

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 Hill, Cllr Singh.

OFFICER REPORTING: Craig Hawkings

A) The Application – (Appendix A)

Applicant: Heidi Berry

Premises: Craft Coop CIC, 79 Queens Walk Mall, Nicholson Shopping Centre
Maidenhead, SL6 1LB

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

The application is to: Apply for a New Premises Licence

Description of Premises: Retail outlet within the Nicholson Centre

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 12:00 – 00:00

Designated Premises Supervisor (DPS):

The application was advertised in accordance with the statutory regulations.

Last day of Representations: Wednesday 20 September 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:	Agreed conditions.
g. RBWM Licensing:	None

Agreed Conditions – (Appendix C)

Representations received from other persons are as follows;

- 1 Representation of Objection received from other persons.
- 2 Representations of Support received from other persons.

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

C) RBWM Licensing Policy

The RBWM Licensing Policy Statement 21 - 26

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

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

The Framework Hours are:

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

(As can be seen, the licensed hours applied for in this application do 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 Heidi Berry

(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			
Craft Coop CIC 79 Queens Walk Mall Nicholsons Shopping Centre			
Post town	Maidenhead	Postcode	SL6 1LB

Telephone number at premises (if any)	-
Non-domestic rateable value of premises	£ 10,250

Part 2 - Applicant details

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

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

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

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

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

(A) individual applicants (fill in as applicable)

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

--

Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth 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 Heidi Berry
<div style="background-color: black; width: 100%; height: 20px;"></div>
Address for licence: Craft Coop CIC, 79 Queens Walk Mall, Nicholsons Shopping Centre, Maidenhead, Berkshire SL6 1LB

Registered number (where applicable) 9332801
Description of applicant (for example, partnership, company, unincorporated association etc.) Craft Coop CIC – registered social enterprise/ non-profit making retail outlet.
Telephone number (if any) – for application purposes, please contact me via [REDACTED] the shop doesn't have a phone.
E-mail address (optional) – [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	1
0	2	0
2	3	

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)

The shop is a retail outlet within the Nicholsons Centre - operating within their standard opening hours (largely 9am-6pm). We are looking for an alcohol licence, largely for off-premises sales, to widen our range of products sold.

The shop has been in existence since 2013 in this location and we are looking to offer locally made/artisanal F&B including craft ales, gins etc (alcoholic drinks) to support local makers e.g. Royal Berkshire Gin

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

N/A

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)	N/A
b) films (if ticking yes, fill in box B)	N/A
c) indoor sporting events (if ticking yes, fill in box C)	N/A

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

<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)	Yes

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)	
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 <u>indoors or outdoors or both – please tick</u> (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 exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			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 (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	
Day	Start	Finish		Both	
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	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed					
Thur			State any seasonal variations for the performance of dance (please read guidance note 5)		
Fri					
Sat			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)		
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	
Mon				Please give further details here (please read guidance note 4)	Outdoors
Tue			Both		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		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					


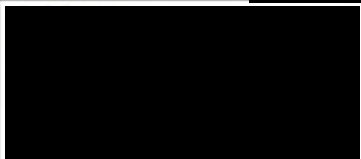


J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8) Please note, the main supply is intended for off-premises, however on a rare occasion we may agree to supply for a specific event (e.g. Maidenhead Town Show or private event).	On the premises	
Day	Start	Finish		Off the premises	
Mon	10.00	17.00	Both	x	
Tue	10.00	17.00			
Wed	10.00	17.00			
Thur	10.00	17.00			
Fri	10.00	17.00			
Sat	10.00	17.00			
Sun	10.00	16.00			

State any seasonal variations for the supply of alcohol (please read guidance note 5)

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	Heidi Berry
Date of birth	
	
Postcode	
Personal licence number (if known)	

Issuing licensing authority (if known). RBWM

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).

Not applicable – we are a family friendly retail space

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) <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)
Day	Start	Finish	
Mon	10.00	17.00	
Tue	10.00	17.00	
Wed	10.00	17.00	
Thur	10.00	17.00	
Fri	10.00	17.00	

Sat	10.00	17.00	
Sun	10.00	16.00	

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)

As licensee, I shall ensure that all times when the premises are open for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. I shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly underage persons and drunkenness. Records will be kept of training and refresher training.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the Police and Nicholsons Centre security team. We have the approval of centre management to apply for the licence and would hope to benefit from their comprehensive CCTV coverage within the shopping centre if required.

c) Public safety

Appropriate fire safety equipment and procedures are in place conforming to standards expected by the Nicholsons Centre including sprinklers illuminated fire exit signs, numerous smoke detectors and emergency lighting. Fire alarms are tested weekly, with annual testing for electrical lighting etc. All emergency exits shall be kept free from obstruction at all times

d) The prevention of public nuisance

The majority of sales will be off-premises consumption. Where not, all customers will be asked to leave quietly and to respect the neighbourhood.

e) The protection of children from harm

The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer. All staff will be trained for UNDERAGE SALES PREVENTION regularly. A register of refused sales shall be kept and maintained on the premises.

