

## LICENSING APPLICATIONS SUB-COMMITTEE 1 MINUTES - 28 NOVEMBER 2017

**Present:** Councillors Woodward (Chair), Grashoff and Livingston.

### 16. MINUTES

The Minutes of the meeting of Licensing Applications Sub-Committee 1 held on 24 October 2017 were confirmed as a correct record and signed by the Chair.

### 17. APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - DOMINO'S, CHRISTCHURCH ROAD, READING

The Head of Planning, Development and Regulatory Services submitted a report on an application by DPSK Limited for the variation of the Premises Licence in respect of Domino's, 64 Christchurch Road, Reading.

The premises Licence indicated that the following licensable activities were permitted:

#### Late Night Refreshment

Monday/Tuesday/Thursday/Sunday	2300 hours until 0100 hours
Wednesday/Friday/Saturday	2300 hours until 0200 hours

#### Opening Hours

Monday/Tuesday/Thursday/Sunday	1000 hours until 0100 hours
Wednesday/Friday/Saturday	1000 hours until 0200 hours

The application sought to vary the Premises Licence to permit the sale of Late Night Refreshment from 2300 hours until 0500 hours Monday to Sunday and to permit Opening Hours of 0000 hours until 2400 hours (24 hours) Monday to Sunday.

A copy of the application form was attached to the report as Appendix RF-1, and the current premises Licence was attached to the report as Appendix RF-5.

Representations against the application had been received from Reading Borough Council's Licensing Team, which was attached to the report at Appendix RF-2, and the Environmental Protection and Noise Team, which was attached to the report at Appendix RF-3. A further 45 representations had been received from local residents, which were attached to the report at Appendix RF-4.

The report stated that in considering representations received, the Licensing Authority had a duty to carry out its functions with a view to promoting the four licensing objectives, as follows:

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

The report stated that the Council's licensing policy placed the onus on applicants who wished to open past 11pm to demonstrate how they would mitigate the issues of crime and disorder and potential public nuisance. The report also set out paragraphs 1.5, 2.14, 2.16, 7.1, 8.38-46, 9.13, 11.4.1 and 14.56-58 of the amended guidance issued under Section 182 of the Licensing Act 2003 (April 2017).

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Jan Davies, Mike Walker, Brian Morley, Jessica Di Luccio, Ian Kemp, Nicholas Woodthorpe, Robert Cox, Jenny Halstead and Frank Tallett who had all submitted representations, were present at the meeting and addressed the Sub-Committee on the application.

Councillor Tony Jones, Redlands Ward, was present at the meeting and addressed the Sub-Committee on the application, on behalf of a resident.

Ahsan Ikhlq and Dinesh Wagh on behalf of the applicant were present at the meeting and addressed the Sub-Committee. They were represented by Walaiti Rathore, Licensing Law Consultancy, who called Paul Douglas as a witness and both addressed the Sub-Committee.

### Resolved -

- (1) That, in order to promote the licensing objective for the prevention of public nuisance, and having regard to the oral and written representations made, the paragraphs of the Secretary of State's Guidance and the Council's Statement of Licensing Policy as detailed in the report, the Premises Licence in respect of Domino's Pizza, 64 Christchurch Road, Reading be varied to permit Late Night Refreshment from 2300 hours until 0200 hours Monday to Sunday, due to
  - a) The residential nature of the area surrounding the premises
  - b) The Sub-Committee was satisfied that some incidences of nuisance had occurred since the premises opened in August 2017
  - c) The Sub-Committee regarded the testimonies presented by the residents as being more credible than that of Mr Douglas, who made just one visit to the area;
- (2) That the following conditions be attached to the licence:
  - (a) The Premises Licence Holder shall ensure the premises' digitally recorded CCTV system shall continually record whilst the premises are open to the public. The CCTV system shall provide full coverage of the licensed area. All recordings in conjunction with CCTV shall be of evidential quality as to be able to identify the recorded person, indicate the correct time and date and recordings shall be kept to a minimum of 31 days. A member of staff trained to use the system shall be on duty at all times. Data recordings shall be made immediately available subject to data protection requirements to an authorised officer of Reading Borough Council or a Thames valley Police officer, together with facilities for viewing upon request;
  - (b) Clearly legible and suitable notices shall be displayed to advise customers that CCTV is in operation at the premises;
  - (c) Clearly legible and suitable notices shall be displayed at all exits requesting customers to respect the needs of local residents and to leave the premises and area quietly;

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- (d) The placing of refuse into receptacles outside the premises shall only take place between the hours of 0800 hours and 1900 hours;
- (e) An incident book/register shall be maintained to record all incidents of crime and disorder occurring at the premises. The register shall record a description of the incident, a description of any persons involved in the incident, the person recording the incident and details of whether the police were called. This book/register shall be available to an authorised officer of Reading Borough Council or Thames valley Police officer on request;
- (f) The Premises and area immediately outside the premises shall be kept clear of litter whilst the premises is open for licensable activities;
- (g) All packaging and utensils for use by customers shall be made of biodegradable or recyclable materials;
- (h) Staff shall actively discourage and disperse all persons who congregate outside the premises so as to minimise disturbance to local residents;
- (i) The Premise Licence Holder or duly nominated representative shall keep a written log of complaints reported to them by any local residents which undermine the four licensing objectives. The complainant's name, time of complaint, member of staff dealing with the complaint and the remedial action taken should be recorded. This written log shall be maintained and produced to authorised officers of Reading Borough Council and Thames Valley Police upon request;
- (j) During operating hours, the Premise Licence Holder or a nominated representative shall be available to receive and respond to nuisance-related complaints. A contact number shall be readily available to residents upon request;
- (k) Staff employed shall undergo training in relation to the Licensing Act 2003 regarding late night refreshment upon induction. This shall include, but not be limited to understanding the four licensing objectives. Such training sessions are to be documented and refreshed every six months. All training sessions are to be documented in English. Records of training shall be kept for a minimum of one year and be made available to an authorised officer of Thames Valley Police and Reading Borough Council upon request.

(The meeting started at 5.00pm and finished at 8.35pm)