

REPORT TO LICENSING PANEL SUB COMMITTEE

CONSIDERATION OF AN APPLICATION OF A FULL VARIATION OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003

LICENSING PANEL SUB COMMITTEE: Cllr Cannon, Cllr Haseler and Cllr Brar

OFFICER REPORTING: Craig Hawkins

Introduction

This meeting of a Licensing Sub-Committee is convened to hear an application for a full variation for a premises located within the Royal Borough of Windsor & Maidenhead.

In line with Licensing Act 2003 S18 (3)(a) when relevant representations are made against an application, a hearing must be held to consider them.

A relevant representation made against an application for a full variation of a premises licence must relate to at least one of the four licensing objectives set out in the Licensing Act 2003. These are 'The Prevention of Crime and Disorder', 'Public Safety', 'The Prevention of Public Nuisance', and 'The Protection of Children from Harm'.

The purpose of this hearing is for the Licensing Sub-Committee to hear the application, receive written and oral representations from other parties and then to make a decision in respect of the application.

A) The Application – Appendix A

Applicant: - Shell UK Oil Products Limited

Premises: - Shell, 195 Clarence Road, Windsor, SL4 5AE

Shell UK Oil Products Limited have applied, under the Licensing Act 2003, for a Full Variation application to vary the current licence held by Shell UK Oil Products Limited to extend the licensable areas and hours of the premises.

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

The application is to:

1. To extend the Sale of alcohol hours for (Consumption OFF the premises) to a 24 hr. each day.
2. To add the licensable activity for the provision of late-night refreshment.
3. Extend the footprint and licensable area of the building.
4. Change the internal layout of the premises.

5. Remove outdated conditions from the Current Premises Licence (**Appendix C**) to be replaced with conditions detailed in **Section M** of the application (**Appendix A**).
6. Add Further conditions to the Premises License as per those detailed in **Section M** of the application (**Appendix A**).
7. Change the premises name to Shell Waitrose Windsor.

A summary of the application is as follows: -

The standard opening hours of the premises:

- 06.00 until 23.00 Monday to Sunday

To permit the sale by retail of alcohol for consumption OFF the premises:

- 00:00 until 24.00 Monday to Sunday

To permit the provision of late-night refreshment:

- 23:00 until 05:00 Monday to Sunday.

Designated Premises Supervisor (DPS): Mohamed Riswan MOHAMED MARZOOK

B) Relevant Representations Received

Where a representation about an application is made by a responsible authority or by another person, and the representation is relevant, the application is brought before a Licensing Panel Sub Committee.

To be “relevant”, the representation has to relate to the likely effect of the grant of the licence on the promotion of at least one of the four licensing objectives which are set out in the Licensing Act 2003.

The four licensing objectives are;

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

In this case the representations received from the responsible authorities are as follows;

- a. Environmental Health: None
- b. RBFRS: None
- c. Planning Officer: None

- d. Local Safeguarding Children's Board (LSCB) None
- e. Public Health: None
- f. Trading Standards: None
- g. Thames Valley Police: None
- h. RBWM Licensing: None

Representations received from other persons are as follows;

- 5 individual representations from residents. Redacted copies of the representations are at (**Appendix D**).

The representations from local residents are relevant because they relate to one or more of the four licensing objectives.

C) RBWM Licensing Policy

The RBWM Licensing Policy Statement 2016-21 can be found at
https://www3.rbwm.gov.uk/downloads/file/131/licensing_policy_statement_2016-21

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

6.1 Framework Hours

Having considered the evidence of alcohol related crime, disorder and anti-social 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:

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 licenced hours applied for in this application fall outside RBWM framework hours for “off licence” premises.)

Framework Hours are intended to guide applicants on the Licensing Authority's expectations when preparing their Operating Schedule. However, if no relevant representations had been received, the application would have been granted by the Licensing Authority under delegated powers.

6.4 Wider Community Interest

The Licensing Authority considers that its licensing functions are exercised in the public interest, furthermore that the Licensing Authority is under a duty to take any steps with a view to the promotion of the licensing objectives in the interests of the wider community and not just those of the individual licence holder.

The Licensing Authority will have particular regard to those applications in close proximity to residential premises and the likely effect on the promotion of the licensing objectives in such circumstances. Subject to any relevant representations, the Licensing Authority will have particular regard to*:

- The nature of the activities
- The character of the surrounding area
- Measures for limitation of noise emissions from the premises. These may include as appropriate; noise limitation devices, sound insulation, whether windows are to be opened, the insulation of acoustic lobbies and double glazing
- Measures to deal with queuing, where necessary
- Use of outdoor areas
- Measures to deal with dispersal of customers from the premises as necessary, including the employment of door supervisors, use of dedicated Hackney Carriage / Private Hire firms, notices in the premises requesting customers to respect neighbours
- Winding down periods, particularly in public houses and nightclubs etc.

(*Note – not all of these will be relevant to this particular application)

7. Promoting the Prevention of Crime and Disorder

Where relevant representations are made, the Licensing Authority will have particular regard to the following issues* in relation to the crime and disorder objective:

- Measure to prevent bottles being carried from premises
- Use of drinks' promotions
- Measure to prevent binge drinking
- Participation in the Pub Watch Scheme
- Use of door supervisors
- Training staff in crime prevention measures
- Search procedures
- Use of close circuit television
- Lighting
- Where premises are new, designing out crime
- Quality of surveillance of premises

(*Note – not all of these will be relevant to this particular application)

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

(*Note – not all of these will be relevant to this particular application)

10. Promoting the Prevention of Children from Harm

RBWM recognizes that the protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms directly associated with alcohol consumption but also wider harms such as exposure to strong language and the need to protect children from sexual exploitation.

All applicants need to demonstrate how children and young people will be safeguarded if attending the licenced premises, or how it will be ensured that they do not gain access to the premises if not appropriate. Where relevant representations are made in relation to the protection of children from harm the Licensing Authority may impose conditions restricting the access of children or excluding them altogether from licensed premises.

Proof of Age Cards

Where necessary and appropriate, a requirement for the production of proof of age cards before any sale of alcohol is made could be attached to any premises licence or club premises certificate for the protection of children from harm.

D) Revised Guidance issued under section 182 of the Licensing Act 2003

The full document is found at

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance issued under section 182 of the Licensing Act 2003 April 2018 .pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidanceIssuedUnderSection182oftheLicensingAct2003_April2018.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

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

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

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

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

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

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

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

The Sub-Committee are asked to determine the application.

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

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

Legal implications: As outlined in the report.

Equality Implications: None.

Risk Implications: None.

Community Safety Implications: As outlined in the report.

Background papers:

Licensing Act 2003

Licensing Act 2003 Section 182 Statutory Guidance

Royal Borough of Windsor and Maidenhead Council Licensing Policy

Enclosures/Appendices:

Appendix A – Application

Appendix B – Map of the surrounding area

Appendix C – Current Licence

Appendix D – Representations

Contact details: Craig Hawkings - Licensing Enforcement Officer

Craig.Hawkings@RBWM.gov.uk

07833047887

APPENDIX A

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

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

I/We SHELL UK OIL PRODUCTS LIMITED

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number: PL107040

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
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**SHELL WINDSOR
195 CLARENCE ROAD**

Post town	WINDSOR	Postcode	SL4 5AE
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£45,750.00
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Part 2 – Applicant details

Daytime contact telephone number	01562 864488 (AGENTS)		
E-mail address (optional)	sara@lockett.uk.com (AGENTS)		
Current postal address if different from premises address	SHELL UK OIL PRODUCTS LIMITED SHELL CENTRE		
Post town	LONDON	Postcode	SE1 7NA

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

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

DD	MM	YYYY

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

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

1. EXTEND THE SALE OF ALCOHOL HOURS (CONSUMPTION OFF THE PREMISES) TO 00.00 - 24.00 HOURS EACH DAY
2. ADD THE PROVISION OF LATE-NIGHT REFRESHMENT 23.00 -05.00 HOURS PER DAY, SEVEN DAYS PER WEEK.
3. EXTEND THE FOOTPRINT AND LICENSABLE AREA OF THE BUILDING.
4. CHANGE THE INTERNAL LAYOUT OF THE PREMISES AND THEREFORE UPDATE THE PLAN ATTACHED TO THE PREMISES LICENCE.
5. REMOVE OUTDATED CONDITIONS FROM THE PREMISES LICENCE, THESE WILL BE REPLACED WITH THE CONDITIONS DETAILED IN SECTION 16 OF THE APPLICATION. THE CONDITIONS RELATING TO THE INCIDENT LOG, REFUSAL LOG AND STAFF TRAINING WHICH ARE CURRENTLY DETAILED ON THE PREMISES LICENCE WILL BE REMOVED AND REPLACED. THE CONDITIONS RELATING TO SPIRITS, CHALLENGE 25 AND SPIRITS WILL REMAIN AS SHOWN ON THE CURRENT LICENCE.
6. ADD FURTHER CONDITIONS TO THE PREMISES LICENCE AS PER THOSE DETAILED IN SECTION 16 OF THE APPLICATION.
7. CHANGE THE PREMISES NAME TO SHELL WAITROSE WINDSOR.

ALTHOUGH THE OPENING HOURS OF THE PREMISES ARE NOT A LICENSABLE ACTIVITY, FOR COMPLETENESS THE OPENING HOURS OF THE PREMISES WILL ALSO BECOME 24 HOURS PER DAY.

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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.

Provision of regulated entertainment (Please see guidance note 3)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input type="checkbox"/>
g) performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<u>State any seasonal variations for performing plays (please read guidance note 6)</u>	
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 (please read guidance note 7)</u>	
Sat				
Sun				

B

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

C

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

D

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

E

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

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)		
			Indoors	<input type="checkbox"/>	
Mon			Outdoors	<input type="checkbox"/>	
			Both	<input type="checkbox"/>	
Tue			<u>Please give further details here</u> (please read guidance note 5)		
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 6)		
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 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
Mon	23.00	05.00	Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
			<u>Please give further details here</u> (please read guidance note 5) THE PROVISION OF HOT DRINKS (INCLUDING SOUP) AND HEATED SNACK FOODS (E.G PANINIS, SAUSAGE ROLLS, ETC)	
Tue	23.00	05.00		
Wed	23.00	05.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)	
Thur	23.00	05.00	N/A	
Fri	23.00	05.00	<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 7)	
Sat	23.00	05.00	N/A	
Sun	23.00	05.00		

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)		
Day	Start	Finish	On the premises	<input type="checkbox"/>	
Mon	00.00	24.00	Off the premises	<input checked="" type="checkbox"/>	
			Both	<input type="checkbox"/>	
			State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue	00.00	24.00	N/A		
Wed	00.00	24.00			
Thur	00.00	24.00	Non-Standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
			N/A		
Fri	00.00	24.00			
Sat	00.00	24.00			
Sun	00.00	24.00			

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 10).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6) NONE.
Day	Start	Finish	
Mon	00.00	24.00	
Tue	00.00	24.00	
Wed	00.00	24.00	
Thur	00.00	24.00	<u>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</u> (please read guidance note 7) NONE.
Fri	00.00	24.00	
Sat	00.00	24.00	
Sun	00.00	24.00	

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.

1. THE HOURS WHICH CURRENTLY RESTRICT THE SALE OF ALCOHOL TO 06.00-22.00 HOURS EACH DAY.

2. THE CONDITIONS RELATING TO THE INCIDENT LOG, REFUSAL LOG AND STAFF TRAINING WHICH ARE CURRENTLY DETAILED ON THE PREMISES LICENCE WILL BE REMOVED AND REPLACED.

Please tick as appropriate

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

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

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

M

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

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

IN ADDITION TO THE CONDITIONS ALREADY SHOWN ON THE PREMISES LICENCE AND WHICH ARE NOT BEING REMOVED OR REPLACED, THE FOLLOWING CONDITIONS WILL APPLY:

CONDITIONS TO BE ADDED:

1. The Premises Licence holder shall be permitted to display bulk stacks, wine towers and chilled promotional offerings throughout the store that may not necessarily be shown on the plan. The locations may be subject to change but will be contained within the red lined licensable area shown on the plan attached to the Premises Licence. The display of bulk stacks will not be located where they may impact on the ability of customers to use exits or escape routes without impediment.
2. There will be two members of staff on duty between the hours of 23.00 and 05.00 each day. In the event that there is not, the door to the shop will be closed and all service will take place through the night hatch.

CONDITIONS WHICH WILL REPLACE OUTDATED CONDITIONS:

1. Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.
2. A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.
3. An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

b) The prevention of crime and disorder

CONDITION WHICH WILL REPLACE OUTDATED CONDITION:

1. Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

c) Public safety

NONE IN ADDITION TO THOSE ALREADY SHOWN ON THE PREMISES LICENCE

d) The prevention of public nuisance

CONDITIONS WHICH WILL REPLACE OUTDATED CONDITIONS:

1. Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.
2. An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

e) The protection of children from harm

CONDITION WHICH WILL REPLACE OUTDATED CONDITION:

1. Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE

**WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION
TO A FINE OF ANY AMOUNT.**

Part 5 – Signatures (please read guidance note 12)

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

Signature		P.P. LOCKETT & CO
Date	11 TH AUGUST 2020	
Capacity	DULY AUTHORISED AGENTS	

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

Signature	
Date	
Capacity	

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

SARA CLEMENT
LOCKETT & CO
LOCKETT HOUSE
13 CHURCH STREET

Post town	KIDDERMINSTER	Post code	DY10 2AH
Telephone number (if any)		01562 864488	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) sara@lockett.uk.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 for 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 of

consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.

3. In terms of specific regulated entertainments please note that:

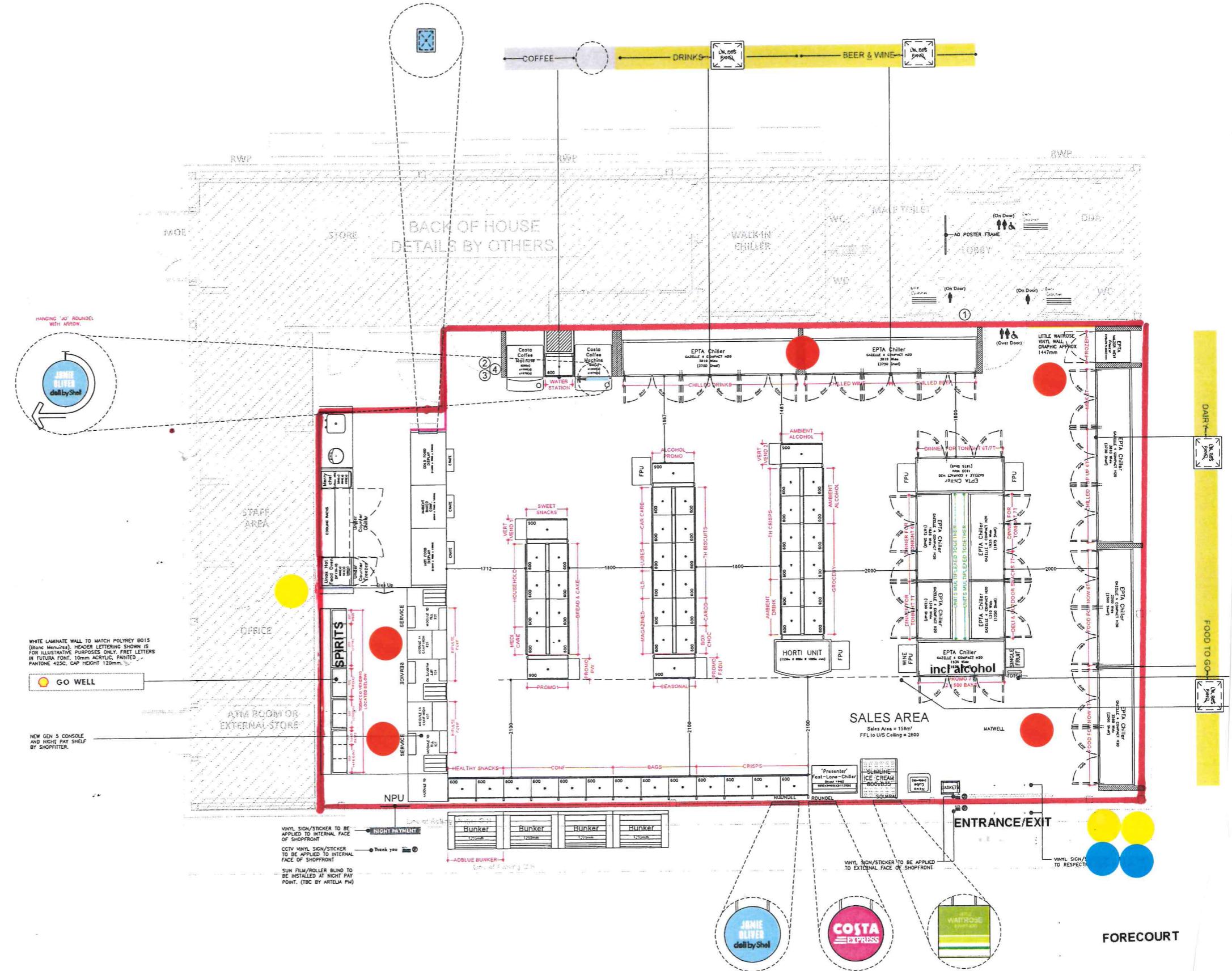
- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for ‘not-for-profit’ film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 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: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, 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 (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, 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.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, 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 (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, 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 proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. 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.
 9. 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'.
 10. 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 semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

Shell Waitrose Windsor
195 Clarence Road
Windsor
SL4 5AE

Key:

- CCTV camera.
- Fire extinguisher.
- Fire bucket.
- Area to be licensed for sale of alcohol for consumption off the premises and Late Night Refreshment.



APPENDIX B



APPENDIX C

Premises Licence

LOCAL AUTHORITY
The Royal Borough of Windsor & Maidenhead

Town Hall
St Ives Road
Maidenhead
SL6 1RF

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

www.rbwm.gov.uk



Royal Borough
of Windsor &
Maidenhead

Part 1 - Premises Details
POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION
Shell Windsor

195 Clarence Road, Windsor, SL4 5AE.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only	Monday to Sunday	6:00am	10:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	6:00am	10:00pm

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

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



Premises Licence

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE	
Shell UK Oil Products Limited	Shell Centre, London, SE1 7NA.
REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)	
Shell UK Oil Products Limited	03625633
NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL	
Mohamed Riswan MOHAMED MARZOOK	2C Warren Parade, Rochfords Gardens, Slough, SL2 5XP.
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. PA8540	Issued by Slough



Premises Licence

ANNEXES

ANNEX 1 - Mandatory Conditions

- No supply of alcohol may be made under the premises licence:
 - i. at a time when there is no designated premises supervisor in respect of the premises licence, or
 - ii. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
 (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph date of birth and either -
 - a. a holographic mark, or
 - b. an ultraviolet feature.

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

- 1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 2) For the purpose of the condition set out in paragraph 1 -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6)
 - (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

where -

 - i) P is the permitted price.
 - ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged in relation to the alcohol as if the duty were charged on the date for the sale or supply of the alcohol and
 - iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol.
 - (c) "relevant person" means, in relation to the premises in respect of which there is in force a premises licence -
 - i) the holder of the premises licence.
 - ii) the designated premises supervisor.
 - iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(7).
- 3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a charge to the rate of duty



ANNEXES continued ...

or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

- Any individual employed to carryout a security activity must be licensed by the Security Industry Authority (SIA).

ANNEX 2 - Conditions consistent with the Operating Schedule**General****Prevention of Crime and Disorder**

The site will have in place a suitable and sufficient CCTV system, which will comprise of a Digital video management system, the 16-channel version will record up to 240 ips at 4CIF. The unit is in a desktop chassis as standard. The system is networkable and can integrate with other equipment. The system is a motion based recording system, and therefore will record on motion only, images will be retained for a period of no less than 31 days.

Access to the equipment and recordings will be provided to the Police within 24 hours of the request being made; contact details of the Retailer will be kept on site and made available to the Police for the purpose of obtaining access to the equipment and recordings.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

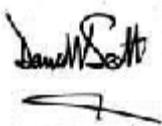
Public Safety**Prevention of Public Nuisance****Protection of Children from Harm**

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A Challenge 25 Policy will be operated at the premises; acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits (with the exception of spirit mixers and pre mixed spirit drinks) will be located behind the counter.

ANNEX 3 - Conditions attached after a Hearing by the Licensing Authority**ANNEX 4 - Plans**

David V Scott
Head of Communities



Premises Licence Summary

LOCAL AUTHORITY

The Royal Borough of Windsor & Maidenhead

Town Hall
St Ives Road
Maidenhead
SL6 1RF

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

www.rbwm.gov.uk



Premises Details

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

Shell Windsor

195 Clarence Road, Windsor, SL4 5AE.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only	Monday to Sunday	6:00am	10:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	6:00am	10:00pm

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

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

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Shell UK Oil Products Limited	Shell Centre, London, SE1 7NA.
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REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

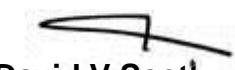
Shell UK Oil Products Limited	03625633
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NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mohamed Riswan MOHAMED MARZOOK

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


Premises Licence Summary

David V Scott
Head of Communities



APPENDIX D

From: [REDACTED]
Sent: 13 August 2020 09:00
To: Licensing <Licensing2@RBWM.gov.uk>; [REDACTED]
Subject: Shell Garage Extended Licensing Application

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

Dear RBWM Licensing, Dear Cllr Tisi,

I understand that the Shell Garage on the Dedworth Road has applied to extend the hours when they can sell alcohol to 24 hours. I strongly object to this and see no reason why alcohol needs to be sold outside normal hours. As someone who moved to the UK 15 years ago as an adult, I am still baffled why Alcohol is even sold at a Petrol station, surely drinking and driving do not mix. In any case, I really do not think it is necessary to sell alcohol beyond the normal times.

Warm regards,

[REDACTED]

From: [REDACTED]

Sent: 20 September 2020 13:36

To: Licensing <Licensing2@RBWM.gov.uk>

Subject: Opposition to extension of sales of alcohol and light refreshment at the Shell petrol station, Windsor

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

Dear Sir/Madam

As a resident of [REDACTED] Clarence road, Windsor, I oppose the extension to the operating hours of the Shell petrol station and the opening of a 24 hour Little waitrose as it could well impact noise levels at night-time not only affecting me but also the many people who live in the vicinity; in houses, flats and in residential care. I am particularly concerned that inebriated groups of people will go there after the clubs and pubs close as it will be the only place open in the early hours to buy food and alcohol. Potentially there could be lots of people visiting the premises at this time as it is also located on a major thoroughfare linking the town centre to west Windsor. Such groups may well exhibit anti-social behaviour. This in turn could cause distress to those living nearby such as myself and could well make it difficult to sleep.
I also am not sure that such an extension is needed as all other shops and supermarket in the vicinity close at 11pm. Therefore I am don't understand why this is even necessary.

Therefore I oppose the proposed variation to the following licensable activities:

1. extension to the alcohol sales hours for consumption off the premises for 24 hours a day
- 2 late night refreshment licence

Yours faithfully

[REDACTED]

From: [REDACTED]
Date: 14 August 2020 at 12:03:16 BST
To: "cldr.davies@rbwm.gov.uk" <cldr.davies@rbwm.gov.uk>
Subject: Shell Garage Clarence Road Windsor

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

Hi

My name is [REDACTED] and my house backs onto the Shell Garage in Clarence.Road.

I have heard that Shell have applied for extended opening hours which will make it a 24hr operation. I would like to express my concerns should this extension be granted on the grounds of noise disturbance to adjacent densely populated residential accommodation.

Even with the existing opening hours we suffer with some noise disturbance caused by the use of the 24hr cash machine and also with 'boy racers congregating on the site when it is closed closed due to the lack os site security. There have been several attempted break ins and other anti social behaviour caused by people returning home from town after the clubs and pubs in the town centre close in the early morning.

We have the BP garage in Maidenhead Road which is open 24hrs and as such meets the needs that exist and so we do not need an additional facility. Therefore I would like to register my serious objection to the proposals for exyending the existing openng hours..

many thanks.

Best regards

[REDACTED]

From: [REDACTED]

Sent: 17 August 2020 11:56

To: Licensing <Licensing2@RBWM.gov.uk>

Subject: Shell Garage /Waitrose Clarence Road

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

Dear Sirs

I understand that an application has been submitted to extend opening hours at this location, and for the site to be open 24 hours ? I would like to express my concerns over this application and put a formal objection on file.

This part of Clarence Road is very busy , and there is no requirement for another 24 hour store to be open selling alcohol . The 24 Hour Tesco already on this road and with very close proximity to this new site, causes problems with their large delivery lorries blocking a very congested area. Adding another 24 hour facility will increase this congestion and also cause a large noise disturbance.

Kind Regards

[REDACTED]



To whom it may concern,

Ref: Licensing Application from Shell UK Oil Products Limited – Clewer East

I write to oppose the application from Shell UK Oil Products Limited, located at Clarence Road, Windsor to operate under a 24 hour license 7 days a week and to be licensed to sell produce including alcohol late at night between the hours of 11pm and 5am.

I have a number of concerns about this application. This is an almost exclusively residential area, housing mainly young families, with pupils at the three schools in the immediate vicinity (St. Edward's Catholic First and St. Edward's Middle School on Parsonage Lane and Clewer Green First School on Hatch Lane) and elderly people in residential accommodation (Mountbatten Grange and Queens Court on Clarence Road for example). It is a very quiet area at night, with very little passing vehicular or pedestrian traffic.

The immediate area is currently served by two grocery stores: Jessica's Food & Wine and Tesco Express, both of which close at 11pm. The Shell site is currently being redeveloped and this application presumably relates to the new grocery store which has yet even to open under standard opening hours.

I can see no reason whatsoever why there would be a need to provide "late night refreshment" including the sale of alcohol at any time between 11m and 7am in the morning. Locally there is no market for this (a "night time economy" does not exist in this vicinity) – therefore the only potential users of this service would need to travel to the area, which will substantially increase the noise in the area during hours that are already protected by noise nuisance legislation. As stated in RBWM's policy statement for 2016-21: "Late night refreshment venues, with or without authorisation for the sale and supply of alcohol... for consumption off the premises between the hours of 23:00 and 05:00... can attract large numbers of customers... who have consumed considerable quantities of alcohol. These customers can be noisy and cause disturbance in the vicinity long after other nearby licensed premises have closed." The risk of public nuisance in terms of litter is stated as a further concern in the same policy: "Consumption of food can also lead to public nuisance being caused by deposits of litter in the area."

Additionally, there would be an increased risk of noise nuisance from overnight vehicular traffic coming into the area for the purposes of refuelling. In particular this could include Heavy Good Vehicles which would normally not use this route. As stated above, this is a quiet, residential neighbourhood with little by way of night time traffic currently.

As the only point of sale for alcohol overnight within a large radius, there is a risk that this would potentially become a focal point for anti-social behaviour and public disorder, the likes of which is relatively rare in this area currently, particularly overnight. According to RBWM's licensing policy statement for 2016-21, "later opening hours [in the town centre] have brought increased levels of crime, disorder and nuisance. Responsible Authorities, local residents and local Councillors have

reported many issues, including noise, antisocial behaviour and litter, which are having an adverse impact on their quality of life. In particular, there has been an increase in violent crime in Windsor town centre between the hours of 00:00 and 04:00." This is not a situation that should be extended to the more residential outskirts of the town which are currently quiet and house families and elderly people in the main part.

Local community policing resources are already stretched and with the Council already having to manage tight budgets as well as further constraints resulting from the current Covid-19 pandemic, it is not clear how or indeed whether additional resources to manage any increase in crime and anti-social behaviour would be made available. As mentioned above, this is an area populated predominantly by families with young children and elderly, potentially vulnerable, individuals so any increase in anti-social behaviour could be particularly harmful and is not balanced by a need for this type of provision in this specific locality owing to the demographic in question.

Furthermore, if Shell were to be granted this license it would pave the way for other providers such as Tesco also to request an extension to its opening hours, thereby exacerbating the risks mentioned above.

As the new store is not even open yet, it would seem sensible to monitor the situation whilst it operates during standard business hours in the first instance, before considering any application for extended opening hours.

Thank you for considering these concerns.

Regards,

[REDACTED]