

Notice of Meeting



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Licensing Sub-Committee

Friday, 22nd October, 2021 at 10.00 am

**In the Council Chamber, Council Offices,
Market Street, Newbury**

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<https://www.westberks.gov.uk/licensingsubcommitteelive>

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Members Interests

Note: If you consider you may have an interest in any Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Thursday, 14 October 2021

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

If you require further information about this Agenda, or to inspect any background documents mentioned in the reports, please contact Jo Watt – 01635 519458

Further information and Minutes are also available on the Council's website at

www.westberks.gov.uk



To: Councillors Graham Bridgman, Graham Pask and Claire Rowles

Substitute: Councillor Tony Linden

Agenda

Part I

Page No.

- 1 **Election of Chairman**
To elect the Chairman of the Sub-Committee
 - 2 **Declarations of Interest**
To receive any declarations of interest from Members.
 - 3 **Schedule of Licensing Applications**
- (1) **Application No. 21/00705/LQN Aldi Foodstores, London Road, Newbury, RG14 1LA** 5 - 40
- Proposal:** Application to vary an existing premise licence
Location: Aldi Foodstores, London Road, Newbury, RG14 1LA
Applicant: Aldi Stores Limited represented by Lisa Gilligan, of Freeths LLP

Sarah Clarke
Service Director: Strategy and Governance

If you require this information in a different format or translation, please contact Stephen Chard on telephone (01635) 519462.



Licensing Sub-Committee Report

Aldi Foodstores, London Road, Newbury, RG14 1LA (21/00705/LQN)

Type of Application:	Application to Vary a Premise Licence
Parish:	Newbury Speen
Ward Member:	Lynne Doherty, Steve Masters
Case Officer:	Emilia Matheou, Licensing Officer,
Portfolio Holder:	Councillor Hilary Cole
Service Director:	Eric Owens

1. Purpose of the Report

- 1.1 To set out the background information pertaining to this Application to vary an existing premise licence.

2. Recommendations

- 2.1 Members are asked to decide whether to:-
- Grant the application to vary the premises licence as made, including the changes agreed with Thames Valley Police and Environment Health, subject to any mandatory conditions;
 - Grant the application to vary the premises licence, including agreed changes, subject to any additional conditions and any mandatory conditions;
 - Exclude from the licence any of the licensable activities to which the application to vary relates;
 - Refuse the application to vary the premises licence;

Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.

3. Background

- 3.1 Members of the Licensing Sub-Committee are asked to determine the Application to vary the premises licence as the Licensing Authority has received representations, which have not been withdrawn, stating that granting this application would undermine the prevention of crime and disorder, the prevention of public safety, the prevention of public nuisance, and/ or the protection of children from harm licensing objectives.
- 3.2 The Licensing Authority may only consider aspects relevant to the application that have been raised in these representations.

3.3 Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Licensing Act 2003 requires that these applications should be determined by the Licensing Authority's Licensing Committee. The Licensing Act 2003 allows for applications such as this one to be delegated to a Sub-Committee. In accordance with those rules, the Scheme of Delegation set out in the Council's Constitution states that the Licensing Sub-Committee has responsibility for dealing with this application.

4. Application

4.1 The Licensing Authority has received an Application, from Lisa Gilligan, of Freeths LLP on behalf of Aldi Stores Limited for a variation to an existing premise licence in relation to Aldi Foodstores, London Road, Newbury, RG14 1LA. This application has been recorded under reference number 21/00705/LQN.

4.2 A copy of the original licence is attached at Appendix 1 and the ground floor and first floor plans are attached at Appendix 2. The application to vary the premise licence is attached at Appendix 3.

