

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

18. EXCLUSION OF THE PRESS AND PUBLIC

Resolved - That, in accordance with Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005, members of the press and public be excluded during consideration of the following item of business on the grounds that the public interest in doing so outweighed the public interest in the hearing taking place in public.

19. APPLICATION FOR THE VARIATION OF DESIGNATED PREMISES SUPERVISOR

The Head of Planning, Development and Regulatory Services submitted a report on an application for the variation of a Designated Premises Supervisor (DPS).

The report set out a summary of the application and relevant documents were appended to the report. The application form and current premises licence was attached to the report at Appendix RF-1.

The report stated that the Licensing Act 2003 required all sales of alcohol at a licensed premise to be made or authorised by a person with a Personal Licence. All premises licences that permitted the sale of alcohol must specify a personal licence holder as the Designated Premises Supervisor. This person would then be permitted to sell alcohol themselves and authorise other to do so in their absence. Only the Premises Licence Holder may make an application to vary the designated premises supervisor.

The report stated that in determining the application, if the chief officer of police was satisfied that granting the licence would undermine the crime prevention objective, he must, within the period of 14 days beginning with the day he had received the notice under subsection (4), give the authority a notice stating the reasons why he was so satisfied. Having regard to the objection notice, the Licensing Authority must hold a hearing to consider the objection notice unless the applicant, the Chief of Police and the Authority agreed that this was unnecessary; and having regard to the notice the Authority must reject the application if it considered it necessary for the promotion of the crime prevention objective to do so.

On 1 November 2017 the Licensing Section had received a notice of objection from Thames Valley Police in respect of the application, which was attached to the report at Appendix RF-2. Thames Valley Police submitted further information on 13 November 2017 regarding their objection.

The applicant JSS was present at the meeting and addressed the Sub-Committee to seek an adjournment.

PC Simon Wheeler, Thames Valley Police, was present at the meeting.

Resolved -

That consideration of the application for the variation of DPS be adjourned to allow the applicant to be legally represented.

(Exempt information as defined in paragraph 1, 2, 3 and 5).

20. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - PREMIER INN

The Head of Planning, Development and Regulatory Services submitted a report on an application by Reading Borough Council Licensing Team for the review of the Premises Licence in respect of Premier Inn, Letcombe Street, Reading, RG1 2HN.

The report stated that Thames Valley Police had submitted the review of the Premises Licence, outlining an alcohol and Child Sexual Exploitation (CSE) test purchase on 24 September 2016 when the premises supplied alcohol to a 15 year old child and a staff member stated that a room could be booked online for the 15 year old child and the undercover officer accompanying her, a licensing inspection on 13 January 2017 when the premises was found to be breaching a number of licence conditions and a further test purchase on 12 October 2017 when a hotel room was sold to a child aged 13 and the undercover police officer who was accompanying her and the 13 year old child was also sold alcohol by the same staff member who had sold the hotel room. This was a failure of an alcohol test purchase and a failure of a CSE test purchase. The sale of alcohol to a person under the age of 18, in this instance, was an offence under the Licensing Act.

A copy of the review application was attached to the report at Appendix RF-1.

The report stated that representations had been received from Reading Borough Council Licensing Team, which was attached to the report at Appendix RF-2, and John Gaunt Solicitors on behalf of the Premises Licence Holder, which was attached to the report at Appendix RF-3.

Further information from Thames Valley Police, Reading Borough Council Licensing Team and the Premises Licence Holder had been circulated prior to the meeting.

The report stated that the Premises Licence Holder was Premier Inns Hotel Ltd and Designated Premises Supervisor was Mr Ward Van Gorkum. The current Premises Licence, a copy of which was attached to the report at Appendix RF-4, permitted the following:

Hours for the Performance of Live Music and Hours for the Performance of Dance

Thursday to Saturday	1000 hours until 2400 hours
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Hours for the Playing of Recorded Music

Monday to Wednesday	1000 hours until 2400 hours
Thursday to Saturday	1000 hours until 0200 hours
Sunday	1000 hours until 2330 hours

Hours for the Provision of Late Night Refreshment

Sunday to Wednesday	2300 hours until 2400 hours
Thursday to Saturday	2300 hours until 0200 hours

Hours for the Sale by Retail of Alcohol

Monday to Wednesday	1000 hours until 2400 hours
Thursday to Saturday	1000 hours until 0200 hours
Sunday	1000 hours until 2330 hours

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 7 DECEMBER 2017

Extend the hours for all licensable activities on New Year's Eve until the start time of the following day. Extend the hours for all licensable activities to hotel residents and their bona fide guests 24 hours a day.

Hours the Premises are Open to the Public

Monday to Wednesday	2400 hours until 2400 hours
Thursday to Saturday	1000 hours until 0230 hours
Sunday	2400 hours until 2400 hours

The report stated that in determining the application 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 further that in determining the application the Licensing Authority must also have regard to the representations received, the Licensing Authority's statement of licensing policy and any relevant section of the statutory guidance to licensing authorities. Further, in determining the application the Licensing Authority could take such of the following steps as it considered appropriate and proportionate for the promotion of the licensing objectives:

- Take no further action
- To issue formal warnings to the premises supervisor and/or premises licence holder
- Modify the conditions of the licence (including, but not limited to hours of operation of licensable activities)
- Exclude a licensable activity from the scope of the licence
- Remove the designated premises licence supervisor
- Suspend the licence for a period not exceeding three months
- Revoke the licence

(Where the Sub-Committee took a step mentioned in the third and fourth bullet points above it may provide that the modification or exclusion was to have effect for a period not exceeding three months or permanently.)

