

REPORT TO LICENSING PANEL SUB COMMITTEE

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

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

OFFICER REPORTING: Craig Hawkings

A) The Application – (Appendix A)

Applicant: Mr Honey Singh

Premises: 5 Winkfield Road, Ascot, SL5 7LX

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

The application is to:

Description of Premises: Shop / Convenience store

A summary of the application is as follows;

The application is for the following licensable activities:

- Supply of alcohol ON & Off the premises Monday to Sunday 07:00 – 23:00
- Hours premises are open Monday to Sunday 07:00 – 23:00

Designated Premises Supervisor (DPS): Mr Honey Singh

The application was advertised in accordance with the statutory regulations.

Last day of Representations: 20 January 2023

B) Relevant Representations Received

Where, as here, relevant representations have been made, the licensing authority must hold a hearing to consider them, unless agreed by the parties. The Licensing and Public Space Protection Order Sub-Committee can take steps as are appropriate for the promotion of the Licensing Objectives as relevant.

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

The four licensing objectives are;

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

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

a. Environmental Health:	None
b. RBFRS:	None
c. Planning Officer:	None
d. Thames Valley Police	None
e. Public Health:	None
f. Trading Standards:	None
g. RBWM Licensing:	None

Agreed Conditions – (Appendix C)

Representations received from other persons are as follows;

- 17 Representations of objection received from other persons.

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

Relevant, vexatious and frivolous representations

A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new

licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to Revised Guidance issued under section 182 of the Licensing Act 2003 I 69 the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

The applicant for the licence and the 17 persons who made representations were notified of this hearing in accordance with the statutory regulations.

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

C) RBWM Licensing Policy

The RBWM Licensing Policy Statement 21 - 26

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

1.22 Framework Hours As in the 2016-2021 Licensing Policy, having considered the evidence of alcohol related crime, disorder and anti-social behaviour, the number of late night premises and, in particular, the social, practical and regulatory impacts on the morning after the night before, the licensing authority has adopted a Framework Hours Policy. This Framework Hours Policy will apply to new and variation applications. The framework hours are:

The Framework Hours are:

Premises Type	Commencement Hour for Licensable Activities No earlier than:	Terminal Hour for Licensable Activities No later than:
• Off licence	• 09.00	• 23.00
• Restaurant	• 09.00	• 01.00
• Pub/bar/night club	• 10.00	• 02.00
• Takeaway	• n/a	• 02.00

(As can be seen, the licensed hours applied for in this application do not fall within RBWM framework hours for a premises.)

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

6.9 Wider Community Interest

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

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

- The nature of the activities
- The character of the surrounding area
- Measures for limitation of noise emissions from the premises. These may include as appropriate; noise limitation devices, sound insulation, whether windows are to be opened, the insulation of acoustic lobbies and double glazing
- Measures to deal with queuing, where necessary
- Use of outdoor areas
- Measures to deal with dispersal of customers from the premises as necessary, including the employment of door supervisors, use of dedicated Hackney Carriage / Private Hire firms, notices in the premises requesting customers to respect neighbours
- Winding down periods, particularly in public houses and nightclubs etc.
(*Note – not all of these will be relevant to this particular application)

7. Promoting the Prevention of Crime and Disorder

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

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

8. Promoting Public Safety

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

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

9. Promoting the Prevention of Public Nuisance

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

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

10. Promoting the Prevention of Children from Harm

The Royal Borough recognises that the protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms directly associated with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of certain films and adult entertainment).

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

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

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

All applicants need to demonstrate how children and young people will be safeguarded if attending the licenced premises, or how it will be ensured that they do not gain access to the premises if not appropriate.

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

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

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

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

The full document is found at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

The sections of the Guidance relevant to this application are;

Licensing objectives and aims

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

1.3 The licensing objectives are:

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

1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

Crime and disorder

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be

appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

Public nuisance

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Protection of Children from harm

2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from

the harms associated directly to alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered.

2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- Restrictions on the hours when children may be present;
- Restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- Restrictions on the parts of the premises to which children may have access;
- Requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

Hearings

9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the
- parties;
- this Guidance;
- its own statement of licensing policy.

E) Conclusion / Summary

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

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

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

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

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

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

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

In their written decision the Sub-Committee should;

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

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

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

The Sub-Committee are asked to determine the application.

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

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

Legal implications: As outlined in the report.

Equality Implications: None.

Risk Implications: None.

Community Safety Implications: As outlined in the report.

Background papers:

Licensing Act 2003

Licensing Act 2003 Section 182 Statutory Guidance

Royal Borough of Windsor and Maidenhead Council Licensing Policy

Enclosures/Appendices:

Appendix A – Application and plans

Appendix B – Map of the area

Appendix C – Agreed Conditions

Appendix D – Received representations

Contact details: Craig Hawkings - Licensing Team Leader

Craig.Hawkings@RBWM.gov.uk

Mobile: 07833047887

APPENDIX A

Application for a premises licence to be granted under the Licensing Act 2003

Please read the following instructions first

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

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

I/We HONEY SINGH
(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
5 WINKFIELD ROAD			
Post town	ASCOT	Postcode	SL5 7LX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 13500

Part 2 - Applicant details

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

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	
	i as a limited company/limited liability partnership	<input type="checkbox"/>	please complete section (B)
	ii as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
	iii as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
	iv other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)

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

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

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

(A) individual applicants (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs	Miss	Ms	Other Title (for example, Rev)
Surname SINGH		First names HONEY		
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)				

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Second individual applicant (if applicable)

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

(B) Other applicants

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

Name
Address

Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	01	2023

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

DD	MM	YYYY

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

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

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

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

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

e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

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

In all cases complete boxes K, L and M

A

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		
Day	Start	Finish	Indoors	Outdoors	Both
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

