REPORT TO LICENSING PANEL SUB COMMITTEE.

CONSIDERATION OF APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003

LICENSING PANEL SUB COMMITTEE: 15th May 2017

OFFICER REPORTING: Steve Smith.

A) The Application

Applicant: - Corona Realty Ltd.

Premises: - Crown Inn, High Street, Bray, Berkshire, SL6 2AH.

The application relates to an application for a variation of the issued premises licence.

A summary of the application is as follows:-

• To vary the plans appended to the existing premises licence to include the garden area to include a bar servery and kitchen facilities.

With the following conditions proposed to promote the licensing objectives:-

- No sale of alcohol from the garden bar after 23.00hrs.
- There shall be no regulated entertainment or amplified music within the garden area.

No other changes sought, no further measures are considered by the applicant to be necessary.

The premises currently enjoy the following licensable activities and hours:-

Sale of alcohol (on and off)
Recorded music (indoors)

Monday to Sunday 11am to Midnight.

DPS: - Mr David Ashton Hyde.

B) Relevant Representations

Responsible Authorities.

a. Environmental Health (CPES):- Attached.

b. RBFRS (Fire Officer):- None.

c. Planning Officer: - None.

d. Local Safeguarding Children's Board (LSCB) None.

e. Public Health: - None.

f. Trading Standards: - None.

g. Thames Valley Police: - None.

h. RBWM Licensing: - None.

Interested Parties:-

- 2 representations from local residents objecting to the application
- Representation from Donnington Hospital Trust (Jesus Hospital)
- Objection from Parish Council.
- No representations from Ward Members.

C) It is considered the following policies have a bearing upon the application.

RBWM licensing policy:-

2.1 De-regulated Entertainment:-

The Legislative Reform (Entertainment Licensing) Order 2014 came into force on 6 April 2015 with the effect that the following forms of entertainment are no longer licensable –

- Performances of plays between 08.00 and 23.00 provided that the audience does not exceed 500.
- Performances of dance between 08.00 and 23.00, provided that the audience does not exceed 500
- 'Not-for-profit' film exhibition held in community premises between 08.00 and 23.00, provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events between 08.00 and 23.00, provided that those present do not exceed 1000.

- Any contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00, provided that the audience does not exceed 1000.
- Performances of unamplified live music between 08.00 and 23.00, on any premises.
- Performances of amplified live music between 0800 and 2300:
 - On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500
 - In a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500
 - In a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises
 - At the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital
- Playing of Recorded Music between 0800 and 2300:
 - On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500

9. Promoting the Prevention of Public Nuisance

Where relevant representations are made, the Licensing Authority will have particular regard to the following issues in relation to the public nuisance objective:

- The disposal of waste, particularly glass
- The use and maintenance of plant, including air extraction and ventilation systems
- Litter in the vicinity of the premises
- Noise from deliveries / collections to and from the premises
- Measures to control behaviour and queues
- Whether door supervisors are able to stay at the entrance to encourage quiet departure
- The provision of Hackney Carriage / Private Hire services at the premises
- Signs on doors and on tables encouraging consideration to the neighbours

Noise

Where relevant representations are made the Licensing Authority will impose conditions in relation to licensed premises to prevent unnecessary noise and disturbance to local residents where relevant representations are made. This may include restrictions on times when music or other licensable activities may take place and may impose technical restrictions on levels of sound at premises. Conditions may also be imposed requiring licensees to display signs at all exits from premises reminding customers to leave premises quietly and to respect the rights of nearby residents.

6.2 Promoting food-led and seated entertainment venues

The Licensing Authority wishes to encourage applications for food-led and other predominantly seated entertainment venues. Nationally, it has been demonstrated that restaurants and similar establishments have a lower impact on crime, disorder and nuisance; this national observation has been experienced locally within the Royal Borough. In order to encourage food-led and other predominantly seated entertainment venues, the Royal Borough has determined to adopt a Framework Hours Policy with a terminal hour of 01:00 being set for such premises.

D) 182 National Guidance April 2017

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.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a

certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 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 10 | Revised Guidance issued under section 182 of the Licensing Act 2003 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.