Checklist:

Please tick to indicate agreement


<input type="checkbox"/>	I have made or enclosed payment of the fee.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have enclosed the plan of the premises.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have sent copies of this application and the plan to responsible authorities and others where applicable.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I understand that I must now advertise my application.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I understand that if I do not comply with the above requirements my application will be rejected.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	[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).	<input checked="" type="checkbox"/>

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	14.8.25
Capacity	DIRECTOR / DPS.

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.

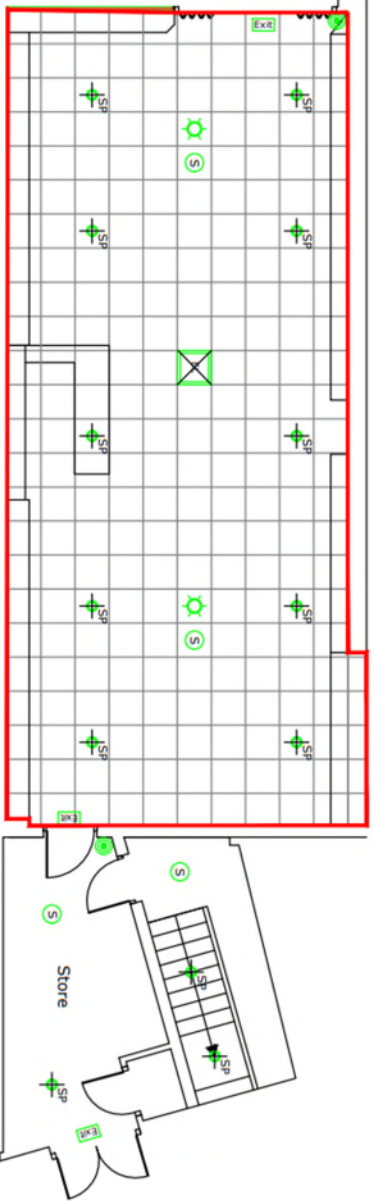
Signature	
Date	
Capacity	

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)			

Legend	
	Sprinkler
	Smoke detector
	Fire exit
	Fire alarm sounder wall mounted
	Fire alarm sounder ceiling mounted
	Manual break-glass unit
	Emergency light
	Sale and supply of alcohol



First Floor Plan

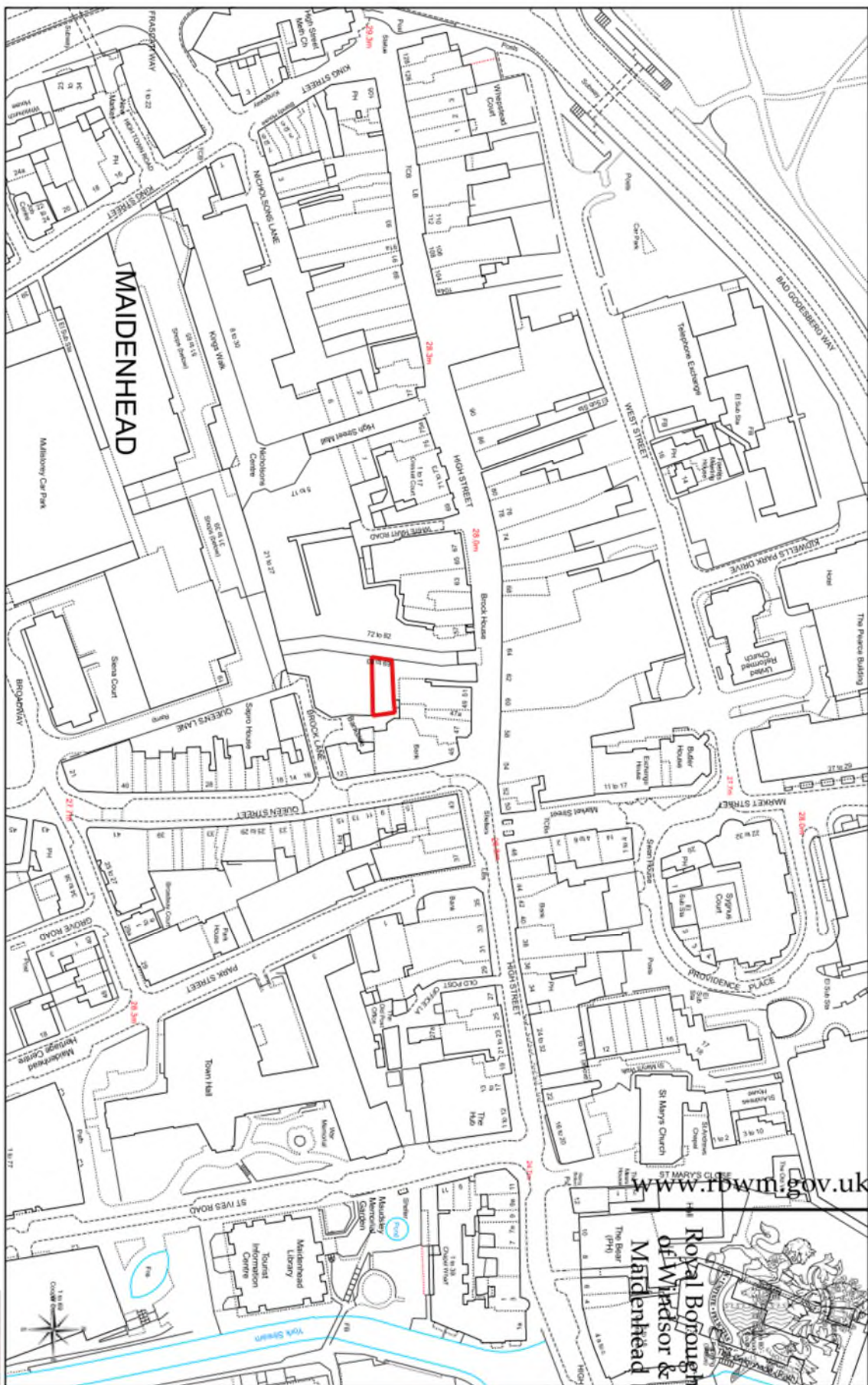


Ground Floor Plan

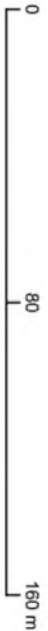
CRAFT COOP MAIDENHEAD
 Title: LICENSING PLAN (H&S)
 Date: August 2023
 Scale: 1:100

APPENDIX B

Craft Coop CIC, 79 Queens Walk Mall, Nicholson Shopping Centre, Maidenhead, SL6 1LB



© Crown copyright and database right 2023. Ordnance Survey 100018817
September 2023



APPENDIX C

Dear Licensing,
Hope you are well,

FW: New application - Maidenhead Craft Coop CIC

The trader has listed the following under M e) The protection of children from harm

e) The protection of children from harm

The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer. All staff will be trained for UNDERAGE SALES PREVENTION regularly. A register of refused sales shall be kept and maintained on the premises.

Please be advised that we would like to put forward the following conditions, this also includes some conditions already put forward by the applicant however we have listed these conditions in greater context for example having a Challenge 25 policy with appropriate signage;

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

APPENDIX D

From: Cllr Douglas <Cllr.Douglas@RBWM.gov.uk>
Sent on: Wednesday, August 30, 2023 6:57:16 PM
To: Giuseppe Bruzzese <Giuseppe.Bruzzese@RBWM.gov.uk>
CC: Lauren Deane <Lauren.Deane@RBWM.gov.uk>; Craig
Hawkings <Craig.Hawkings@RBWM.gov.uk>; Cllr Singh <Cllr.Singh@RBWM.gov.uk>;
Monika Kolodziejczyk <Monika.Kolodziejczyk@RBWM.gov.uk>
Subject: RE: New premises licence application

Hi Giuseppe
Many thanks for that very helpful information.

The scope of an application under the Licensing Act 2003, is entirely the applicant's business decision and, unless a valid representation is submitted withing the consultation period, as a relevant authority, we must grant the application as applied for.

I would like to make a representation as a Ward Councillor. Do we have a form to fill in at RBWM or is this email sufficient?

1. The Protection of Children from Harm

The covered Nicholson Area is family/child-friendly and perceived as a single, safe, public space.