E

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

F

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

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	✓
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) NONE		
Mon	07	23			
	00	00			
Tue	07	23			
	00	00			
Wed	07	23			
	00	00			
Thur	07	23			
	00	00			
Fri	07	00			
	00	00			
Sat	07	00			
	00	00			
Sun	07	23			
	00	00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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

Name	HONEY SINGH
Issuing licensing authority (if known)	
HILLINGDON COUNCIL	

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)	
Day	Start	Finish		
Mon	07	23	NONE	
	00	00		
Tue	07	23		
	00	00		
Wed	07	23		
	00	00		
Thur	07	23		<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 6)
	00	00		
Fri	07	00		
	00	00		
Sat	07	00		
	00	00		
Sun	07	23		
	00	00		

M

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

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

CCTV DIGITAL SYSTEM
STEEL ROLLER SHUTTERS
NO ID NO SALE POLICY TO BE DISPLAYED
ON THE PREMISES

b) The prevention of crime and disorder

- NO PERSON WHO IS DRUNK OR DISORDERLY WILL BE SERVED ALCOHOL ON THE PREMISES
- PHOTOGRAPHIC DRIVING LICENCE, PASSPORTS OR IN AGREEMENT WITH THE POLICE A FORM OF ID WITH PASS PHOTOGRAPH WILL BE USED AS EVIDENCE TO CONFIRM THE AGE OF ANYONE WHO APPEARS TO BE UNDER THE AGE OF 18.
- ALL STAFF WHO WORK BEHIND THE TIL WILL BE FULLY TRAINED TO ENSURE THAT NO PERSON WHO IS DRUNK OR DISORDERLY OR WHO APPEARS UNDER 18 IS SERVED ANY ALCOHOL

c) Public safety

- RISK ASSESSMENTS TO ENSURE HEALTH & SAFETY ISSUES ARE IDENTIFIED AND MINIMISE WHEREVER POSSIBLE WILL BE TAKEN
- FIRE SAFETY EQUIPMENT WILL BE PROVIDED AND ELECTRICAL TESTING WILL BE UNDERTAKEN ON A YEARLY BASIS
- EMERGENCY SIGNAGE

d) The prevention of public nuisance

NO AMPLIFIED MUSIC SO NOISE LEVEL KEPT TO A MINIMUM
NO SUPPLY OF ALCOHOL TO VERY DRUNK PEOPLE
UNDER 18 (WHO APPEAR UNDER 21)
AND ZERO TOLERANCE OF UNRULY, RUDE
AND ABUSIVE BEHAVIOUR.

e) The protection of children from harm

THE PREMISES IS TO DISPLAY THE NO ID NO SAGE CAMPAIGN POSTERS AND MAINTAIN A REFUSALS REGISTER. STAFF WILL BE TRAINED IN USE OF THE REGISTER AND THE RELEVANCE OF THE NO ID NO SAGE CAMPAIGN TO ACCOMOD SALES

Checklist:

Please tick to indicate agreement

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

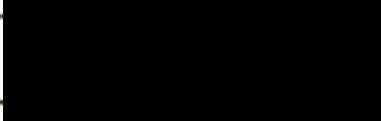
It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in
--------------------	---

	<p>the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	19/12/2022
Capacity	

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

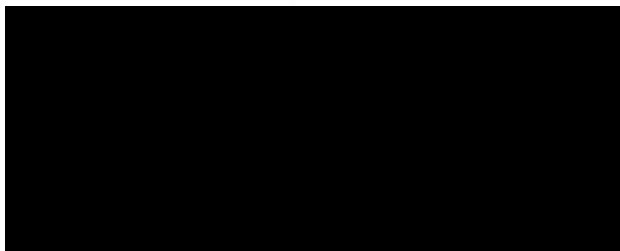
Signature	
Date	
Capacity	

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

Consent of individual to being specified as premises supervisor

I HONEY SINGH
[full name of prospective premises supervisor]

of



[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE
[type of application]

by

HONEY SINGH
[name of applicant]

relating to a premises licence _____
[number of existing licence, if any]

for

5 WINKFIELD ROAD
ASCOT
SL5 7LX
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

HONEY SINGH
[name of applicant]

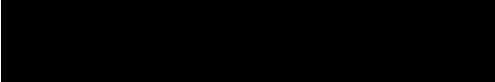
concerning the supply of alcohol at

5 WINKFIELD ROAD
ASCOT
SL5 7LX

[name and address of premises to which application relates]


I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number



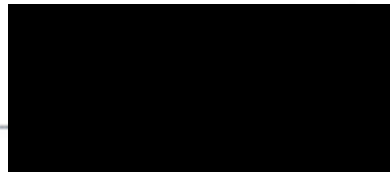
[insert personal licence number, if any]

Personal licence issuing authority

HILLINGDON, CIVIC CENTRE, HIGH STREET 

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

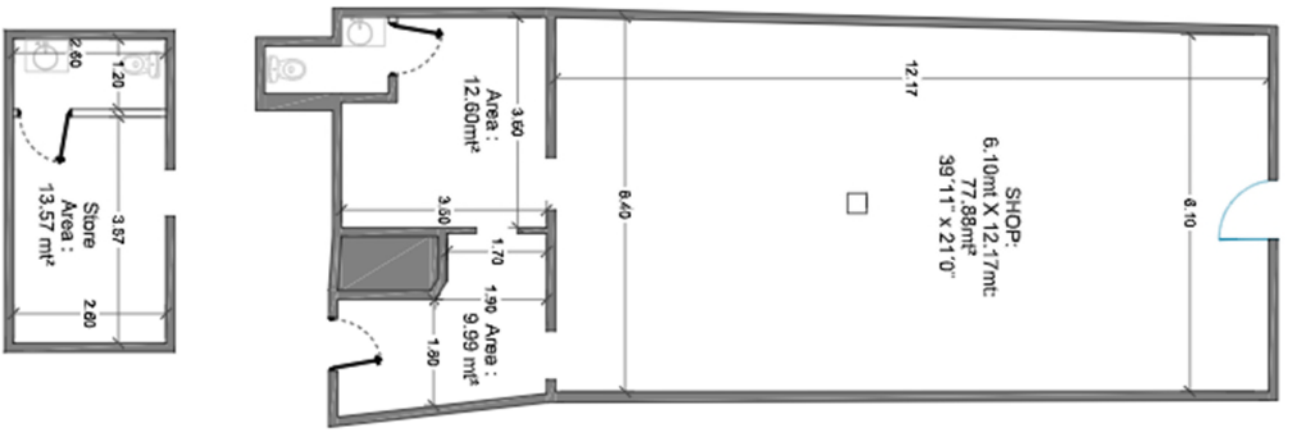


Name (please print)