D) Observations.

The Sub Committee is obliged to determine this application with a view to promoting the 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 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 it hears.

The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the application as asked.
- Modify the conditions of the licence, by altering or omitting or adding to them.
- Reject the whole or part of the application.



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.

ink. Use additio	nal sheets it necessary.				
You may wish to	keep a copy of the com	pleted form fo	r your records.		
I/We Corona					
(Insert na	me(s) of applicant)				
			ry a premises licence	under section 34	1 of the Licensing
ACT 2003 TOF T	he premises describe	eu III rait I I	Delow		
Premises licer	ice number				
Part 1 – Prem	ises Details				
Postal address	of premises or, if no	ne, ordnanc	e survey map referenc	e or description	
Crown Inn					
High Street					
Post town	Bray			Postcode	SL6 2AH
					
Telephone nu	mber at premises (if	any)			
Non-domestic	rateable value of pre	emises	£44,000		
Part 2 – Appli	cant details				
Daytime conta telephone nur					
E-mail address					
Current postal	address if				
,	premises address				
Post town				Postcode	

Part 3 - Variation Please tick as appropriate Do you want the proposed variation to have effect as soon as possible? X Yes No DD MM YYYY If not, from what date do you want the variation to take effect? 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 Please describe briefly the nature of the proposed variation (Please see guidance note 2) To vary the plans appended to the existing premises licence so as to include the garden, as shown on plan, within the ambit of the licensed area. The garden includes a bar servery and kitchen facilities. The following conditions are proposed to promote the licensing objectives:-- There shall be no sales of alcohol from the garden bar after 23:00; and - There shall be no regulated entertainment or amplified music within the garden area. There are no other changes sought or implied.

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:	

Part 4 Operating Schedule

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

Prov	ision of regulated entertainment	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)	
Prov	ision of late night refreshment (if ticking yes, fill in box I)	
Sale	by retail of alcohol (if ticking yes, fill in box J)	
In all	cases complete boxes K, L and M	

	rd days and read guida		Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
7)				Outdoors	
Day	Start	Finish		Both	
Mon	***************************************		<u>Please give further details here</u> (please read guidance r	note 4)	
Tue					
Wed			State any seasonal variations for performing plays (pleanote 5)	ase read guidanc	e
Thur					
Fri			Non standard timings. Where you intend to use the properformance of plays at different times to those listed left, please list (please read guidance note 6)		the
Sat					
Sun					

1	rd days and	_	Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
7)	reau guiu.	ance note	note 5)	Outdoors	
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Wed			State any seasonal variations for the exhibition of films guidance note 5)	(please read	
Thur					
Fri			Non standard timings. Where you intend to use the prexhibition of films at different times to those listed in the left, please list (please read guidance note 6)		<u>1e</u>
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Standa	sporting e rd days an e read guid		Please give further details (please read guidance note 4)
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	ırd days an	id timings lance note	Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
7)	,		galadiise liete 3)	Outdoors	
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Thur					
Fri			Non standard timings. Where you intend to use the proper performance of live music at different times to those list on the left, please list (please read guidance note 6)		<u>nn</u>
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descrip within Standa	ng of a simption to the (e), (f) or (and days and read guiden	at falling (g) d timings	Please give a description of the type of entertainment	you will be provi	iding
Day	Start	Finish	Will this entertainment take place indoors or	Indoors	
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		Market Market And And Market And		Both	
Tue			Please give further details here (please read guidance	note 4)	
Wed					
Thur			State any seasonal variations for entertainment of a s that falling within (e), (f) or (g) (please read guidance		on to
Fri					
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Sun					

Start	Finish	(please read guidance note 3)	Outdoors
Start	Finish		
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	200000000000000000000000000000000000000	State any seasonal variations for the provision of late (please read guidance note 5)	night refreshme
		Non standard timings. Where you intend to use the provision of late night refreshment at different times, the column on the left, please list (please read guidan	to those listed
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			(please read guidance note 5) Non standard timings. Where you intend to use the p

Supply of alcohol Standard days and timings (please read guidance note		d timings	Will the supply of alcohol be for consumption – please tick (please read guidance note 6)	On the premises	
7)		ance note		Off the premises	
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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).	