The report set out paragraphs 1.5, 2.22, 2.23, 2.27, 2.29, 2.32, 9.12, 9.13, 11.2, 11.10, 11.17, 11.18 and 11.24 to 11.28 of the Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2017). The report also set out paragraphs 10.5.1, 12.1.1, 12.1.2 and 12.1.7 of the Council's Statement of Licensing Policy.

Mr Chris Grunert, solicitor of John Gaunt & Partners, was representing the Premises Licence Holder and addressed the Sub-Committee. Mr Ward Van Gorkum, Designated Premises Supervisor (DPS), Mr Shaun Ross, Head of Safety and Security Whitbread Group and Mr James Rider, Operations Director, were also present and addressed the Sub-Committee.

PC Simon Wheeler and PC Steve Marr, Thames Valley Police, were present at the meeting and addressed the Sub-Committee on the application. Peter Narancic, Reading Borough Council Licensing Team, was present at the meeting and addressed the Sub-Committee.

Resolved -

- (1) That having reviewed the Premises Licence in respect of Premier Inn, and having had regard to the four licensing objectives, in particular the protection of children from harm and public safety, the oral and written representations made, the Secretary of State's guidance and the Council's Statement of Licensing Policy, the Sub-Committee concluded that it would be appropriate and proportionate for the Premises Licence to remain in force but a formal warning was issued which stated that the premise licence holder was to urgently review its procedures and take note of conditions and do the upmost to ensure that this did not happen again and attached conditions to the Premises Licence due to the matters raised in the review application and supporting documents and at the Sub-Committee meeting;
- (2) That the following conditions be attached to the Premises Licence because the Sub-Committee felt that the licensing objectives of the protection of children from harm and public safety would be promoted by their imposition:
 - (a) The Premises Licence Holder and/or Designated Premises Supervisor shall ensure that all staff complete training in Child Sexual Exploitation that is of a standard agreed with Thames Valley Police and Reading Borough Council training package within 28 days of employment and a signed record of their training shall be maintained;
 - (b) Refresher training in relation to CSE shall formally take place once every three months and signed records of this training and signed records of this training shall be maintained. These records shall be kept for a minimum of two years of the date of the training and shall be made available to any authorised officer of Thames Valley Police or an authorised officer of Reading Borough Council;
 - (c) Staff employed to sell alcohol shall undergo training upon induction. This training shall include, but not be limited to:
 - i. The premises age verification policy
 - ii. Dealing with refusal of sales
 - iii. Proxy purchasing
 - iv. Recognising valid identity documents not in the English Language
 - v. Identifying attempts by intoxicated persons to purchase alcohol
 - vi. Identifying signs of intoxication

vii. Conflict Management

viii. How to identify and safeguard vulnerable persons who attend and leave the premises

Refresher training shall be provided every three months and signed records made available for inspection by a Police Officer or authorised officer of Reading Borough Council upon request. These records are to be kept for a minimum of two years of the date of training;

- (d) The Premises Licence Holder shall ensure the premises' digitally recorded CCTV system cameras shall continually record whilst the premises are open to the public and recordings shall be kept for a minimum of 31 days with time and date stamping. The entire licensable area shall be covered by the CCTV. Data recordings shall be made immediately available to an authorised officer of Thames Valley Police or Reading Borough Council together with facilities for viewing upon request, subject to the provisions of the Data Protection Act. Recorded images shall be of such quality as to be able to identify the recorded person in any light. At least one member of staff on the premises at any time during operating hours shall be trained to access and download material from the CCTV system;
- (e) The premises shall at all times operate a Challenge 25 policy to prevent any customers who appear to staff members to be under the age of 25 years from purchasing alcohol without having first provided identification. Only a valid driver's licence showing a photograph of the person, a valid passport, national identity card, military ID or proof of age showing the "PASS" hologram are to be accepted as identification. Notices advertising the Challenge 25 and proof of age policies shall be displayed in prominent positions on the premises;
- (f) All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). This log shall contain:

i. Details of the time and date the refusal was made

ii. The identity of the staff member refusing the sale

iii. Details of the alcohol the person attempted to purchase

This book/register shall be available for inspection by a Police Officer or authorised officer of Reading Borough Council upon request;

- (g) An incident log shall be maintained to record all incidents of crime and disorder as well as those relating to the protection of children from harm occurring at the premises. This log shall be available for

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 7 DECEMBER 2017

inspection by a Police Officer or an authorised officer of Reading Borough Council upon request and shall be retained for one year. The log shall be signed off by the Designated Premises Supervisor or nominated representative at the end of each trading session. A weekly review of the incident register shall also be carried out by the Designated Premises Supervisor;

- (h) All transactions for hotel bookings shall require photographic ID from any adult accompanying a child. Staff shall take all reasonable and proportionate steps to establish the name, date of birth and relationship between the adult and child. This may include but shall not be limited to asking for identification from each and establishing via questioning the nature of their relationship. Only a valid British driver's licence showing a photograph of the person, a valid passport, proof of age card showing the "PASS" hologram or military identity card are to be accepted as identification. If there is any doubt in relation to the validity of a booking or the nature of the relationship, details of the incident shall be recorded in the premises incident log and the Police notified immediately.

(The meeting started at 9.40am and finished at 1.56pm)