HONEY SINGH

Date

19/12/2022

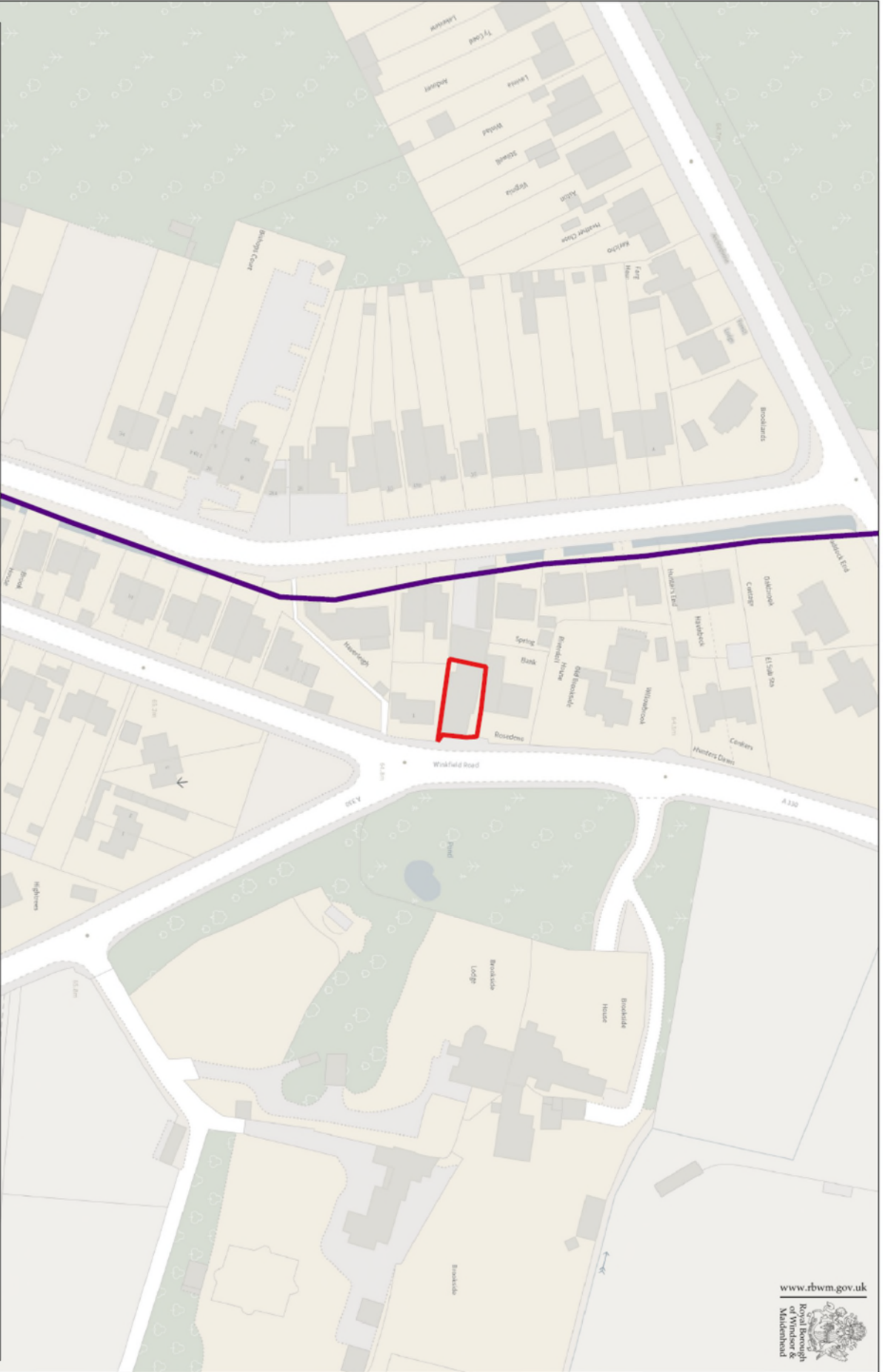


Project 5 Workfield Road Accot, DLS TLX	Section Floor Plan - Dimension Drawing	Date 1/20	H. K. S. OSLING ARCHT	DOLL BNOH REQUIRED BY	HADY ZAKARIA DRAWING BY
		Scale 1:50			

A. 302

APPENDIX B

5 Winkfield Road, Ascot, SL5 7LX



Date: 2023-01-28T09:39:44.241
Scale at A4: 1:1,250
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APPENDIX C

THAMES VALLEY POLICE

Division/Station : HQ Local Policing

Subject :

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

Ref : Date : 28th December 2022 Tel.No. [REDACTED]

New Premise Application – 5 Winkfield Road, Ascot, SL5 7LX

Thames Valley Police require the following conditions to be added to the premise licence, alongside those already offered, under the prevention of crime and disorder licensing objective:

CCTV to be installed and maintained to Thames Valley Police standard and CCTV images to be kept for 31 days and made available (downloaded) upon the request of Thames Valley Police, Local Authority Licensing and Trading Standards Officers.