Hours premises are open to the public Standard days and timings (please read guidance note 7)		d timings	State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			
Wed			Non standard timings. Where you intend the premises to be open to the
Thur			public at different times from those listed in the column on the left, please list (please read guidance note 6)
Fri			
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			ons currently imposed on the licence which you believe could be removed as sed variation you are seeking.

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.

₩	I have enclosed the premises licence
•	I have enclosed the relevant part of the premises licence
If yo belo	u have not ticked one of these boxes, please fill in reasons for not including the licence of w
Reas	sons why I have not enclosed the premises licence or relevant part of premises licence.

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 10)
Save for the two additional proposed conditions, the conditions currently endorsed on the licence address the licensing objectives. No further measures are considered necessary.
b) The prevention of crime and disorder
see a) above
c) Public safety
see a) above
d) The prevention of public nuisance
see a) above
e) The protection of children from harm see a) above
see a) above

Checklist:					
		i	Please tick to	indicate agreen	nent
I have r	nade or enclosed payment of the fe	e.			\boxtimes
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• Lunder	stand that I must now advertise my	application.			\boxtimes
• I have e	nclosed the premises licence or rele	evant part of it or explai	nation.		\boxtimes
l under rejected	stand that if I do not comply with th I.	e above requirements r	ny application	n will be	\boxtimes
STANDARD S	NCE, LIABLE ON SUMMARY CONVI CALE, UNDER SECTION 158 OF THE CTION WITH THIS APPLICATION.				ΓIN
Part 5 – Signa	tures (please read guidance note :	L1)			
	pplicant (the current premises lice ent (please read guidance note 12) '.				n
Signature	Thomas and Thomas				
Date	23/03/2017				
Capacity	Thomas & Thomas Partners LI	.P, Solicitors on behalf f	o the applicar	nt	
holder) or 2nd	emises licence is jointly held, signa I applicant's solicitor or other auth ne applicant, please state in what o	<mark>orised agent</mark> (please re			ing
Signature					
Date					
Capacity					
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application (p Our ref: LC/CC Ryan Peerman	node mas Partners LLP	address for correspond	lence associat	ed with this	
Post town	London	F	Post code	WC2H 9EP	

020 7042 0417 If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

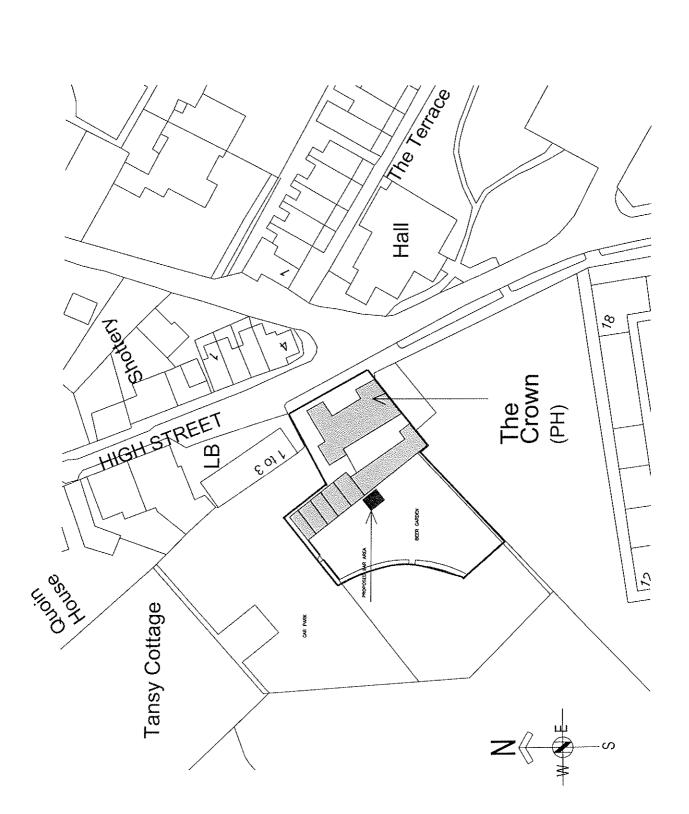
Telephone number (if any)

rpeer mamode @ tandtp.com

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

- 1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
- 2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- 3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 4. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or seminudity, films for restricted age groups or the presence of gaming machines.
- 10. Please list here steps you will take to promote all four licensing objectives together.
- 11. The application form must be signed.
- 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
- 14. This is the address which we shall use to correspond with you about this application.