4.3 The application is to vary a premises licence under the Licensing Act 2003. The application sought to amend the hours for the sale of alcohol for off premise consumption and opening hours to 06:00 to 00:00 every day of the week. Following discussions with Environment Health a compromise in times has been agreed. Therefore the Applicant now seeks to amend the hours for sale of alcohol and opening hours to:

Monday to Saturday: 07h00 to 23h00

Sunday: 07h00 to 22h30

4.4 The Store, under its existing licence, is permitted to supply alcohol for off premise consumption during the following times:

Supply of Alcohol

Monday to Saturday: 08h00 to 23h00

Sunday: 0h00 to 22h30

Alcohol On/Off Premises: **Off Premises**

Seasonal Variations :

Good Friday: 08h00 to 22h30

Christmas Day: 12h00 to 15h00 and 19h00 to 22h30

4.5 The premises are located towards the edge of the commercial shopping / town centre in Newbury. The local area is mixed use with offices and residential dwellings located close to these retail premises.

4.6 The Applicant has confirmed that the application has been submitted as part of a nationwide programme for Aldi (circa 400 stores) where the current licence has an 08h00 start time. They have also explained that the store has opened at 07h00 over the last 12 months either by virtue of a Temporary Events Notice (TEN) or simply to achieve social distancing under Covid-19 rules. They also stated that whilst there was

no intention to change the trading hours at this store an extension to the hours in the licence operating schedule would permit the flexibility required.

5. Consultation

- 5.1 The 28 day consultation period ran from 01 September 2021 to 28 September 2021. Responsible Authorities, Ward Members and the Parish Council were advised by email on the 31 August 2021. The application has been advertised in accordance with the Regulations, with the required blue notices being placed at the premises and checked by an officer from the Public Protection Partnership on the 09 September 2021 and an advert had been placed in the Newbury Weekly News on 09 September 2021.
- 5.2 Environment Health (EH) raised concerns about the proximity to residential dwellings, particularly those located opposite the Aldi Car Park and the noise impacts that they would be subjected to. The earlier and later alcohol trading hours applied for extend into the times Officers consider to be 'night-time' i.e. 23h00 to 07h00 which are times which it is reasonable and expected that most people would wish to sleep.
- 5.3 EH noted that residents would be exposed to additional noise from vehicles (engines, car stereos, and slammed doors) and the noise arising from customer trolleys during a period when lower background noise levels should be expected. Officers noted that the application did not provide any detail in the operating schedule regarding measures to prevent public nuisance and commented that it would be difficult to put in place measures which would be reasonable or successful.
- 5.4 The Applicant had taken on board these concerns and on the 12 October 2021 confirmed that they would be willing to amend the start time to 07h00 and the terminal hour as is currently (23h00 Monday to Saturday and 22h30 Sunday). Environment Health had, on this basis, agreed to withdraw their objection, allowing for review of the premises licence should nuisance complaints subsequently be received.
- 5.5 Newbury Town Council had submitted an objection following a meeting on the 13th September 2021. The submission stated that they objected to the application on the basis of the impact that it would have on local residents. (See Appendix 4)

6. Responses Received from Responsible Authorities:

Fire Authority – None

The Chief Officer of Police Thames Valley – None

Environmental Health – see paragraphs 5.2 to 5.4

The Local Enforcement Agency for the Health and Safety at work etc. Act 1974 – None

The Weights and Measures Authority/Trading Standards – None

Children's Safeguarding Board - None

Public Health - None

Home Office Immigration - None

Planning - None

The Licensing Authority –.None

Comments from Newbury Town Council are set out in paragraphs 5.5

7. Options

- 7.1 The Home Office's Revised Guidance issued under section 182 of the Licensing Act 2003 (April 2018) must be taken into account when determining this Application.
- 7.2 Members are asked to consider, after taking the representations both oral and written into account, and having due regard to the licensing objectives, whether the application to vary the premise licence should be granted or rejected. Members will need to give reasons for their decision.
- 7.3 If Members are minded to approve the application they need to consider any additional conditions, other than those contained in the operating schedule, agreed with the parties and any relevant mandatory conditions in ss19-21 of the Licensing Act 2003 that they may wish to attach to the application.
- 7.4 If Members are minded to include any additional conditions they will need to provide their reasons for doing so in the decision notice.