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

In the event the CCTV system fails, a notification will be made by telephone to Thames Valley Police and the Licensing Authority and immediate steps will be taken to put the equipment back into working order.

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

Regards

Debie Pearmain
Police Licensing Officer

Good afternoon Mr Singh,

We have looked at the page 17 of your application form and we want to change the conditions that you have offered.

The following condition as specified below by the police to go on the licence:

Thames Valley Police require the following conditions to be added to the premise licence, alongside those already offered, under the prevention of crime and disorder licensing objective:

CCTV to be installed and maintained to Thames Valley Police standard and CCTV images to be kept for 31 days and made available (downloaded) upon the request of Thames Valley Police, Local Authority Licensing and Trading Standards Officers.

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

In the event the CCTV system fails, a notification will be made by telephone to Thames Valley Police and the Licensing Authority and immediate steps will be taken to put the equipment back into working order.

We want the following challenge 25 conditions added;

A challenge policy such as Challenge 25 to be adopted, where any person who looks under 25 years of age should be asked to prove their age when attempting to purchase alcohol. Appropriate signage of the adopted challenge policy should also be displayed within the premises including a notice near the till. All staff should be trained in the Challenge policy with appropriate training documented to reflect this.

Acceptable ID should include photographic identification documents; including passport, photo-card, driving license, military ID card or proof of age card bearing the PASS hologram

Staff should be aware of the possibility of Proxy sales of alcohol to also be included in any training.

The licence holder to record in a register:

1. all refusal to sell alcohol because of drunkenness or customer being unable to proof their age as per challenge 25
2. any visit made by the council or Police licensing officers
3. any incidents of crime occurring at the premises, or reported to the staff
4. any occasion when the police have been called to the premises

Notice to be displayed near the exit asking customers to respect the neighbours and be quiet when they leave the premises

Please confirm whether or not you accept these conditions.

Please see below the council policy for opening hours for off licences.

You can have hours outside of framework hours but are there any extra conditions you can offer to ensure that your premises is not responsible for any nuisance occurring the outside of these hours.

1.22 Framework Hours As in the 2016-2021 Licensing Policy, having considered the evidence of alcohol related crime, disorder and anti-social behaviour, the number of late night premises and, in particular, the social, practical and regulatory impacts on the morning after the night before, the licensing authority has adopted a Framework Hours Policy. This Framework Hours Policy will apply to new and variation applications. The framework hours are:

Off Licence – 9:00AM until 23:00

6.2 The Framework Hours Policy is not an entitlement. An applicant will still need to demonstrate that, for the terminal hour of 02:00 to apply, it can operate so as to promote the licensing objectives and that the application and proposed operation is reasonably acceptable in the particular location.

Kind regards,

Monika Kolodziejczyk
Licensing Enforcement Officer

APPENDIX D

Dear Monika

Having seen the notice attached to the window of the above premises, we must object to an alcohol license in the strongest terms. We live immediately next door to the premises at Rosedene Winkfield Road.

Our objections are as follows.

1. Youths frequently hang around this area and the alleyway through to New Road. We frequently see Nitrous Oxide containers discarded in the area and outside our front gate and indeed on the green space opposite. Empty bottles of Vodka have often been found outside our gate.
2. There were several burglaries to the previous shop. A couple of years ago we had an incident where an incoherent youth kept hammering in our front door. The police were called but the person had gone. since then we now have to bolt our front gate at dusk.
3. This shop is located at an extremely dangerous road junction. There is nowhere for cars to park and from our experience park wherever that is as near to the shop as they can get which includes blocking the footpath and indeed our front gate. There don't seem to be any road markings at this junction and is something that Highways should look at.
4. We note the proposed opening hours. Selling alcohol at all hours from 9:00am until 11:00pm and until midnight on Friday and Saturday is going to cause a public nuisance not just to us but to surrounding houses and flat.

In summary we we can only express our extreme concern. There is a convenience store a 10 min. walk away that closes at 9:00 pm.

[REDACTED]

cc.Cllr Mrs, Barbara Hilton

[REDACTED]

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 19/01/2023 9:16 PM from Mr joe de soussa.

Application Summary

Address:	5 Winkfield Road Ascot SL5 7LX
Proposal:	Premises Licence
Case Officer:	Monika Kolodziejczyk

[Click for further information](#)

Customer Details

Name:	Mr joe de soussa
-------	------------------

Email:	[REDACTED]
--------	------------

Comments Details

Commenter Type:	Neighbour
-----------------	-----------

Stance:	Customer objects to the Licensing Application
---------	---

Reasons for comment:	<ul style="list-style-type: none">- Crime Objections- Noise Disturbance- Opening Hours- Public Nuisance- Public Safety
----------------------	--

Comments:	<p>19/01/2023 9:16 PM - No parking at this location</p> <ul style="list-style-type: none">- Late night licence in a rural neighbourhood- Unsafe location for transient traffic parking- Noise disturbance for rural setting- This an A road on curve in the road and presents dangerous conditions for traffic 40 MPH- We already have multiple convenience stores in the area
-----------	--

Kind regards

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below. Comments were submitted at 19/01/2023 11:59 PM from Mr Darren Leen.

Application Summary

Address: 5 Winkfield Road Ascot SL5 7LX

Proposal: Premises Licence

Case Officer: Monika Kolodziejczyk

[Click for further information](#)

Customer Details

Name: Mr Darren Leen

Email: [REDACTED]

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

- Crime Objections
- Noise Disturbance
- Opening Hours
- Public Nuisance
- Public Safety

Comments: 19/01/2023 11:59 PM THERE IS NO SAFE, OFF-STREET PARKING

Having lived beside 5 Winkfield Road for 16 years. I have seen how the previous (fancy dress) shop with part time opening hours/online buying facility, attracted DANGEROUS parking on a 40mph bend heading North. This was mainly around Halloween, for a couple of days per year, 10am - 4pm.

It is impossible to park on the pavement without either, not leaving room for pedestrians/parents with prams/wheelchair users to pass, or, causing HGV's/vans/cars, to cross over into the opposite lane - with only fate deciding what is coming the other way, what speed they are travelling at, and whether they can stop or get out of the way.

The fact that there are already three shops within walking distance of the proposed serving the local community, then it is clear that this shop is not needed. The attraction to the

applicant in this case, is the visible position of the premises to passing traffic, WHICH WILL NEED SAFE PARKING from 7am to 11/12pm, 7 days a week.

Kind regards

Dear Sir/Madam,

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

Comments were submitted at 19/01/2023 8:46 PM from Miss Cindy Alexander.

Application Summary

Address: 5 Winkfield Road Ascot SL5 7LX

Proposal: Premises Licence

Case Officer: Monika Kolodziejczyk

[Click for further information](#)

Customer Details

Name: Miss Cindy Alexander

Email:

[REDACTED]

Comments Details

Committer Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

- Crime Objections
- Noise Disturbance
- Opening Hours
- Public Nuisance
- Public Safety

Comments: 19/01/2023 8:46 PM *I STRONGLY object against this application. I live a few doors down from this site. There is ZERO off street parking for an off license. There is not enough parking for the residents in the surrounding area as it is.

*The location is on a dangerous bend and drivers 'fly' round the bend way faster than the speed limit. It's already perilous for my family (and neighbour) to reverse out of our driveway onto the road.

*Many accidents have already occurred because of the dodgy junction. That is without an increased number of people trying to 'park' to access this site.

*There is no need for another convenience store in this area. We have Londis, Cost Cutter and the high street! I would love to see a local business succeed on this site, but what they are proposing is not wanted or needed.

*It will become a 'hang out' for teenage jobs that I'm sure will make residents feel very uneasy. It will lead to more crime and disturbance. It IS a safety risk. The opening hours are unreasonable

From: carl doran [REDACTED]
Sent: 12 January 2023 11:30
To: Licensing <Licensing2@RBWM.gov.uk>
Subject: Appeal against application for premise at 5 Winkfield, SL5 7LX

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,

I am writing to appeal against the application for new premises proposed at 5 Winkfield Road, Ascot SL5 7LX.

The rationale for the appeal is as follows:

1. PARKING IS COMPLETELY INAPPROPRIATE FOR AN OFF – LICENCE

Admittedly the site used to host a Balloon/Fancy Dress shop, but the relative number of customers visiting the shop was small, except for seasonal events such as Halloween. There was nowhere for the staff to park so therefore needed to park on the road outside the local residence's houses causing many of their customers to park illegally; blocking driveways, on the footpath or over the junction where Winkfield Road meets Kennel Ride.

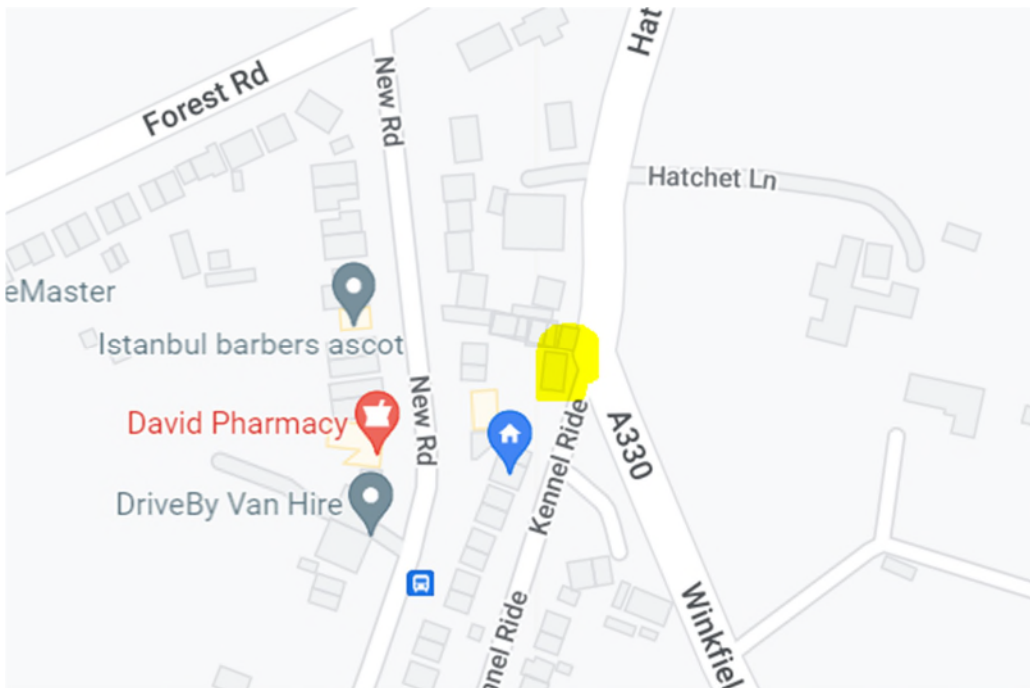
The nature of an off-licence with extended opening hours will be quite different. There will be cars looking for parking on this busy residential street at 7 am – 11pm / 12am.

Parking at the top side of Kennel Ride is already bad, with the corner of Kennel Ride meeting much faster traffic on Winkfield Road/Hatchet Lane (40 mph speed limit, but with cars often driving much faster).

Whilst this doesn't directly impact residents further down Kennel Ride/New Road it will indirectly impact them by causing blockages at the top of the road that will slow traffic on Kennel Ride as drivers have to give way to let cars with the right-of-way pass. Many houses on Kennel Ride or New Road that back on to Kennel Ride do not own a driveway so need parking spaces on the road.

The nature of convenience stores is that they are convenient and as such human nature will drive some customers to try and park directly outside the

front of the store on the corner which will increase the probability of accidents and a greater risk to pedestrians and cyclists.