PROPOSED BBQ BAR THE CROWN PH BRAY BERKS

CROWN PH

LOCATION PLAN

The Edwards fish Pattership L.I.P

The Constitution of the Constit 10.03.17 1: 500

Joh 2360



Premises Licence Summary

PL001215

LOCAL AUTHORITY

The Royal Borough of Windsor & Maidenhead

Town Hall St Ives Road Maldenhead Berkshire SL6 1RF

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



Premises Details

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

Crown Inn

High Street, Bray, SL6 2AH.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- " the sale by retail of alcohol

Activity (and Area if applicable)	Description	Time From	Time Tc	
E. Performance of live music (Indo	ors)	24.012.02.12.02.02.02.02.02.02.02.02.02.02.02.02.02		
	Monday to Sunday	11:00am	Midnight	
. Playing of recorded music (Indoo	ors)			The state of the s
·	Monday to Sunday	11:00am	Midnight	
1. The sale by retail of alcohol for o	consumption ON and OFF the premises			
	Monday to Sunday	11:00am	Midnight	

THE OPENING HOURS O	F THE PREMISES			
	Description	Time From	Time Tc	
	Sunday	11:00am	12:30am	
	Monday	11:00am	12:30am	
	Tuesday	11:00am	12:30am	
	Wednesday	11:00am	12:30am	
	Thursday	11:00am	12:30am	
	Friday	11:00am	12:30am	
	Saturday	11:00am	12:30am	

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

NAME.	(REGIS	TERED) AI	DDRESS ()F HO	LDER	OF PREMISES	LICENCE

Corona Realty Ltd

Tectonic Place, Holyport Road, Maidenhead, SL6 2YE.



Premises Licence Summary

PL001215

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

Corona Realty Ltd

07131124

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

David Ashton HYDE

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

No prohibition or restriction on access to the premises by children

Craig Miller

Community Protection and Enforcement Services Lead

Premises Licence

PL001215

ANNEXES

ANNEX 1 - Mandatory Conditions

- No supply of alcohol may be made under the premises licence:
 - at a time when there is no designated premises supervisor in respect of the premises licence, or
 - 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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -
 - games or other activities which require or encourage, or are designed to require or encourage, individuals to
 - 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),
 - drink as much alcohol as possible (whether within a time limit or otherwise)
 - 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section159 of the Act)
 - 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
 - provision of free or discounted alcohol in relation to the viewing of a premises of a sporting event, where that provision is dependent on-
 - the outcome of a race, competition or other event or process, or
 - the likelihood of anything occurring or not occurring
 - 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.
- The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without the assistance by reason of a disability).
- The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- Any individual employed to carryout 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

Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:

- a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.
- b) On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
 c) On Good Friday, 12 noon to 10.30 p.m.
- d) On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- e) On New Year's Eve, except on a Sunday, 10 a.m. to 11 p.m.
- On New Year's Even on a Sunday, 12 noon to 10.30 p.m.
- g) On New Year's Even from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December).

The above restrictions do not prohibit:

- a) during the first twenty minutes after the above hours of consumption of the alcohol on the premises;
- b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is an open vessel;
- c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;



Premises Licence

PL001215

ANNEXES continued ...