Background Papers:

- (1) The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under section 182 of the Licensing Act 2003
- (2) The Council's Statement of Licensing Policy Licensing Act 2003
- (3) The Council's Constitution

8. Appendices

- Appendix 1 – Existing Licence
- Appendix 2 – Location Plan
- Appendix 3 - Application to Vary Premise Licence
- Appendix 4 – Representation from Newbury Town Council

West Berkshire District Council

Public Protection Partnership, Environmental Health & Licensing, Council Offices, Market Street,
Newbury, Berkshire RG14 5LD
Tel: (01635) 519184 Fax (01635) 519172

Licensing Act 2003 Premises Licence

Uniform Ref: 20/00671/LQN

Premises licence number 12/01449/LQN

Part 1 - Premises details

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

Aldi
London Road, Newbury, Berkshire, RG14 1LA

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

Monday to Sunday: 08:00 to 23:00

Alcohol On/Off Premises: **Off Premises**

The opening hours of the premises

Monday to Sunday: 08:00 to 23:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

On /Off Sales : **OFF**

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Aldi Stores Limited
Holly Lane, Atherstone, Warwickshire, CV9 2SQ

Registered number of holder, for example company number, charity number (where applicable)

2321869

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Jessica Amy Beckett

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

18/PSL 02154 Cherwell District Council

Date: 21st September 2020

Signed:

Authorised Officer

Licence granted 28/09/2012
DPS variation 25/01/2013
DPS change of address 20/12/2013
DPS variation 29/07/2015
DPS variation 31/05/2016
DPS variation 30/05/2019
Licence corrected 19/07/2019
Licence corrected 05/08/2019
DPS variation 06/08/2020

Annex 1 - Mandatory conditions

Premises - Supply of Alcohol

1. No supply of alcohol may be made under the premises licence-
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 (in force 1 October 2014)

3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
 - a) a holographic mark, or
 - b) an ultraviolet feature.
4.
 - (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - (2) For the purposes of the condition set out in paragraph 1 -
 - a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
Where -
 - (i) **P** is the permitted price,
 - (ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence?

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

(3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4)

1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

Annex 2 - Conditions consistent with the operating Schedule dated 30/08/2012

General

Aldi operate over 300 stores in the UK with licences free of conditions. It is submitted that as a responsible operator, selling alcohol for consumption off the premises only, no conditions need to be attached to the premises licence other than the mandatory conditions specified in the Licensing Act 2003.

The Prevention of Crime and Disorder

The applicant is a responsible retailer and takes appropriate measures to deter thieves and shoplifters. There are no other likely crime and disorder issues.

Public Safety

The applicant is a responsible retailer and takes appropriate measures to ensure the safety of those members of the public who visit the store. There are no public safety issues in particular that need to be addressed.

The Prevention of Public Nuisance

The applicant is a responsible retailer and takes appropriate measures to ensure the prevention of public nuisance. It has not been an issue in any of their other stores.

The Protection of Children from Harm

The applicant is a responsible retailer and takes appropriate measures to ensure the protection of children from harm. Procedures are in place to attempt to ensure at all times that no person under the age of eighteen is sold alcohol.

Annex 3 - Conditions attached after a hearing by the licensing authority

None

Annex 4 - Plans as submitted 20/08/2012

West Berkshire District Council

Public Protection Partnership, Environmental Health & Licensing, Council Offices, Market Street,
Newbury, Berkshire RG14 5LD
Tel: (01635) 519184 Fax (01635) 519172

Licensing Act 2003 Premises Licence Summary

Uniform Ref: 20/00671/LQN

Premises licence number

12/01449/LQN

Premises details

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The opening hours of the premises

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Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On/Off Sales : **OFF**

Part 2

Name, (registered) address of holder of premises licence

Aldi Stores Limited
Holly Lane, Atherstone, Warwickshire, CV9 2SQ

**Registered number of holder, for example company number, charity number
(where applicable)**

2321869

**Name of designated premises supervisor where the premises licence authorises
the supply of alcohol**

Jessica Amy Beckett

Date: 21st September 2020

Signed:

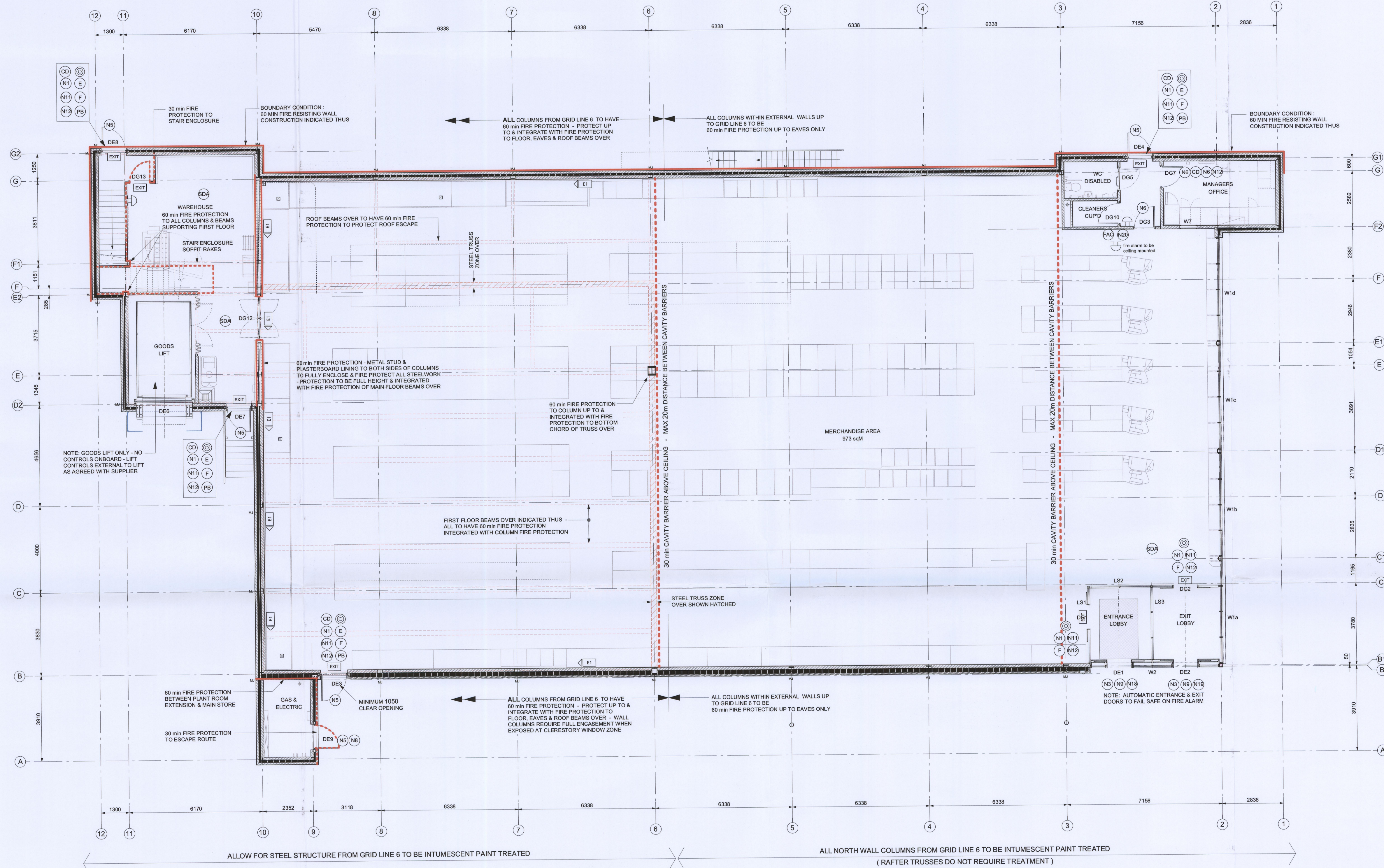
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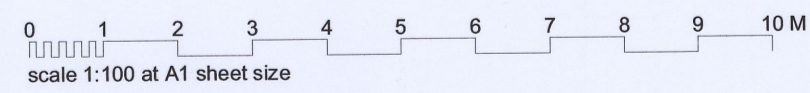
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Rev.	Date	By	Ap	Note
A	31/5/12	DC	GS	Call point & extinguisher added to customer exit. Automatic door fall on alarm note added.
B	21/6/12	DC	GS	General update for TENDER ISSUE