2. Prevention of Public Nuisance

The possibility of public nuisance outside licensed premises is well-known and is usually managed by the provision of appropriate staff at the establishment with the license, in conjunction with relevant authorities. This natural problem would be amplified by the enclosed nature of the Nicholson Centre, the very hard floors, and the existing prohibition of alcohol as indicated on the doors to the centre, which would be unexpected to someone used to being able to walk outside or sit outside a licensed premises with a drink in hand. This unexpected situation is likely to give rise to occasional conflict between the security staff, or members of the public, and the drinking customers. If we create a precedent for an 'on license' we would have no grounds for refusing future applications so would likely end up with multiple licensed premises.

3. The 'on license' is not necessary for 'taste before you buy' (providing that the customer does not have to pay for the test or a purchase of a bottle after testing), and not strictly necessary for occasional events (which can be applied for ad-hoc via a TEN).

May I also ask you a couple of follow up questions please?

1. Is it correct that if the decision goes to a panel they are able to grant 'off license' but not 'on license' rather than reject the whole application?
2. Is it possible for the applicant to amend the application at any time or are their only options withdrawal or leaving intact?

Many thanks for your help with a new councillor learning the ropes! If you think it would be useful to have a call to discuss the application or my representation, then please do suggest that.

Jac



07/09/23

Jane Wright
Centre Manager
The Nicholsons Centre
Maidenhead
Berkshire
SL6 1LB

Centre Management Suite
Nicholsons Shopping Centre

RBWM Licensing Team
Town Hall
St Ives Road
Maidenhead
Berkshire
SL6 1RF

Dear Sirs,

LICENCE APPLICATION
CRAFT COOP CIC

Craft Coop CIC are occupiers of unit 79 Queens Walk Mall within The Nicholsons Centre. Their occupation of this property commenced on 01/04/18. However, Craft Coop have occupied a variety of other units within the shopping centre over a 15 year period.

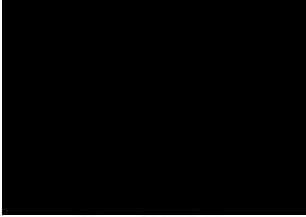
Craft Coop is a Community Interest Company. Whilst the shop provides retailing opportunities to many independent small businesses, who otherwise would probably not be able to sell their wares in such an environment, their work also includes a significant programme of community outreach work. Together we have worked on projects to help combat social isolation, to support other local charities and to enhance a feeling of community in the town centre.

This licence application was discussed with the Centre prior to submission. It falls within the terms of the lease and has the support of the Centre Management. A premises licence to facilitate the sale of alcohol will provide opportunities for other local small businesses to benefit from inclusion in the Craft Coop team.

The lease to Craft Coop CIC includes requirements for the occupier to 'comply with the requirements of statute or law affecting the premises or its use'. To the best of my knowledge, I am not aware of any circumstances where Craft Coop CIC have failed in its duties and obligations and I have no reason to doubt that the same diligent approach will be employed in relation to a premises licence.

I believe the benefits of the licence far outweigh any concerns. Please consider these potential benefits when deciding on the outcomes of the licence application for Craft Coop CIC.

Yours faithfully



Jane Wright
Centre Manager
By email to: licensing@rbwm.gov.uk

Just wanted to get in touch regarding the premises licence for Craft Coop Maidenhead as I understand there has been an objection to the on sale section?

I have no objection with the on or off sale at this location and feel that it is diligent to have the full license to avoid further admin time and cost for TENs etc (for both RBWM and the Craft Coop team) when and where they are needed.

The Craft Coop location in the shopping centre means that access to the venue is closed in the evening, so I have no concerns re. asb or the like and taking into account the demographic of the craft coop audience it is more mid to older people with disposable income using the premise.

That being said, the group also do a huge amount for the community - their events, including The Maidenhead Town Show drive footfall to the town, while supporting charities and vulnerable groups. The on and off license offers an additional income stream to a volunteer led community who rely on grant funding to run these events (much like other community groups who run bars/sell alcohol at their events).

Craft Coop is a vibrant independent organisation which is hugely important to the Maidenhead town centre make up and community – it is vital that we support these small businesses explore other income streams at a time where retail is fast changing. I truly believe that the offer of on and off sale alcohol would not in any way influence anti-social behaviour or promote irresponsible behaviours – but would in fact, support independent makers and crafters businesses (who are mostly based in the borough) to flourish.

How else can I offer my support to push back onto this objection?

Kind regards

Robyn

www.rbwm.gov.uk



Robyn Bunyan
Maidenhead Town Manager
Economic Growth Team
Place Directorate
Royal Borough of Windsor & Maidenhead
Town Hall, St Ives Road, Maidenhead SL6 1RF