- f) the sale of alcohol to a trader or club for the purposes of the trade or the club;
- g) the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

h) the taking of alcohol from the premises by a person residing there;

- I) the supply of alochol for the consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- j) the supply of alcohol for consumption on the premises to persons employed there for the purpose of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

General

- None
- •

Prevention of Crime and Disorder

None

Public Safety

None

Prevention of Public Nuisance

None

Protection of Children from Harm

None

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

ANNEX 4 - Plans

See attached Plans

Craig Miller

Community Protection and Enforcement Services Lead

Premises Licence

PL001215

LOCAL AUTHORITY

The Royal Borough of Windsor & Maidenhead

Town Hall St Ives Road Maidenhead Berkshire SL6 1RF

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



Part 1 - Premises Details

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

Crown Inn

High Street, Bray, SL6 2AH.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- the sale by retail of alcohol

Activity (and Area if applicable)	Description	Time From	Time Tc	
E. Performance of live music (Indo	ors)	made a chairle ann a chairle an Earth a chair a chairm i a chairm	,,,,,,,,.,.,,.,.,,,,,,,,,,,,,,,	
	Monday to Sunday	11:00am	Midnight	
Playing of recorded music (Indoo	ors)			
	Monday to Sunday	11:00am	Midnight	
M. The sale by retail of alcohol for	consumption ON and OFF the premises			
,	Monday to Sunday	11:00am	Midnight	

THE OPENING HOURS OF THE PREMISES				· .	
	Description	Time From	Time Tc		
	Sunday	11:00am	12:30am		
	Monday	11:00am	12:30am		
	Tuesday	11:00am	12:30am		
	Wednesday	11:00am	12:30am		
	Thursday	11:00am	12:30am		
	Friday	11:00am	12:30am		
	Saturday	11:00am	12:30am		

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

Part 2



Licensing Act 2003 Premises Licence

PL001215

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

Corona Realty Ltd

Tectonic Place, Holyport Road, Maidenhead, SL6 2YE.

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

Corona Realty Ltd

07131124

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

David Ashton HYDE



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. 176/09/1020/PERS

Issued by

LICENSING ACT 2003 ENVIRONMENTAL HEALTH REPRESENTATION FORM

To:

Trading Standards & Licensing Lead

From:

Community Protection Lead

Premises:

The Crown, High Street, Bray, MAIDENHEAD, SL6 2AH

Reference:

17/00870/LICPRM

Premises Licence Variation Application

COMMENT:

Environmental Protection has **no representation** to make regarding this premise licence variation application.

I visited The Crown on Friday 7 April.

The application is for a bar and barbecue area in the rear garden until 23:00. The applicant has offered the following conditions:

- There shall be no sales of alcohol from the garden bar after 23:00; and
- There shall be no regulated entertainment or amplified music within the garden area.

Environmental Protection has no record of complaints about the Beer Garden. I have seen that the Beer Garden is not overlooked and is some distance from the neighbouring properties. With the conditions offered I do not foresee problems such as noise nuisance.

The licensing regime does not consider the consumption of alcohol, such as in the Beer Garden, or the sale of food before 23:00.

RECOMMENDATION

Approve this variation with conditions offered:

- There shall be no sales of alcohol from the garden bar after 23:00; and
- There shall be no regulated entertainment or amplified music within the garden area.

Signed Date 10 April 2017

Daniel S J Bayles
Community Protection Lead









The Trust Office Groombridge Place Donnington Newbury

RG14 2JQ Tel: Tax:

Email: clerk@donningtonhospital.com

www.donningtonhospital.com

Warden's Office Jesus Hospital High Street Bray Maidenhead Berkshire SL6 2AN Tel: 01628 620026

Email: jesuswarden@donningtonhospital.com

Licensing Section Royal Borough of Windsor and Maidenhead York House Sheet Street Windsor, SL4 1DD

18 April 2017

Dear Sir

Licensing Application for Variation of Premises Licence The Crown Public House, Bray Reference PL001215.

As Wardens of Jesus Hospital we would strongly object to The Crown's application for variation of their premises licence to allow the garden to be used from 11am to 11pm for the following reasons.

We are extremely concerned for the health and welfare of our residents that live here in very close proximity to The Crown. Our nearest residents' almhouses being little more than 10 metres from their garden. We feel The Crown will spoil what has been nearly 400 years of peace and tranquillity at Jesus Hospital which is, and always has been, a relaxing and safe environment for elderly residents in their latter years if this Licence is granted.