2. LATE NIGHT OPENING WILL CREATE UNNECESSARY NOISE / DISRUPTION / LITTER

The nature of late-night opening and the nature of alcohol sales will undoubtedly create unwanted noise and disruption to the houses closest to the site, and with alcohol sales is also more likely to attract anti-social behaviour and litter.

3. IT'S NOT NECESSARY

With the local Londis store, which has customer parking, about 200 meters away and open until 9pm, there is little benefit to the local community for a new shop with the only benefit being slightly extended (inappropriate for the location) opening hours.

A five-minute walk and 1 min drive from the proposed new shop.

Very best regards,

Carl and Rebecca Doran

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 09 January 2023 12:03
To: Monika Kolodziejczyk <Monika.Kolodziejczyk@RBWM.gov.uk>
Subject: Application for an alcohol license at 5 Winkfield Road, Ascot

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 Monika

Having seen the notice attached to the window of the above premises, we must object to an alcohol license in the strongest terms. We live immediately next door to the premises at Rosedene Winkfield Road.

Our objections are as follows.

1. Youths frequently hang around this area and the alleyway through to New Road. We frequently see Nitrous Oxide containers discarded in the area and outside our front gate and indeed on the green space opposite. Empty bottles of Vodka have often been found outside our gate.
2. There were several burglaries to the previous shop. A couple of years ago we had an incident where an incoherent youth kept hammering in our front door. The police were called but the person had gone. since then we now have to bolt our front gate at dusk.
3. This shop is located at an extremely dangerous road junction. There is nowhere for cars to park and from our experience park wherever that is as near to the shop as they can get which includes blocking the footpath and indeed our front gate. There don't seem to be any road markings at this junction and is something that Highways should look at.
4. We note the proposed opening hours. Selling alcohol at all hours from 9:00am until 11:00pm and until midnight on Friday and Saturday is going to cause a public nuisance not just to us but to surrounding houses and flat.

In summary we we can only express our extreme concern. There is a convenience store a 10 min. walk away that closes at 9:00 pm.

Grahm and Sheila Grant

[REDACTED]

cc.Cllr Mrs, Barbara Hilton

[REDACTED]

From: Helen Sales [REDACTED]
Sent: 20 January 2023 13:52
To: Licensing <Licensing2@RBWM.gov.uk>
Subject: APPLICATION FOR ASCOT FOOD & WINE NEW BUSINESS

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.

Hello

I would like to submit an object to the pending application to open a local convenience/off-licence in the recently closed As if By Magic shop at the corner of Kennel Ride and Winkfield Road.

I am a resident of Kennel Ride and below are my objects as to why I am objecting to this application:

1. Parking - There is no designated parking for off-licence staff and customers, and limited parking elsewhere on Kennel Ride and Winkfield Road. This would cause customers to park outside local residences blocking driveways, on footpaths or over the junction where Winkfield Road and Kennel Ride meet, causing obstruction and limited visibility on both roads. Kennel Ride is already a busy residential street and an off-licence would greatly increase cars on the road.
2. Late night opening - Again an off-licence would increase car/pedestrian traffic and noise to a residential area. Due to the late night opening hours it would likely attract anti-social behavior and litter to this end of Kennel Ride.
3. Unnecessary - There is already a local shop, Londis on New Road which is approximately 200m from the proposed site. Londis have off-road parking for customers and staff reducing congestion on the road and are open until 9pm.

I hope my objections are taken into account when considering the application for opening a local convenience/off-licence and I would appreciate being kept informed on the outcome of said application.

Many thanks
Helen Sales

From: carlos simoes [REDACTED]

Sent: 20 January 2023 17:49

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

Subject: Application for 'Ascot Food and Wine' new business to occupy the existing As If By Magic site on corner of Kennel Ride, Ascot

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.

Hello

I would like to object to this application on the following grounds:

Parking is completely unsuited to the applicant's purpose and will be unsafe for drivers, pedestrians and cyclists. Even when As if by magic operated there were many cars parking poorly, inconsiderately and dangerously on Winkfield Road. I can only foresee this application will result in the roads and junction being busier and for longer hours if the proposal is accepted. The junction is at quite a sharp angle and with little room for residents parking as it stands.

Disruption

The late hours will hugely disturb the local community with unwanted noise, litter and anti-social behaviour. We already have a local off license in New Road (with parking) which is open for reasonable hours. If people need an off license for additional hours a large supermarket or the High street should be the places to accommodate this. There is also an alleyway near the premises which would surely attract anti-social behaviour.

If I knew all the grounds of appeal I am sure I would have more, but I have only been made aware of this application very recently from a neighbour. I trust that the applications/licensing team at RBWM will make the correct, sensible decision and reject it.

Regards.

Carlos Simoes

From: David J. Wood <[REDACTED]>
Sent: 19 January 2023 21:42
To: Licensing <Licensing2@RBWM.gov.uk>
Subject: Application to open ASCOT FOOD and WINE on the existing AS IF BY MAGIC site

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

I wish to submit my objection to the proposed change of use for the site previously occupied by AS IF BY MAGIC.

My reasons for objecting are:

1. Parking at the end of Kennel Ride is already constricted for existing residents. Reaching and turning at the junction is already not that safe, and this will be made much harder with the additional number of cars parking to access the off licence/convenience store. There will be increased danger due to the obvious additional parking.
2. There will be increased traffic issues due to poor or illegal parking for customers who “pop in” quickly and can’t be bothered to park correctly and safely.
3. The AS IF BY MAGIC site is the only commercial premises at that end of Kennel Ride (which has operated only during normal daytime hours), and the proposal to turn the existing premises to a late-night opening business will make the premises out of character for the location. AS IF BY MAGIC would not have had the number of visitors that the proposed new business will have.
4. I am concerned about the noise/anti-social atmosphere that will be generated by the new business, and especially late at night I would be concerned with the type of clientele that might congregate there. I have serious safety concerns being in that area late at night. I ran a supermarket a long time ago and I faced the issues of congregating groups very late at night. I have experience with this.
5. There is already a perfectly good supermarket/off licence along New Road. Although this store closes at 9pm, do we really need a second store that stays open that little bit later, until 11pm/midnight? I can imagine what type of clientele will pop in at that time of night.
6. The relatively peaceful Kennel Ride will be changed if the long opening hours store application is approved.

