	2
Soft Drinks Ambient	0	2	1
Soft Drinks Chilled	3	2	8
Frozen	3	2	2
Cooking	4	5	4
Total	36	39	36

REFRESH @ PREMIER

Premier FURZE PLATT

STORE LAYOUT STATUS: **PROPOSED**

ADDRESS: **6 HARROW LANE MAIDENHEAD SL6 7PD**

DATE: **11th NOVEMBER 2023**

VERSION: **KS v1**

Approx Square Footage: **438 sq. ft.**

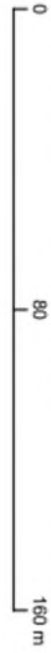
BOOKER WHOLESALE

APPENDIX B

Premier Store, 6 Harrow Lane, Maidenhead, SL6 7PE



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January 2024



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Reval Borough
of Windsor &
Maidenhead

APPENDIX C

THAMES VALLEY POLICE

Division/Station : HQ Licensing

Subject :

From : Debie Pearmain To : Licensing Department
Police Licensing Officer RBWM

Ref : Date : 20th December 2023 Tel.No.0797014524

Application for a Premises Licence – AV Retails ltd, 6 Harrow Lane, Maidenhead, Berkshire, SL6 7PE

Thames Valley Police request the following conditions are attached to the premises licence to assist in the promotion of the Licensing objectives:

Digital CCTV monitoring system to be installed and maintained to Thames Valley Police standard. Recording to be kept securely for 31 days and made available to Thames Valley Police employees and Authorised Persons as defined by Sections 13 & 69 Licensing Act 2003 upon request.

DPS or nominated person to be trained on how to work the CCTV system to the standard where the nominated person can download any potential evidence required by Thames Valley Police employees and Authorised persons as defined by Sections 13 & 69 Licensing Act 2003.

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

Refusals Register to be on the premises and kept up to date and made available upon the request of Police, Trading Standards Officers and authorised persons as defined by Sections 13 & 69 Licensing Act 2003.

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

Regards

Debie Pearmain
Police Licensing Officer

Trading Standards

1. A Challenge policy such as 'Challenge 25'/Think 25 policy to be adopted, where any person who looks under 25 years of age should be asked to prove their age when attempting to purchase age restricted products such as alcohol with appropriate signage of the adopted challenge 25 policy to be displayed around the venue. All staff authorised to sell alcohol should be trained in the Challenge 25 policy and this should be documented in the training records.
2. Acceptable ID should include photographic identification documents; including valid passports, photocard, driving license or proof of age card bearing the PASS hologram, Biometric Resident Permit or any identification such as recognised national photographic identity cards from member countries of the European Union which are recognised or approved by either the Licensing/Responsible Authority or Thames Valley Police.
3. Staff should be aware of the possibility of Proxy sales which should be included in any training and all staff to be trained in under-age sales prevention.
4. A refusal book/log/electronic log should be kept at the premises to record all incidents of possible underage/proxy sales of alcohol (product/date/time/staff member/reason for refusal/possible description) and updated as and when required, and made available for inspection on request by either a Responsible Authority such as Licensing or Trading Standards or the Police.
5. If applicable, age verification checks for suitable ID should be carried out at the point of any delivery of age restricted products such as alcohol including where a waiting service is included as part of the business. If any delivery or on-line service is provided then the trader must also carry out age verification checks with suitable ID at the point of any delivery of age restricted products such as alcohol whether using their own contracted delivery carriers or any external contracted delivery carriers. The carrier whether internal or external must not leave any good/deliveries with a third party such as a neighbour or anyone under 18 years of age if there is alcohol as part of the order.

APPENDIX D

From: Public Access
Sent: 08 January 2024 01:51
To: Licensing Dept
Subject: Comments for Licensing Application 107223/LAPL01

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 08/01/2024 1:51 AM from Miss Saira Hussain.

Application Summary

Address: 6 Harrow Lane Maidenhead SL6 7PE

Proposal: Premises Licence

Case Officer: Lauren Deane

[Click for further information](#)

Customer Details

Name: Miss Saira Hussain

Email: [REDACTED]

Type:

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments:

08/01/2024 1:51 AM

Dear Sirs

I object to this Licensing Application.

As a resident of Maidenhead and a daily user of the Furze Platt Train Station, I am deeply concerned about the negative impact this potential off-licence could have on our community. My objections are rooted in the following factors:

Public Distances: An off-licence store in such close proximity to the train station is raising serious concerns amongst residence and users about potential public disturbances. The coexistence of alcohol consumption and a transportation hub could lead to an upswing in disruptive behaviour, alcohol related crimes, jeopardising the safety and peace of both commuters and residents alike.

Safety Risk: The close proximity of the proposed off-licence to the train station poses inherent safety risks. Alcohol-induced impairment may increase the likelihood of accidents, especially as Harrow Lane is a road with heavy pedestrian traffic and a close proximity to the railway tracks.

Community Well-being: Maidenhead takes pride in being a secure and welcoming community. The introduction of a off-licence near a public transportation hub contradicts our shared commitment to maintaining community well-being. It may attract undesirable elements, potentially compromising the safety and harmony we cherish.

Granting an alcohol license for this location could have far-reaching consequences for our community, and I implore you to prioritise the safety and well-being of the residents and commuters. I trust that your decision-making process will reflect a commitment to maintaining the integrity and safety of our community.

Thank you

Licensing Team
Royal Borough of Windsor and Maidenhead
Town Hall
St Ives Road
Maidenhead
Berkshire
SL6 1RF

I am writing to express my deep concern regarding the proposal to open a new retail shop premise on Harrow Lane. As a resident of this area, I have serious reservations about the potential impact of this development on our community, particularly in relation to parking availability and the proximity of the proposed retail shop to a nearby nursery.

Firstly, the current parking situation on Harrow Lane is already highly strained, with residents frequently unable to find parking spaces near their homes. Introducing a new retail establishment will undoubtedly exacerbate this issue, leading to increased congestion and potential safety hazards. The lack of available parking spaces not only inconveniences residents but also poses a significant risk in emergency situations. I strongly believe that any further strain on parking resources in the area must be carefully considered and mitigated to ensure the safety and well-being of all residents.

Secondly, I am deeply troubled by the potential impact of the retail shop's operations on the nearby nursery. The sale and consumption of alcohol, vapes, and cigarettes are wholly inappropriate for an area in such close proximity to a facility catering to young children. Exposing these impressionable young minds to such activities could have detrimental effects on their development and well-being. Additionally, the increased traffic, parking congestion, and potential for antisocial behavior resulting from the retail shop could create an environment that is entirely unsuitable for a nursery setting.

In light of these concerns, I urge the local council to consider the broader implications of allowing a retail shop to open in this location. I respectfully request that a thorough assessment of the potential impact on parking availability, traffic flow, and community welfare be conducted before any final decisions are made regarding this proposal.


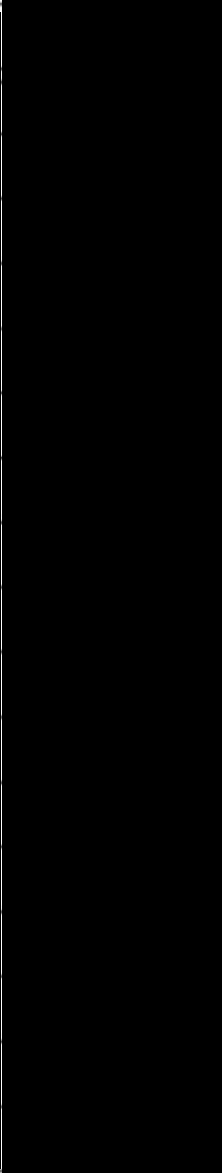
I appreciate your attention to this matter and trust that you will give due consideration to the points I have raised. I am more than willing to discuss this matter further and provide any additional information that may be helpful in your evaluation process.

Thank you for your time and attention to this important issue.

We, the undersigned, agree to this statement and want Maidenhead and Windsor Council to deny the application for AV Retails (Convenience Store with the sale of alcohol). Reference : 107223/LAPL01

Lead petitioner

Manowar Hussain

<u>SIGNATURES</u>		
NAME	ADDRESS	SIGNATURE
CHOULES		
Coral		
Samina		
Binyamin		
Naymah		
Khabtan		
J. HARRIS		
P. Pomlinson		
W. Harris		
M. A.T. KABI		
Esau		
KEIS BALL		
Omrah Shabir		
Zubda Shabir		
Heleen Bui		
Ma Bui		
Quynh Bui		
Sarah King		

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