Any noise created by activities in the garden would greatly impinge on our residents' quality of life which we experienced on Saturday last the 15th April. The Crown staged two events, two sessions of an Easter Egg Hunt with Disco using amplified music and microphone - 11.30am and 3pm. This, together with the screaming children and the adult on the microphone encouraging the children, meant that the noise level was completely unacceptable. We telephoned twice to ask them to turn it down and when this was not done we visited The Crown to ask them again as it was badly affecting several of our elderly residents. They did nothing.

There were 200-300 adults and children. A stage had been set up under a very large permanent/semi permanent event marquee with open sides covering most of the garden. There is also what looks like a permanent bar and servery.

We trust you will do the right thing and refuse this application.

Yours faithfully

Jim and Betty Jackson

Wardens

cc: Bray Parish Council



Tel: '016353531330' Fax: 01035 351501

Email: clerk@donningtonhospital.com Website: www.donningtonhospital.com

The Trust Office Groombridge Place Donnington Newbury RG14 2JQ

Our ref:

MH10/DONNI001.094/JRDP/170413

Your ref:

13th April 2017

The Royal Borough of Windsor and Maidenhead 18 APR 2017

Town Hall St Ives Road Maidenhead SL6 1RF

Dear Sirs

DONNINGTON HOSPITAL TRUST LICENSING APPLICATION FOR CROWN INN, BRAY Recorded delivery

As the joint Warden/Manager of Jesus Hospital, I represent the 18 residents who live here. Their average age is 81, with some being very much older. Jesus Hospital adjoins The Crown and the accommodation is in very close proximity to The Crown Garden and, as such, will be the most affected by outdoor events held there.

As most of the residents of Jesus Hospital are both elderly and vulnerable, they are greatly affected by excessive noise levels. I am concerned The Crown's planned outdoor events will feature loud music, and their application to use the garden to include an outside bar servery and kitchen facilities should be much more limited. It is not just the music that has to be considered, but the noise level generated by the increased amount of patrons attending events.

As representative, I wish to object to The Crown Public House seeking a licence to make their garden part of the licensed premises and provide outside bar servery and kitchen facilities from 11am to 11pm seven days a week which I believe is excessive.

Some of my residents are still reeling from a musical event that took place in the garden on September 20th, 2015 which many considered to be unbearably loud and adversely affected some of those whose homes are just the other side of the fence to the event, as well as other

> THE DONNINGTON HOSPITAL TRUST (OTHERWISE KNOWN AS THE HOSPITAL OF QUEEN ELIZABETH IN DONNINGTON) WAS FOUNDED BY SIR RICHARD ABBERBURY IN 1393 AND RE-FOUNDED BY QUEEN ELIZABETH 1 IN 1602.

residents in the village of Bray. If The Crown is intending to have musical events in conjunction with BBQs etc, Jesus Hospital residents will be greatly affected.

There is a letter from the Crown management to our Chairman, following that event, stating that they have no intention of repeating a musical event such as the one that was so upsetting for my residents. I attach a copy of this dated 9th November 2015

The Crown staged another event this past weekend with music which I was assured would be "unamplified". Although the noise level this time was mostly acceptable, it was quite obviously amplified and could easily have been made much louder.

The fact that the Crown management have misled us on two occasions and appears to have ignored the assurances they previously made. My concern is there will be an increase in both the frequency and the volume of the many events which I am sure are planned for the future.

There is a very iconic painting of Jesus Hospital in the Tate Gallery which is titled "The Harbour of Refuge". It would be a tragedy if the peace and quiet of Jesus Hospital, which has existed for nearly four hundred years, and the welfare of the elderly residents was jeopardised.

These I believe are reasonable grounds for my objection.

Yours faithfully

John Palmer

As Agent for the Donnington Hospital Trust

Mobile: 07860 558080



Mr Willie Hartley-Russell Jesus and Donnington Hospital Trust 1 Groombridge Place Donnington Newbury Berkshire **RG142JQ**

9th November 2015

Dear Mr Hartley-Russell,

We held a summer festival event on Sunday 20th September in the grounds of The Crown Pub, Bray. This event started at 3pm and finished at 9.30pm. Part of the event was the performance of a number of live music acts.