I kindly request that you consider the above when reviewing the application, and I would be grateful to be kept informed of the progress of this review.

Regards

David Wood

[REDACTED]

[REDACTED]

[REDACTED]

From: Jon Curry [REDACTED]
Sent: 12 January 2023 14:11
To: Licensing <Licensing2@RBWM.gov.uk>
Subject: Honey Singh - 5 Winkfield Road, Ascot, SL5 7LX

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,

I would like to put in a formal objection to the following license application "Honey Singh - 5 Winkfield Road, Ascot, SL5 7LX"; on the following basis:

1) The prevention of crime and disorder:

- An additional premises selling alcohol in the local area is not required.
- It will encourage people to purchase alcohol, drink in in the local streets, public areas, parks and cause anti-social behaviour.
- Increasing the number of local premises with licenses increases the risk of antisocial behaviour in the local area.

2) Public Safety:

- Increased anti-social behaviour in the area.
- Congregation of groups of people outside / around the premises which is in a residential area.
- No off-road parking
- No adequate on-road parking
- Located on a hazardous junction
- Car's cannot park right outside the premises without blocking the junction (both physically and line of site), causing a hazard to road users and pedestrians. Cars will be forced to turn onto the wrong side of the road and significantly increase the risk to the public.
- Deliveries cannot be made without blocking the road, there is no space for vans/lorries or even cars making deliveries.

3) The prevention of public nuisance:

- The premises will be of public nuisance, increase foot fall in the local area
- Nuisance to local residents
- Late hours will disturb locals residents and young children
- Hazard caused due to lack of adequate, safe parking

4) The protection of children from harm:

- Numerous schools in the local area.

Regards

Jon Curry
[REDACTED]

Sent: 12 January 2023 09:32
To: Licensing <Licensing2@RBWM.gov.uk>
Subject: Licensing Application - 5 Winkfield Road Ascot

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,

We are writing to you in respect of the current licensing application at:

Ward: Ascot & Sunninghill
Application Type: Application for a new premises licence
Address: 5 Winkfield Road, Ascot, SL5 7LX
Premises: Honey Singh
Applicant: Honey Singh

Summary of Application:

This is an application for an off licence selling alcohol during following times: Sunday – Thursday 7am to 11pm, Friday -Saturday 7am to Midnight.

We are residents of Hatchet Lane/Winkfield Road.

We are opposed to this application primarily on the grounds of road safety and also do not believe that another off licence is required in the area given the proximity of Londis in New Road and Ascot high street overall.

We are regular users of Hatchet Lane and Winkfield Road and are aware that there is no roadside parking adjacent to the property. In fact Winkfield Road is a busy road with cars travelling at relatively high speed and the property is located on a bend in the road which we know from past experience gives rise to a high risk of collision should customers regularly try to park and shop at the premises, especially at night.

We feel that the licensing of such a shop is therefore unwarranted in what is a residential area and are therefore opposed.

Regards

Mark Popkiewicz

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 12 January 2023 12:34
To: Licensing <Licensing2@RBWM.gov.uk>
Subject: Licensing application for Winkfield 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 Sir/Madam,

I have been made aware that there is a planning application for a shop on Winkfield road that is replacing the shop 'as if by magic'.

Firstly there is no parking for the shop and this has always been a problem.

I understand that there is a licensing application to sell alcohol up to midnight. This is a residential area with no other shops in the immediate vicinity and will cause a problem to all residents.

I live on New Road close to the Londis store which closes at 9pm - this time frame is to my mind an acceptable time. The Londis store has off road parking and there is parking available on New Road.

Even though this is limited and does cause traffic problems.

From a traffic perspective I believe this proposal should be refused.

Please register my objection to this proposal.

Many thanks

Regards

Diana Biggs
[REDACTED]

16. 1. 2023.



Dear Sir/ madam,

Please find attached my appeal against changing 'As if by magic' to a convenience store. There really is no need for this and will cause a lot of problems.

Yours faithfully

M.B. D. Hathaway

I am appealing against the application for "ASCOT FOOD AND WINE" to occupy the site of "As if by Magic" at the junction of Kennel Ride and Winkfield Road (A330) a dangerous corner. From late afternoon until early morning cars are parked bumper to bumper. There will be nowhere for customers to park. Alcohol being sold there will encourage more unsociable behaviour in the pathway between Kennel Ride & New Road, also more litter being dropped there.

There is already another convenience shop 5 minutes walk away in New Road this already sells alcohol until 9pm.

From: John Reader [REDACTED]
Sent: 17 January 2023 23:12
To: Licensing <Licensing2@RBWM.gov.uk>
Subject: Fw: Objection to Licensing Application Honey Singh 5 Winkfield Road, Ascot, SL5 7LX

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To whom concern

It's troubling to hear from neighbours that the premises once occupied by As If By Magic, is to become a store selling Alcohol and food till midnight, seven days a week. As if by magic was a party shop open till 5pm five days a week and half a day on Saturday with few customers. The site the premises is on has no parking and is adjacent to a T junction which was barely safe with the few customers it had pulling up to purchase party goods. During the day many residents are at work so there is more room for parking but from 5.30pm onwards the road fills up with residents parked cars and there will be no space for customers cars let alone the shop owners. Also when cars pull in at the junction there is a high risk of accidents particularly as many customers park up on the pavement. A lot more cars will be stopping to buy their food and drink up until midnight, seven days a week and the road layout, especially in the winter nights is particularly dangerous.

In North Ascot there are plenty of stores to buy food and drink, so another one would be obsolete for the area and would serve no purpose. Lonsdale which serves the community well, closes at nine so the neighbours aren't disturbed by anti-social behaviour. Can you imagine how the family's living next to 5 Kennel Ride are going to feel with the shop opening till twelve o'clock which will inevitably attract anti-social behaviour, cars parking wherever they can across family's drives, and late night customers on their way home from the Hatchet.

Kennel Ride itself is already a very dangerous road as it is used as a through road as well as for avoiding diverted traffic on Ascot week and other race days. There is also a green opposite the shop which will be an ideal place for young people to gather and drink. As this is a family area this will be disruptive and cause potentially volatile situations between the residents and the customers if being anti-social. There is also an alleyway at the side of the shop which could be used to deal drugs.

From: Dawn Finley [REDACTED]
Sent on: Friday, January 13, 2023 9:42:04 AM

To: Monika Kolodziejczyk <Monika.Kolodziejczyk@RBWM.gov.uk>
Subject: Licensing objectives

Follow up: Follow up

Start date: Friday, January 13, 2023 12:00:00 AM

Due date: Friday, January 13, 2023 12:00:00 AM

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Dear Monika,

I live on kennel ride [REDACTED] from the proposal for an off licence.

I am concerned about the position of the shop at the junction, it is a dangerous road anyway, there is no parking, the worry of noise at a late hour at night.
There is a lot of families around and on kennel ride.

Please could you not give permission to this application.

Mrs Dawn Finley

[REDACTED]

From: Mandy Musson [REDACTED]
Sent: 11 January 2023 11:36
To: Monika Kolodziejczyk <Monika.Kolodziejczyk@RBWM.gov.uk>
Subject: As if by magic replacement

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Hi Monika,

I should also like to make a complaint about the general idea of an alcohol license at this shop. We are a nation of alcoholics on the whole, seems like a stupid to me.

What is the process of applying for a shop license? Is it some vicious battle in this local area. Ascot matters to alot of us, surely someone can come up with a better idea for the premises.

A shop similar to the - As if by magic shop.

Similar parking, and to continue with the safety of under age drinking.

Regards,

[REDACTED]

From: Isabelle de Haro [REDACTED]
Sent on: Monday, January 16, 2023 4:31:43 PM
To: Licensing <Licensing2@RBWM.gov.uk>; Monika Kolodziejczyk <Monika.Kolodziejczyk@RBWM.gov.uk>
CC: Cllr Sharpe <Cllr.Sharpe@RBWM.gov.uk>; Cllr Story <Cllr.Story@RBWM.gov.uk>; Cllr Hilton <Cllr.Hilton@RBWM.gov.uk>
Subject: RE: Objection to Licensing Application Honey Singh 5 Winkfield Road, Ascot, SL5 7LX

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[REDACTED]

My neighbours have just informed me of the Licensing application made by 5 Winkfield Road which is a few houses away from me.

I am objecting to this application for the reasons below:

Licensing Objectives:

The prevention of crime and disorder

This is a residential area which is home to many families with children of young age as well as elderly people. This area and the intended location, does not lend itself to such a convenience store and off-licence selling alcohol. The proposed opening hours will most likely fuel anti-social behaviour and encourage vandalism as well as crime in our neighbourhood. It is unfair to impose such disruption to our daily lives whilst exposing us to potential crime by granting such a license to an area that rarely has police presence.

Public safety

The shop is located on the junction on Winkfield Road (an A road with a history of loss of life and no parking as well as a 40mph speed limit) and Kennel Ride (a residential area where residents already have problems with parking, speeding by cut through parking). Many children live and play here and walk from the school bus drop off in Winkfield Rd. The junction is dangerous at the best of times often coping with diverted traffic for Ascot racing and road closures. The additional traffic that would be generated by this 'shop' with extended hours, would make it totally unsafe, with customers likely to park on the A road blocking drives and causing obstructions by limiting visibility for vehicles exiting Kennel Ride and for pedestrians, adults and children alike, crossing the road.

The prevention of public nuisance

Parking in Kennel Ride itself is at a premium now. Most residents rely on off-street parking, which is often full, taking up one side of the road as they have no driveways in which to park. Parking would be made further impossible if this license is granted. Presently, navigating Kennel Ride is a real problem with reduced flow of traffic due to parked cars taking up most of the other lane. The road is used as a cut through to reach Bracknell

and Ascot High street. The situation is even worse when Ascot races etc are on with the addition of mini buses and taxis parking along the road.

Customers will have to park on the pavement on the other side of the road impacting pedestrians, forcing them out into the road, leaving the elderly and children more vulnerable; access for parents with prams will be restricted. There is little public transport in the area. It should also be noted that there is a long established shop in New Road, Londis, which has some parking bays and sells alcohol. There is no need for a another convenience shop in the area when Londis provides this and more, a Post Office, Bakery and off-license.

Such premises dedicated to the sale of alcohol attracts young people who will congregate in groups outside and nearby. With a green located right across from this shop and outside local homes makes it an ideal location for this to happen, creating an untenable situation for local residents to live with, possibly replicating the same sort of problems experienced by residents near Ascot race course with Ascot Authority closing access to the race course in the afternoon/evening throughout the year due to young people gathered on Ascot race course to drink alcohol and use other substances.

The protection of children from harm

Whilst we know that there is a restriction on the sale of alcohol and tobacco to young children, it is always possible for them to obtain it via a ruse, as evidenced by what happens at Ascot races.

It would be irresponsible for such a business to be granted a license to operate in such a peaceful community, which honestly has no need for a store with such long opening hours seven days a week all year round.

The Council has a duty of care to its residents and this application should be refused.