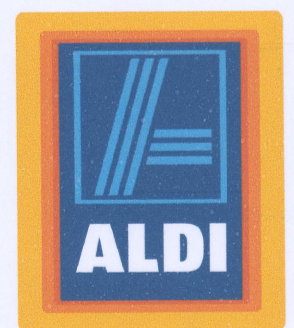
GROUND FLOOR - FIRE STRATEGY PLAN



- | | | |
|---|--|---|
| <ul style="list-style-type: none"> (N1) GENERAL FIRE NOTICE. Ref 1/1033/JK (N2) "EMERGENCY EXIT ONLY" SIGN 450 x 100mm SELF ADHESIVE VINYL (N3) "KEEP CLEAR" SIGN 200 x 200mm SELF ADHESIVE VINYL (N4) DIRECTION ARROW SIGN WHITE ARROW ON BLUE CIRCLE ON WHITE SQUARE 200 x 200mm* (N5) "FIRE EXIT KEEP CLEAR" SIGN 200 x 200mm MOUNTED EXTERNALLY (N6) "FIRE DOOR KEEP CLOSED" SIGN 80 x 80mm SELF ADHESIVE (N7) "FIRE DOOR KEEP CLOSED" SIGN 80 x 80mm (N8) "FIRE DOOR KEEP LOCKED" SIGN 80 x 80mm (N9) "AUTOMATIC DOORS" SIGN BLACK LETTERS ON WHITE 200 x 200 SELF ADHESIVE (N10) FIRE ALARM CALL POINT SIGN 80 x 80mm SELF ADHESIVE (N11) FIRE ALARM CALL POINT SIGN 150 x 200mm (N12) "FIRE EXTINGUISHER" SIGN 150 x 200mm | <ul style="list-style-type: none"> (N13) "FIRE EXTINGUISHER" SIGN 150 x 200mm SELF ADHESIVE (N14) "NO SMOKING" SIGN 200 x 200mm (N15) "FIRE BLANKET" SIGN 75 x 210mm (N16) "MIND YOUR HEAD" SIGN 400 x 100mm (N17) "MIND THE STEP" SIGN 400 x 100mm (N18) "WAY IN / NO EXIT" SELF ADHESIVE VINYL SIGN (N19) "WAY OUT / NO ENTRY" SELF ADHESIVE VINYL SIGN (N20) "FIRE ALARM CONTROL PANEL" SIGN 200 x 150mm (E1) DIRECTIONAL FIRE EXIT SIGN 600 x 200mm LEFT HAND (E1) DIRECTIONAL FIRE EXIT SIGN 600 x 200mm RIGHT HAND (E1) DIRECTIONAL FIRE EXIT SIGN 300 x 100mm LEFT HAND (E1) DIRECTIONAL FIRE EXIT SIGN 300 x 100mm RIGHT HAND (EXIT) ILLUMINATED FIRE EXIT SIGN | <ul style="list-style-type: none"> (PB) PUSH BAR MECHANISM AND "PUSH BAR TO OPEN" SIGN 600 x 100mm (ON DOOR) (E) FIRE EXIT SIGN 705 x 150mm (ON DOOR) (C) FIRE ALARM CALL POINT (BREAK GLASS UNIT) (F) FOAM SPRAY AFFX FIRE EXTINGUISHER (CD) CARBON DIOXIDE FIRE EXTINGUISHER (FB) FIRE BLANKET (SD) SMOKE DETECTOR (SDO) VOID MOUNTED SMOKE DETECTOR WITH CEILING MOUNTED INDICATOR (SDA) FIRE ALARM SMOKE DETECTOR & SOUNDER (HDA) FIRE ALARM HEAT DETECTOR & SOUNDER (FAC) FIRE ALARM CONTROL PANEL (FAB) FIRE ALARM BELL |
|---|--|---|

INTUMESCENT PAINT NOTE:
 ALL FIRE PROTECTION OF STEELWORK TO BE PROVIDED BY INTUMESCENT PAINT TO GIVE THE LEVEL OF PROTECTION NOTED ON PLAN

SIGNAGE NOTE:
 FIRE SAFETY SIGNS TO COMPLY WITH BS 5499



Kendall Kingscott
 Chartered Architects
 Chartered Building Surveyors
 Interior Designers
 CDM Co-ordinators

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Project
Aldi Stores
 London Road - Newbury

Client
Aldi Stores Ltd

Drawing Title
**GROUND FLOOR
 FIRE STRATEGY PLAN**

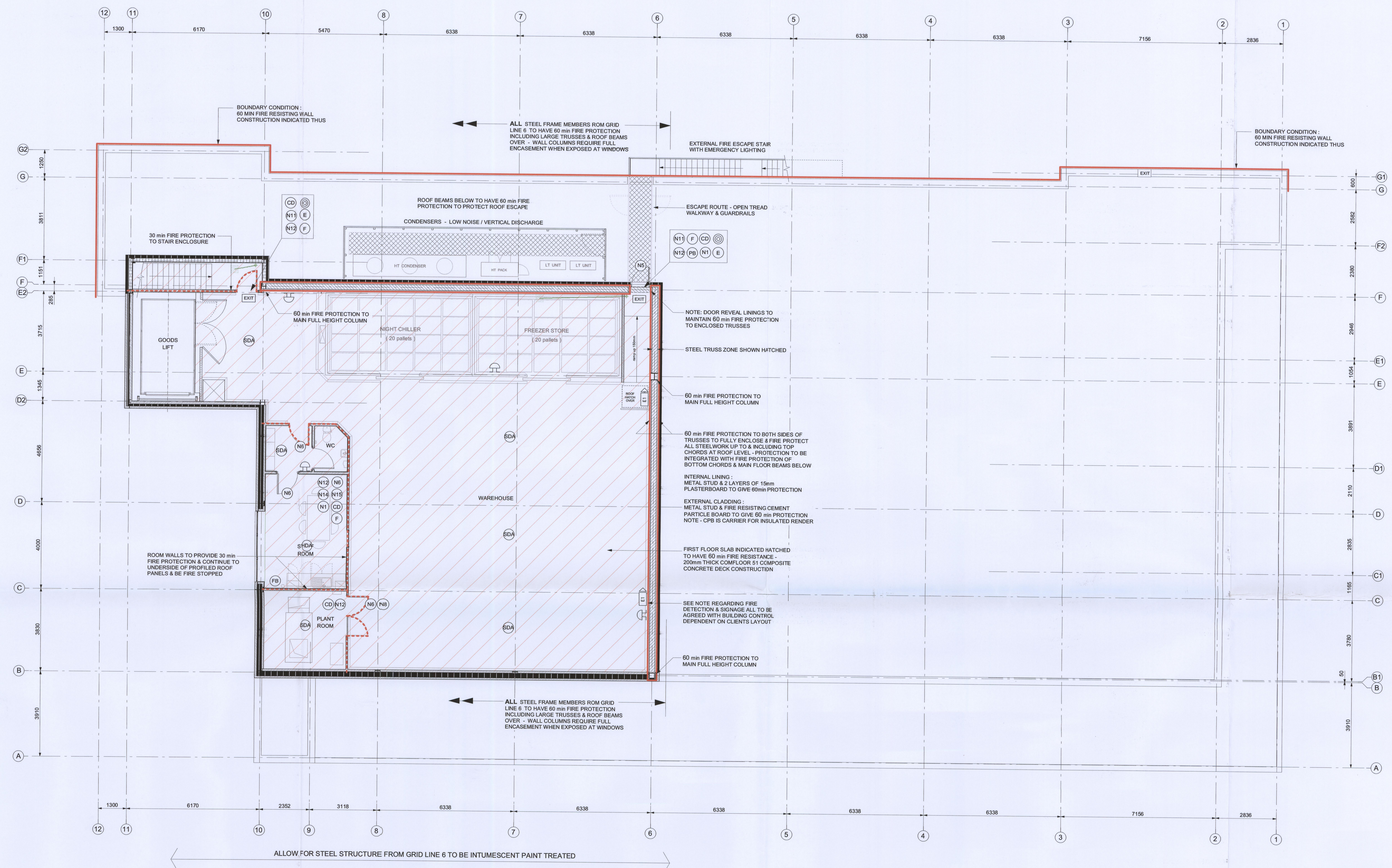
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Rv. Date	By	Ap	Note
A 21/6/12	DC	GS	General update for TENDER ISSUE



FIRST FLOOR - FIRE STRATEGY PLAN

- (N1) GENERAL FIRE NOTICE. Ref 1/1033/JK
- (N2) "EMERGENCY EXIT ONLY" SIGN 450 x 100mm SELF ADHESIVE VINYL
- (N3) "KEEP CLEAR" SIGN 200 x 200mm SELF ADHESIVE VINYL
- (N4) DIRECTION ARROW SIGN WHITE ARROW ON BLUE CIRCLE ON WHITE SQUARE 200 x 200mm"
- (N5) "FIRE EXIT KEEP CLEAR" SIGN 200 x 200mm MOUNTED EXTERNALLY
- (N6) "FIRE DOOR KEEP CLOSED" SIGN 80 x 80mm SELF ADHESIVE
- (N7) "FIRE DOOR KEEP CLOSED" SIGN 80 x 80mm
- (N8) "FIRE DOOR KEEP LOCKED" SIGN 80 x 80mm
- (N9) "AUTOMATIC DOORS" SIGN BLACK LETTERS ON WHITE 200 x 200 SELF ADHESIVE
- (N10) FIRE ALARM CALL POINT SIGN 80 x 80mm SELF ADHESIVE
- (N11) FIRE ALARM CALL POINT SIGN 150 x 200mm
- (N12) "FIRE EXTINGUISHER" SIGN 150 x 200mm

- (N13) "FIRE EXTINGUISHER" SIGN 150 x 200mm SELF ADHESIVE
- (N14) "NO SMOKING" SIGN 200 x 200mm
- (N15) "FIRE BLANKET" SIGN 75 x 210mm
- (N16) "MIND YOUR HEAD" SIGN 400 x 100mm
- (N17) "MIND THE STEP" SIGN 400 x 100mm
- (N18) "WAY IN / NO EXIT" SELF ADHESIVE VINYL SIGN
- (N19) "WAY OUT / NO ENTRY" SELF ADHESIVE VINYL SIGN
- (N20) "FIRE ALARM CONTROL PANEL" SIGN 200 x 150mm
- (E1) DIRECTIONAL FIRE EXIT SIGN 600 x 200mm LEFT HAND
- (E1) DIRECTIONAL FIRE EXIT SIGN 600 x 200mm RIGHT HAND
- (E1) DIRECTIONAL FIRE EXIT SIGN 300 x 100mm LEFT HAND
- (EXT) ILLUMINATED FIRE EXIT SIGN

- (PB) PUSH BAR MECHANISM AND "PUSH BAR TO OPEN" SIGN 600 x 100mm (ON DOOR)
- (E) FIRE EXIT SIGN 705 x 150mm (ON DOOR)
- (C) FIRE ALARM CALL POINT (BREAK GLASS UNIT)
- (F) FOAM SPRAY AFFX FIRE EXTINGUISHER
- (CD) CARBON DIOXIDE FIRE EXTINGUISHER
- (FB) FIRE BLANKET
- (SD) SMOKE DETECTOR
- (SD) VOID MOUNTED SMOKE DETECTOR WITH CEILING MOUNTED INDICATOR
- (SDA) FIRE ALARM SMOKE DETECTOR & SOUNDER
- (HDA) FIRE ALARM HEAT DETECTOR & SOUNDER
- (FAC) FIRE ALARM CONTROL PANEL
- (L) FIRE ALARM BELL

INTUMESCENT PAINT NOTE:
 ALL FIRE PROTECTION OF STEELWORK TO BE PROVIDED BY INTUMESCENT PAINT TO GIVE THE LEVEL OF PROTECTION NOTED ON PLAN

FIRE SIGNAGE LOCATIONS & TYPES MAY BE DEPENDENT ON STORAGE LAYOUT - ALL TO BE AGREED WITH BUILDING CONTROL ONCE CLIENTS LAYOUT IS KNOWN

FIRE DETECTION GENERALLY TO FIRST FLOOR IS INDICATIVE ONLY - ALL TO BE AGREED WITH M. & E. ENGINEERS & BUILDING CONTROL

SIGNAGE NOTE:
 FIRE SAFETY SIGNS TO COMPLY WITH BS 5499



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Chartered Architects
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Project
Aldi Stores
 London Road - Newbury

Client
Aldi Stores Ltd

Drawing Title
FIRST FLOOR - FIRE STRATEGY PLAN

Project No.	Drawing No.	Rev.
110578	W207-2A	

Scale	Paper Size	Filename
1:100	A1	MASTER PLAN
Date	Drawn	Checked
May 2012	DC	GS
		Status
		TENDER

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Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Aldi Stores Limited

(Insert name(s) of applicant)

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

Premises licence number 12/01449/LQN
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Aldi Store London Road Newbury			
Post town	Berkshire	Postcode	RG14 1LA

Telephone number at premises (if any)	01827 710800
Non-domestic rateable value of premises	£265,000

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	Holly Lane		
Post town	Atherstone	Postcode	CV9 2SQ

Part 3 - Variation

Please tick as appropriate

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

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

DD	MM	YYYY

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

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The proposed variation is to amend the hours for the sale of alcohol and opening hours to 06:00 to 00:00 every day of the week.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

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

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

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

E

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

F

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

G

Performances of dance Standard days and timings (please read guidance note 8)			Indoors <input type="checkbox"/>
Day	Start	Finish	
Mon			Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)					
Mon	06:00	00:00						
Tue	06:00	00:00						
Wed	06:00	00:00						
Thur	06:00	00:00				<u>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</u> (please read guidance note 7)		
Fri	06:00	00:00						
Sat	06:00	00:00						
Sun	06:00	00:00						

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>N/A</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	06:00	00:00	
Tue	06:00	00:00	
Wed	06:00	00:00	
Thur	06:00	00:00	
Fri	06:00	00:00	
Sat	06:00	00:00	
Sun	06:00	00:00	
			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

N/A

Please tick as appropriate

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

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

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

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

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

None are required.

b) The prevention of crime and disorder

None are required.

c) Public safety

None are required.

d) The prevention of public nuisance

None are required.

e) The protection of children from harm

None are required.

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

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

Signature (Lisa Gilligan, Freeths LLP)
Date	31 August 2021
Capacity	Solicitors for the Applicant

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

Signature	
Date	
Capacity	

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

Freeths LLP
One Colton Square

Post town	Leicester	Post code	LE1 1QH
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

To whom it may concern,

Please see below the comments of Newbury Town Councils Planning & Highways Committees on a licencing application from the Committee meeting held on Monday the 14th of September 2021.

**Planning and Highways Committee Meeting
Monday 13th September 2021**

Schedule of Licensing Applications

Resolutions	Licence	Applicant(S)	Premises
Objection based on impact to nearby residents.	Licensing Act 2003 (Premises Licences & Club Premises Certificates) Regulations 2005 Premises Licence – Variation Ref: 21/00705/LQN	Applicant: Aldi Stores Limited Location: Aldi, London Road, Newbury, Berkshire, RG14 1LA	Proposal: The proposed variation is to amend the hours for the sale of alcohol and opening hours [from 08:00 to 23:00] to 06:00 to 00:00 every day of the week.

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