We understood from a number of the residents at Jesus Hospital that they were upset by the loudness of the music and we have also had a recent meeting with your wardens, Jim and Betty to discuss the same problem.

Our intention has always been to run the pub for the benefit of the village and in no way to upset the residents of Jesus Hospital. We are sorry that we have upset some of your residents and we have no intention to organise or plan a live music event in the future.

We have in the past supported the hospital by donating funds from various events and we would like to continue to do this if you wish. I understand that at present the last donation we made has now been rejected by some of the residents. Our policy as a company is that where we can we will always support local charities, particularly in the village of Bray. RECEIVED 18 APR 2017 DI ANNING

Please accept our sincere apologies for any upset caused

Yours sincerely,

Managing Director

High St. Bray, Berkshire, SL6 2AH Telephone: 01628 621936 www.thecrownatbray.co.uk





19th April 2017

To RBWM Licencing

Dear Sirs,

Re: The Crown at Bray: Application for Licence Extension

In responding to this Application to Extend the Licence at the Crown at Bray we have considered several topics.

- 1. The Crown is located next door to Jesus Hospital, a community of 18 homes for retired and elderly people. One wing of Jesus Hospital runs parallel to, and close to, the boundary fence with the garden of the Crown which is the subject of the extension. Noise from events held in the garden is a potential issue.
- 2. Easter Weekend just past saw a real problem of this type. Amplified entertainment and a large number of people in the garden of the Crown caused considerable disturbance and anxiety to the residents of Jesus Hospital. This must not be allowed to become a regular or even occasional situation.
- 3. There are some existing issues with noise disturbance to neighbours. Residents living across the road are still experiencing late night noise from taxis waiting on the front apron of the pub with their engines running. The Crown has been helpful in working with their preferred taxi company by asking them not to do this, however not all taxis collecting patrons of the Crown are ordered by the Crown and those from other companies continue to create noise in this way. Any extension which will attract more customers is likely to exacerbate this issue.
- 4. There are issues with cooking smells, particularly from cooking in the garden, being detectable at high concentrations at the other end of the village. Is there some way that this can be mitigated in the garden cooking area?
- 5. We are very pleased to note the statement in the Application that "there shall be no regulated entertainment or amplified music in the garden area". We strongly suggest that this becomes a condition of the licence but with the wording "there shall be no regulated entertainment, amplified music or amplified entertainment in the garden area".
- 6. The UK licencing laws are such that, once a licence has been granted it cannot be rescinded except if the licence has been breached and is taken by the local licencing authority to a panel review. The licence is also linked to the bricks and mortar and is transferred to anyone who owns or runs the premises in the future. Under these circumstances we believe that RBWM should be very careful about how wide the grant of any licence should be.

The Parish Office Moneyrow Green Holyport Maidenhead Berks SL6 2NA

Tel: 01628 777997

E-Mail: <u>clerk@brayparishcouncil.gov.uk</u> Website: <u>www.brayparishcouncil.gov.uk</u>

- 7. We understand that the Crown have been applying for TENs (temporary Event Notices) to cover special events in the garden. Any premises can apply for about twelve of these in a year. The Crown have not, to date, come close to applying for this number in any year. So is there a real need for such a wide ranging, blanket, licence?
- 8. We note that the Crown opens at 11.30hrs Monday to Friday and from 12.00hrs on Sunday. We wonder why there is a need for a licence starting at 11.00hrs on every day of the week.

Even with all of these considerations we are not against business in the Parish and would support some extension of the existing licence to facilitate this development.

Our belief is that the Application is too wide ranging in its original form at 11.00hrs to 23.00hrs and 7 days a week.

Our recommendation is that the extension should be allowed on Fridays and Saturdays from 11.30hrs to 23.00hrs and on Sundays and Bank Holidays from 12.00hrs to 21.00hrs with the condition that there will be no entertainment, amplified music or amplified entertainment in the garden area.

Yours faithfully,

Susan Cook

Mrs Susan Cook Clerk for Bray Parish Council From:

Sarah Tillion <itsthetillions@btinternet.com>

Sent:

10 April 2017 20:33

To:

Licensing

Subject:

Fwd: Licensing Application for Crown Inn, High Street, Bray. Ref. PL001215

Dear Sir/Madam,

It has been brought to my attention that the Crown Inn, Bray has applied for a variation of its premises licence.

The application is for the following:-

To vary the plans to the existing premises licence so as to include the garden The garden will include a bar servery and kitchen facilities Monday to Sunday 11.00am to 23.00pm

We live in Nos. 3 and 4 Sunflower Cottages, High Street, Bray. Which are immediately in front of the Crown Inn. We have lived here for over 35 years, and the nuisance caused by the Crown is ever increasing. This latest application will only make things worse. Hence please accept this email as our <u>Objection</u> to the application.

The bedrooms of our property front directly onto the side access driveway into the Crown. We are currently disturbed at 5.00am to 6.00am by the service vans and lorries manoeuvring and delivering to the Crown. But the worst disturbance is caused by the taxis, very late at night. 23.00pm onwards, that pull up on the hard standing at the front of the Crown, either dropping people off and slamming doors. Or sitting there with engines running, loud voices and again doors slamming.

We realise that living in a village High Street will have some noise and activity, and that the Crown needs to be able to operate as a business. However a lot of the unnecessary disturbance and anti social behaviour generated by the Crown Inn could be prevented by a few simple measures:-

- 1. Do not allow this application to add further outside noise and disturbance to adjacent Residents.
- 2. Restrict delivery times to between 7.30am to 7.00pm
- 3. Force the Crown to erect bollards along the hard surface frontage, to prevent delivery vehicles/taxis from pulling up, engines running, door slamming etc. There is sufficient space at the rear car park for all vehicles to pick up and drop off safely and conveniently.

Similar restrictions were put on the adjacent Bray Village Hall, which made improvements.

I trust that this Objection will be considered and I look forward to hearing from you in due course.

Yours faithfully

Mr P. Tillion and Mrs K. Tillion





Tel. Fax:

Email: clerk@donningtonhospital.com Website: www.donningtonhospital.com The Trust Office Groombridge Blace Donnington Newbury RG14 2JQ

Our ref:

MH10/DONNI001.094/JRDP/170419

Your ref:

19th April 2017

licensing@rbwm.gov.uk

Dear Sirs

LICENSING APPLICATION, THE CROWN INN, BRAY, BY CORONA REALTY LTD PREMISES LICENCE NUMBER PL00215

We unfortunately forwarded our correspondence to the wrong address and attach a copy for you please.

We would like to add two points made to outline major activities at The Crown over the Easter weekend. You have already received a letter dated 18th April 2017 from Jim and Betty Jackson, the Wardens of Jesus Hospital.

The application clearly states that there will be no amplified music in the garden area. We assume that this should state no amplified microphone since, at the weekend, there was both amplified music and amplified announcements in the garden. At various points during the day, there were also very loud noise from distressed parents and their children as part of a very large crowd as well as an ambulance attending.

We do not believe that this type of entertainment is compatible with the ambience of Bray and more to the point in such close proximity of Jesus Hospital.

The Trustees of Jesus Hospital would urge you to turn down this application to vary the existing licence.

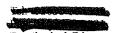
Yours faithfully

John/Palmer

As Agent for the Donnington Hospital Trust

Mobile:





Email: clerk@donningtonhospital.com Website: www.donningtonhospital.com The Trust Office Groombridge Place Donnington Newbury RG14 2JQ

Our ref:

MH10/DONNI001.094/JRDP/170413

Your ref:

13th April 2017

The Royal Borough of Windsor and Maidenhead Town Hall St Ives Road Maidenhead SL6 TRF

Recorded delivery

Dear Sirs

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Mr Willie Hartley-Russell
Jesus and Donnington Hospital Trust
1 Groombridge Place
Donnington
Newbury
Berkshire
RG14 2JQ

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Please accept our sincere apologies for any upset caused.

Yours sincerely,

A. Baker

Managing Director

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Yours faithfally

John Palmer

As Agent for the Donnington Hospital Trust

Mobile:

