



**Reading**  
Borough Council

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**Working better with you**

**READING BOROUGH COUNCIL**  
**LICENSING POLICY STATEMENT**

**Xx September 2013**

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# **Our Vision**

To promote Reading as a safe and healthy environment in which responsible operators provide lawful and responsible facilities for the enjoyment of the Town's residents and visitors.

**The statement of licensing policy is underpinned by four core objectives:**

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

## **1. Introduction**

- 1.1 Reading Borough Council is a Licensing Authority for the purpose of the Licensing Act 2003. Section 5 of the Act requires all licensing authorities to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act during the period to which the policy applies. The Statement of Licensing Policy can be reviewed and revised by the authority at any time and at least every three years.
- 1.2 The Act transferred alcohol licensing functions from the Magistrates' Court to the local authority, at the same time creating new expressions of "authorised person", "interested party"(now other persons) and "responsible authority", all of whom are charged with the responsibility for contributing to the shaping of the licensing trade within a designated area.
- 1.3 The Statement of Licensing Policy aims to promote the licensing objectives whilst facilitating a sustainable entertainment and cultural industry. In adopting the licensing policy the council recognises both the needs of residents for a safe and healthy environment in which to live and work together with the importance of safe and well run entertainment premises, all of which promote the local economy and vibrancy of the borough.
- 1.4 Reading Borough Council licences over 600 licensed premises of all types including over 523 premises licensed to serve alcohol and some 232 venues providing entertainment. Additionally there are around 311 premises licensed to supply late night refreshment. The entertainment industry brings cultural and financial benefits to the borough and additional businesses operating in both the daytime and night time economies support that industry.
- 1.5 The Council believes that good management of its vibrant entertainment, alcohol and late night refreshment industries, and of the street environment within which they operate, is essential to the continued success of Reading Town Centre and to attracting the wide range of people who want to come here to work, to visit and to live. However, the predominantly urban nature of the town and the significantly large proportion of young residents means that issues such as:
  - (a) striking an appropriate balance between the needs of residents and the needs of businesses,
  - (b) the control of underage drinking, and
  - (c) the management of young and potentially immature drinkers,are matters which are particularly relevant to the exercise of the Authority's licensing functions, and ones which applicants and existing licensees also need to consider.

## **2. READING'S ENTERTAINMENT CULTURE**

- 2.1 Reading is home to a wide range of good quality restaurants, bars and entertainment venues. These have enhanced Reading's image as a dynamic,

attractive place to live, work and relax is in no small way. These businesses play an important role in Reading's economy and provide employment for many Reading residents, resulting in positive benefits for the town. However, entertainment in the town centre is dominated by the large number of late night bars. Many of these bars are part of national chains which operate in numerous cities and towns around the country.

- 2.2 Over 30 of these bars have licences to sell alcohol and provide entertainment beyond 2am. There are still some independent operators in the centre, but these are greatly outnumbered by the various branded bars.
- 2.3 The number and type of entertainment facilities in the town mean that a large number of young people, both from within Reading and further afield, are attracted to Reading. The town centre caters well for the young, but their large presence appears to have deterred some other groups from availing themselves of entertainment and using the town centre.
- 2.5 In recent years, the impact of increasing night-time activity has seriously concerned some residential and business communities in Reading. Crime - particularly violent crime - anti-social behaviour, noise, litter and parking problems have been linked to the night-time economy.
- 2.6 The Licensing Authority wishes to promote a diverse entertainment culture, which attracts a whole range of people in terms of age, gender and ethnicity to the borough.
- 2.7 the Licensing Authority and the other Responsible Authorities, such as the Police will support any proposals for premises which actively promote activities that are suitable for all age ranges, promote the artistic and cultural life of Reading, and discourage predominantly or exclusively alcohol based activities, unless they have significant adverse impacts on the licensing objectives.

### **3. PURPOSE**

- 3.1 This policy statement has amongst other things the following four main purposes:
  - 3.1.1 **To inform elected Members** of the Licensing Committee and Sub Committees of the boundaries and powers of the Authority and the parameters within which to make decisions.
  - 3.1.2 **To inform licence applicants** of the parameters within which the Authority will make licensing decisions and therefore how licensed premises are likely to be able to operate within the area.
  - 3.1.3 **To inform local residents and businesses** of the parameters within which the Authority will make licensing decisions and therefore how their needs will be addressed.

**3.1.4 To support a case in a court of law** if the Authority has to show how it arrived at its licensing decisions.

### **3.2 Using the Licensing Policy Statement**

**3.2.1** Reading Borough Council has several different roles under the Licensing Act 2003, “(the Act)” so in this policy:

(a) The ‘Authority’ has the same meaning as the Licensing Authority

(b) ‘Council’ is used where parts of the Council act in other capacities, for example:

(i) To determine policy;

(ii) When the ‘Council’ applies to the ‘Authority’ for a licence for Council premises;

(iii) When relevant sections of the Council act as a ‘Responsible Authority’ in making a Representation about an application received.

**3.2.2** When it grants a licence, the Authority must attach mandatory conditions if applicable. The Authority should not attach other conditions unless they are proportionate and appropriate for the promotion of one or more of the licensing objectives, namely:

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

### **3.3 Other Information**

#### **3.3.1 Pool of conditions**

The Authority has a ‘pool of conditions’ from which it may take conditions to impose on licences. This pool of conditions is subject to continuous development and is available on the Council website.

#### **3.3.2 Guidance to applicants**

The Authority provides guidance to applicants to assist them with making their applications for licences. This guidance can be found on the Reading Borough Council website at;

<http://www.reading.gov.uk/businesses/licensing/licensingact2003>

## **4. SCOPE OF THE LICENSING POLICY**

### **4.1 Integrating strategies, policies and objectives**

4.1.1 By consulting widely prior to this policy statement being published, the Authority has endeavoured to secure proper integration with local crime prevention, public health planning, transport, tourism and cultural strategies.

## 4.2 Consultation

4.2.1 In drawing up and reviewing this policy, the Authority consulted with 'other persons' and responsible authorities as required by the Act. Specifically, the following people and organisations were consulted;

- The chief officer of police for Reading local authority area
- The fire authority covering Reading local authority area
- The Public Health Service and Health and Wellbeing Board
- Persons/bodies representative of local holders of premises licences
- Persons/bodies representative of local holders of club premises certificates
- Personal licence holders
- Persons/bodies representative of local businesses
- Persons/bodies representative of local residents
- Most major Licensing Solicitors
- Neighbouring Action Groups

4.2.2 In addition, the Authority has consulted numerous other organisations and individuals in an attempt to ensure that this policy is balanced and has taken into account the views of those affected by it. The Council extends its thanks to all of those who took the time to make their views known on its proposed statement of licensing policy for the third period beginning in January 2014.

4.2.3 The policy statement will remain in existence for a period of 5 years during which period it will again be subject to review as and when necessary.

4.2.4 This policy is prepared in accordance with Section 5 of the Act, having regard to the Secretary of State's guidance issued under Section 182 of the Act.

4.2.5 The Authority shall, as required by Section 4 of the Act, have regard to this policy in its decision-making. The policy may be departed from if the individual circumstances of any case merit this and it is in the interests of the licensing objectives. In such cases the Authority shall give full reasons for departing from this policy.

4.2.6 The Authority has a duty under the Act to carry out its functions so as to promote the four licensing objectives, which are equally important.

4.2.7 This policy addresses the principles behind the decisions in respect of applications for:

(a) Premises Licences;

(b) Club Premises Certificates;

- (c) Community Premises;
- (d) Personal Licences;
- (e) Renewal or transfer of licences;
- (f) Variation of conditions attached to licences and associated matters.

**4.2.8** This policy also addresses Temporary Event Notices (TENs) and the review of Premises Licences and Club Premises Certificates.

### **4.3 Fundamental Principles**

**4.3.1** The Authority recognises that its power to reject applications or to apply conditions to Premises Licences and Club Premises Certificates is constrained by the terms of the Act.

**4.3.2** The Authority recognises that in relation to TENs it has no power to:

- (a) Attach any condition to a Temporary Event Notice. Unless the police or Environmental Health have made a relevant representation, conditions may only be attached by a licensing committee only where the venue at which the event is to be held has an existing premises licence or a club premises licence.
- (b) Modify mandatory conditions;
- (c) Attach conditions to a Premises Licence or Club Premises Certificate (other than appropriate mandatory conditions), unless those conditions are consistent with the operating schedule, submitted with the application or further to a relevant Representation.

**4.3.3** The Authority recognises that in relation to Premises Licences it has no power to:

- (a) Modify conditions attached to a Premises Licence or a Club Premises Certificate;
- (b) To exclude from the scope of a Premises Licence or a Club Premises Certificate any of the licensable or qualifying activities to which the application relates;
- (c) Refuse to specify a person in a Premises Licence as the Designated Premise Supervisor;
- (d) Reject the application - unless it has received a relevant representation about the application and then only to such extent as the Authority considers necessary for the promotion of the licensing objectives and in the case of 4.3.3(c) to such extent as the crime prevention objective will be undermined.



- 4.3.4 The Authority can refuse a minor variation if the application undermines one or more of the licensing objectives.
- 4.3.5 Throughout this policy the Authority has outlined the standards which it expects to be addressed in applications.
- 4.3.6 This policy does not override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 4.3.7 It is recognised that the licensing function is only one means of securing the delivery of the licensing objectives and should not therefore be seen as a panacea for solving all problems within the community. The licensing process can only seek to control those measures within the control of the licensee and in the vicinity of the licensed premises. The Authority will continue to work in partnership with neighbouring local authorities, the police, local businesses and residents to promote the licensing objective as outlined.

#### **4.4 Licensable Activities**

- 4.4.1 The policy relates to all those licensable activities identified as falling within the provisions of the Act, as follows:
- Retail sale of alcohol
  - Supply of alcohol to club members
  - Provision of 'regulated entertainment' to the public, to club members or for profit
  - A performance of a play
  - An exhibition of a film
  - An indoor sporting event
  - Boxing or wrestling entertainment
  - A performance of live music
  - Any playing of recorded music
  - A performance of dance
  - The supply of hot food and/or drink from any premises between 23:00 hours and 05:00 hours.
- 4.4.2 On 1 October 2012 the Live Music Act 2012 came into force. Under the Act, live music will cease to be regulated entertainment in venues licensed for the sale of alcohol for consumption where:
- (a) The music is unamplified and takes place between 0800hours and 2300hours. When the music is amplified and it takes place in the presence of an audience of 200 persons or less and is provided between 0800 hours and 2300 hours.
  - (b) For premises not licensed for the sale of alcohol, live music is not regulated entertainment when it is unamplified and takes place between 0800 hours and 2300 hours. Amplified music in premises that are not licensed will still require an appropriate authorisation. Any conditions

relating to live music that are stated on a Premises licence will be suspended, unless re-attached following the review of the premises licence.

## 5. THE LICENSING OBJECTIVES

5.1 In exercising their functions under the Licensing Act 2003, Licensing Authorities must have regard to the Licensing Objectives as set out in section 4 of the Act. The licensing objectives are:

- (a) the prevention of crime and disorder
- (b) public safety
- (c) the prevention of public nuisance
- (d) the protection of children from harm

Guidance on the licensing objectives is available on the Government's website at: <http://www.culture.gov.uk>

## 6. AVOIDANCE OF DUPLICATION

6.1 The policy is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators e.g. Health and Safety at Work etc Act 1974, the Environmental Protection Act 1990, Regulatory Reform (Fire Safety) Order 2005, disability discrimination legislation, building regulations. Therefore, the Authority will not attach conditions to a licence unless they are considered necessary for the promotion of the licensing objectives and are not already adequately covered by other legislation.

## 7. PLANNING

7.1 The Authority recognises that licensing applications should not be seen as a re-run of the planning application process and that there should be a clear separation of the planning and licensing regimes to avoid duplication and inefficiency. However, the Authority will normally expect applicants to demonstrate that, ***their proposed use of the premises is lawful in planning terms***, including complying with any conditions that may be imposed upon a planning consent, prior to applications under this Act being submitted. Nevertheless, the Council recognises that it is permissible for applications for licences to be made before any relevant planning permission has been sought or granted by the planning authority.

7.2 As outlined at paragraph 13.56 of the Consolidated Guidance issued under Section 182 of the Licensing Act 2003 (October 2012 version), there are also circumstances when as a condition of planning permission a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant **MUST** observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

7.3 Where a licence application is to be determined by the Licensing Applications Sub Committee, the Sub Committee in such cases will normally impose a condition to the effect that the licence will not become effective until the relevant planning consent has been obtained.

7.4 The Council is preparing its Local Development Framework. To date, it has adopted two documents and is working on a further document. The planning policy framework also currently relies on a number of saved policies from the Reading Borough Local Plan that was adopted in 1998.

7.5 The Local Development Framework consists of a number of documents which are reviewed and modified to take account of ever changing demands. Currently these are:

(a) Core Strategy (adopted Jan 2008) - sets out the spatial vision and strategic objectives, a spatial strategy and core policies related to the implementation of the strategy. (See web link below).

<http://www.reading.gov.uk/environmentandplanning/planning/localplanningpolicy/localdevelopmentframework/General.asp?id=SX9452-A782EBD9>

(b) Reading Central Area Action Plan (Adopted Jan 2009) - policies and proposals for the central area of Reading. (See web link below).

<http://www.reading.gov.uk/environmentandplanning/planning/localplanningpolicy/localdevelopmentframework/General.asp?id=SX9452-A782E4B3>

(c) The Sites and Detailed Policies Document (adopted October 2012) includes specific site allocations for the Borough outside the Central Area and detailed policies to be used for determining planning applications. (See web link below).

<http://www.reading.gov.uk/businesses/Planning/planning-policy/sites-and-detailed-policies-document>

7.6 With the adoption of the Sites and Detailed Policies Document, the council now has a complete up to date local plan. The various policies in the Local Plan that were in operation have now been superseded and are no longer relevant.

In addition, the Council has published various Supplementary Planning Documents which are also relevant to the drawing up and consideration of planning applications. Current and draft documents can be viewed via the following web link:

<http://www.reading.gov.uk/businesses/Planning/planning-policy/supplementary-planning-guidance-and-documents-topics>

The Council also publishes site specific Supplementary Planning Documents, mainly for more strategic sites. Current and draft documents can be viewed via the following web link:

<http://www.reading.gov.uk/businesses/Planning/planning-policy/supplementary-planning-guidance-and-documents-sites>

- 7.7** These main Local Development Documents (LDDs) are used in conjunction with national planning policy statements. Also at the local level, there are a number of site-specific developments, briefs and supplementary planning and guidance documents which are relevant to various parts of the Borough.
- 7.8** The LDDs will seek to strengthen existing district and local centres. Whilst no definitive extensions to these centres have been agreed from a planning perspective, licensed premises in these areas will play an important role as part of this objective and within the role of the 24-hour economy in Reading. Planning permission for A3 (or similar) uses is therefore likely to be restricted within these areas rather than within other predominantly residential areas.
- 7.9** The Reading Central Area Action Plan identifies in more detail those issues relating to licensed premises, the 24-hour economy and the general organisation of retailing within the town centre.
- 7.10** The key issues surrounding the determination of planning permission for A3 type uses are likely to remain as follows:
- (a) Impact on residential amenity through noise, odour, disturbance, litter, etc.
  - (b) Impact on the viability of the Town Centre, defined district and local centres including the need to maintain reasonable levels of retail (A1) uses.
  - (c) Potential S106 contributions towards CCTV and Borough Safe.
  - (d) Each planning application will continue to be considered on its own merits.
- 7.11 Cultural Strategy**
- 7.11.1** The Authority recognises that as part of implementing the its cultural strategy, it needs to take account of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community. Conditions to be imposed on relevant licences will not discourage the promotion of such entertainment but will relate solely to the promotion of the licensing objectives and will be necessary, proportionate and reasonable. The Authority will endeavour to avoid measures that deter live music, dancing and theatre.
- 7.11.2** The Authority will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music and dancing. If there is

evidence that licensing requirements deter live music, dance and theatre, the Authority will consider how this could be prevented without detriment to the licensing objectives. The Authority recognises the value to the community of a broad range of cultural entertainments.

- 7.11.3 The Council's Cultural Strategy, published in 2002, outlines how the Council seeks to improve leisure, sports and entertainment facilities over the next decade. In addition, Reading's Borough 2020 Strategy, the council's aspirational vision of the Reading of the future, the Cultural Strategy stresses the key role of culture in Reading's development. The Strategy emphasises the need to ensure that the cultural sector grows and develops so that it can lead and reflect Reading's identity as a growing regional capital. Reading's Borough 2020 Strategy can be viewed at [www.readig2020.org.uk](http://www.readig2020.org.uk)
- 7.11.4 Commercial developments of pubs, clubs, restaurants and other leisure facilities contribute towards this, but the emphasis must be on diversity to work towards a culture that is inclusive for all ages, genders and ethnicities.
- 7.11.5 The Cultural Strategy also seeks to capitalise on Reading's reputation as a Festival Borough, and seeks opportunities to attract and develop more specialist cultural events to the area. The Authority will encourage and promote these as part of improving the overall quality of life in Reading, and of stimulating visitor numbers and the economy of Reading.
- 7.11.6 The Cultural Strategy was developed with other strategies in mind e.g. the Tourism Strategy, the Corporate Plan which includes the Sustainable Community Strategy for 2008 to 2011 and the Local Area Agreement. In addition, Reading's vision for 2030 is currently underway and relevant aspects of it will be incorporated into and considered in conjunction with this policy when approved.
- 7.11.7 Reading's Cultural Strategy - 'A Life Worth Living' - can be viewed at: [www.livingreading.co.uk](http://www.livingreading.co.uk)
- 7.11.8 Article 15 of the International Covenant on Economic, Social and Cultural Rights, requires that progressive measures be taken to ensure that everyone can participate in the cultural life of the community and enjoy the arts. The Authority will ensure that these principles are integrated, where possible, with our approach to the licensing of regulated entertainment.

## **7.12 Tourism Strategy**

- 7.12.1 The Council first adopted a Tourism Strategy in 1998 to address the growing demands of the local tourism industry during a time of rapid change for the region. The Strategy was a blueprint for the ongoing management of the visitor trends in Reading and its surrounding areas, which has played a crucial part in addressing the needs of a town which rapidly achieved the quality and substance of a borough.
- 7.12.2 The future is one in which tourism in all its forms will play an increasingly important role as opportunities for leisure, business and transport within the

region expand. Reading's developing role as cultural and financial capital of the Thames Valley means it will become the natural focus for thousands more people who will choose to eat and drink, enjoy events and take breaks in our borough as a first choice over many other destinations.

#### **7.13 Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks**

- 7.13.1** The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years or older. The Code is an important weapon in protecting children from harm because it addresses the naming, marketing and promotion of alcohol products sold in licensed premises in a manner which may appeal to or attract minors. The Authority commends the Portman Group Code and licence holders should have regard to it.

#### **7.14 Alcohol Harm Reduction Strategy**

- 7.14.1** In applying this policy, the Authority will have regard to the Government's Alcohol Harm Reduction Strategy and the Berkshire West Alcohol Harm Reduction Strategy in promoting the licensing objectives.

#### **7.15 Crime & Disorder Act 1998**

- 7.15.1** In applying this policy, the Authority will have regard to its obligations under Section 17 of the Crime and Disorder Act 1998 and will do all that it reasonably can to prevent crime and disorder in Reading. The Authority will also have regard to the Safer Reading Partnership, which incorporates both local and national strategies and whose mission statement is "We will continue to make Reading a safer place for those who live, work and visit, through a reduction in crime and disorder". In addition the Authority will liaise with the Reading Crime Reduction Partnership in order to reduce crime, misuse of drugs and the fear of crime.

#### **7.15.2 Criminal Justice and Police Act 2001**

In applying this policy, the Authority will have regard to their obligations under section 12 to reduce the incidence of disorder and public nuisance arising from alcohol consumption in designated public places.

#### **7.15.3 Policing and Crime Act 2009**

In applying this policy, the Authority will have regard to their obligations under Part 3 relating to alcohol misuse, (children) changes to the mandatory condition, and the licensing authority as an interested party

#### **7.16 Reading Pub watch**

- 7.16.1** In Reading, a number of 'Pub Watch' Schemes have been established by licensees with the support of the Council. Meetings are held monthly at different venues in the borough. The Authority recognises the significant

support and value that these associations give to the achievement of the licensing objectives.

**7.16.2** The Authority will support these associations and their aims and objectives.

## **7.17 Control of alcohol - Designated Public Place Orders**

**7.17.1** The Council has adopted the powers contained within the Police and Criminal Justice Act 2001 to designate parts of its area as places where alcohol may not be consumed publicly. There are currently three such areas within the Borough of Reading:

- (a) The town centre - coloured red on the map at Appendix 'A'.
- (b) An area west of the town centre, covering from the railway line in the north to the Bath Road in the south and extending to Norcot Road in the west. This is coloured yellow on the map at Appendix 'A'.
- (c) A further three areas covering part of Tilehurst, Coley, the east end of Reading and incorporating part of Lower Caversham and North Whitley, all of which is coloured blue on the map at Appendix 'A'.

**7.17.2** The Council, in conjunction with the police, will continue to consider further applications for alcohol restrictions and will keep the above orders under review.

## **7.18 Drug Use and Safer Clubbing**

**7.18.1** The Authority recognises that drug use by young people in a club environment is not something that applies to all licensed premises. However, it is also recognised that special conditions will need to be imposed for certain types of venues to reduce the sale and consumption of drugs and to create a safer environment for those who may have taken them.

**7.18.2** The Home Office, in partnership with the London Drugs Policy Forum and Release has produced the Safer Clubbing Guide that provides advice for nightclub owners, dance event promoters and local authorities on how to ensure the health and safety of anyone attending dance events. The latest Guide can be viewed or downloaded in full from the Home Office 'Safer Clubbing Guide' website.

**7.18.3** In applying this policy in respect of nightclubs and dance events the Authority will have regard to their obligations under section 17 of the Crime and Disorder Act 1988, in that the Authority will do all that it reasonably can to prevent crime and disorder in the Reading area. The Authority, will liaise with the Reading Crime Reduction Partnership and the Drug and Alcohol Action Team in order to reduce crime, misuse of drugs and the fear of crime.

## **7.19 Anti-Social Behaviour**

**7.19.1** The Authority is aware of and will support the use of sections 40 and 41 of the Anti-Social Behaviour Act 2003, when they are commenced. These powers allow the closure, by authorised Environmental Health Officers, of premises causing public noise nuisance.

**7.19.2** The Authority is also aware and will support the use by police of the issue of written directions under Section 27 of the Violent Crime Reduction Act 2006, whereby a person may receive, a '48 hour' ban from a specific area. A breach of two or more of the 'Section 27 directions, can result in the anti-social behaviour order process being invoked.

## **7.20 Door Supervisors**

**7.20.1** When ever persons are employed at licensed premises to carry out any security function they must be licensed with the Security Industry Authority (SIA). Competent and professional door supervisors are key to public safety at licensed premises and the provision of door supervisors is an action point for the leisure industry to consider in the Home Office Alcohol Harm Reduction Strategy. If a licensee directly employs security operatives he/she will need to be licensed by the SIA.

**7.20.2** The Police may consider that certain premises require strict supervision for the purpose of promoting the reduction of crime and disorder. In particular, the Authority will normally support an approach that requires door supervisors to be employed at premises that open beyond midnight, unless it can be demonstrated that this is unnecessary, having regard to the licensing objectives.

**7.20.3** Applicants for premises licences and club premises certificates should note, that the Authority may only attach conditions to licences, if such conditions are consistent with the operating schedule submitted as part of the application process, or if relevant representations are received.

**7.20.4** Where premises close before midnight, door supervisors may still have to be employed, if the risks associated with the operation warrant such an approach. The number of door supervisors to be employed, would need to be determined as a result of a risk assessment, carried out by the designated premises supervisor. However, it is recommended that a minimum of one door supervisor per 100 customers be used. Consideration also needs to be given to the ratio of male and female door supervisors, which are appropriate for particular premises.

## **7.21 Crime Prevention**

**7.21.1** Conditions attached to premises licences and club premises certificates will, so far as possible, reflect local crime prevention strategies.

**7.21.2** Where relevant representations are received the Authority may impose conditions, for example, requiring the use of CCTV both inside and outside of licensed premises for the purpose of minimising crime disorder and disturbance. Again, applicants for licences should note that the Authority



might only attach conditions to licences if such conditions are consistent with the operating schedule submitted as part of the application process, or if relevant representations are received.

## **7.22 Equality of opportunity**

- 7.22.1** The Race Relations Act 1976 as amended obliges public authorities to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different racial groups. It also obliges authorities to produce a race equality scheme, consult on the impact of policies on race equalities, and monitor such policies for any adverse impact on the promotion of race equality. The Authority has had regard to these duties in formulating this policy, and will continue to do so in making individual licensing decisions.

## **8. CUMULATIVE IMPACT AND NEED**

### **8.1 Cumulative Impact Policy (CIP)**

- 8.1.1** “Cumulative impact” for the purposes of this policy means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. For example, this may include the potential impact on crime and disorder or public nuisance on an area that a large concentration of licensed premises may have.
- 8.1.2** The cumulative impact of licensed premises is a proper matter for the Authority to take into account in discharging its licensing functions and in developing its licensing policy statement. This should not however be confused with ‘need’ which relates more to the commercial demand for a particular type of premises e.g. a pub, restaurant or hotel. The issue of ‘need’ does not form part of this licensing policy statement.
- 8.1.3** The Authority has considered in formulating this policy, in close consultation with Thames Valley Police, whether there is a particular concentration of licensed premises in a particular part of Reading, which is already causing a cumulative impact on one or more of the licensing objectives.
- 8.1.4** Concerns do exist about the number of licensed premises in parts of the town centre, particularly in Friar Street, and Gun Street areas, together with the impact that these premises have upon the licensing objectives. The Council recognises the concerns of residents in areas with high proportions of licensed premises and will use best endeavours and all available legislation so as to ensure these premises and the activities associated with them are properly controlled and do not result in unreasonable disturbance for residents.
- 8.1.5.** The Council considered the existing ‘Cumulative Impact Policy’ and the need to keep the policy in force. The extent of the area can be viewed at Appendix B to this policy.
- 8.1.6** It is recognised that pubs, nightclubs, restaurants, hotels, theatres, and other clubs all sell alcohol, serve food and provide entertainment, but with

contrasting styles and characteristics. Proper regard will be had to those differences and the impact they are likely to have on the local community.

**8.1.7** The Authority is keen to stress that as well as the licensing function there are a number of other mechanisms for addressing issues of unruly behaviour which occur away from licensed premises. These include:

- (a) planning controls;
- (b) ongoing measures to provide a safer and cleaner environment in partnership with local businesses and others;
- (c) the provision of CCTV surveillance in the town centre, provision of taxi ranks, provision of public toilets, street cleaning and sweeping;
- (d) powers to designate parts of the Borough as places where alcohol may not be consumed publicly;
- (e) confiscation of alcohol from adults and others in designated areas;
- (f) the prosecution of any personal licence holder or member of staff at who is selling alcohol to people who are drunk;
- (g) police enforcement of the law with regard to disorder and anti-social behaviour;
- (h) police powers to close some premises for up to 24 hours in extreme cases of disorder or excessive noise;

**8.1.8** The Authority will address a number of these issues through the Reading Community Safety Partnership in line with the strategic objectives for crime and disorder reduction within the Borough.

**8.1.9** The effect of keeping the cumulative impact policy, is to create a rebuttable presumption that applications for new premises licences and club premises certificates or material variations, will be refused, if relevant representations are received. A rebuttable presumption is not a presumption that is absolute; it is a presumption that may be overturned if sufficient evidence can be provided against the presumption. Appendix C to this reports list a number of policies and conditions that could be included in an operating schedule and considered by the council.

**8.1.10** Applications, which are unlikely to have a negative effect on the licensing objectives, are unlikely to illicit relevant representations. They, therefore, are unlikely to progress to a hearing, with the consequence that they are likely to be granted by officers under delegated powers.

**8.1.11** Where during the application for the grant or variation of a premises licence or club premises certificate, responsible authorities or interested parties are concerned that the licensing objectives will be impacted upon, there are likely to *be* relevant representations, which would lead to the application

proceeding to a hearing. If at that hearing, an applicant is able to rebut the presumption of refusal by demonstrating there will be no negative impact on the licensing objectives, a licence can still be granted. However, if the presumption cannot be rebutted, the application is likely to be refused.

## **8.2 Reasons for the CIP approach**

- 8.2.1** The cumulative impact policy is a highly significant measure, because it creates a presumption against a particular form of economic development, and therefore, as a matter of good regulation a policy should not be renewed unless there is a sound reason to do so.
- 8.2.2** The Council has undertaken research in respect of Reading town centre that has identified high concentrations of licensed premises and high levels of crime for offence types that are associated with the night-time economy, alcohol and licensed premises.
- 8.2.3** Of the high number of licensed premises in Reading town centre, the majority are well run. However, the sheer volume and concentration of premises is having a negative impact on the licensing objectives.
- 8.2.4** As a result, the Council, acting as the Licensing Authority for Reading, after considering evidence of crime and looking at concentrations of licensed premises in the borough, is satisfied that it is appropriate to keep a CIP in the town centre in order to promote the licensing objectives.
- 8.2.5** The Council and partner organisations already employ a range of mechanisms designed to prevent or limit the cumulative impact of any problems arising from premises and their customers behaving inappropriately or unlawfully once away from the premises. The measures currently employed include the provision of night bus services, the use of Taxi Marshals to supervise and control taxi ranks, the presence of Street Pastors in the town centre late at night at weekends to assist people who may be in difficulty, extensive CCTV coverage and monitoring of the town centre, regular joint operations to detect illegal taxis, active use of dispersal orders to improve the town centre environment, and the provision of 'Urilift' toilet facilities in the town centre for people visiting the town centre at night, in an attempt to cut down street urination.

## **8.3 Reading Central CIP Area**

- 8.3.1** The area to which the CIP applies is known as the Reading Central CIP Area and is shown on the plan detailed as Appendix B.
- 8.3.2** The Reading Central CIP Area occupies 64.42 hectares, which is 1.6% of the total area of the borough. Yet the total number of licensed premises within the Reading CIP area as at 1 January 2013 was 174, which is 28.8% of the total number of licensed premises within the borough. The types and number of licensed premises within the proposed CIP Area is as follows:

• Restaurant	57
• Bar	24
• Takeaway/Fast Food	20
• Nightclub	10
• Pub	19
• Off licence	24
• Social Club	6
• Hotel	7
• Special Events	4
• Theatre	1
• Cinema	1
• Casino	1

- 8.3.3** The council considers it appropriate to continue with the existing CIP. However, due to the redevelopment of Reading railway station and changes to pedestrian flows, the area north of the railway station which includes Vastern Road and Caversham Road may be considered as a possible extension to the town CIP. Should evidence emerge of a rise in crime and disorder in that area, the council will apply for an extension to the CIP following the Secretary of State's guidance in such matters.

#### **8.4 General Approach to applications within the CIP area**

- 8.4.1** The Secretary of State's Guidance under the Licensing Act 2003 suggests that Local Authorities can, within a cumulative impact area, adopt a policy of refusing all new licences subject to relevant representations and the rebuttable presumption as outlined at paragraph 7.1.9 above being made. It is not the Council's intention to adopt such a broad approach. To do so may operate disproportionately against some types of premises that are unlikely to undermine the licensing objectives and others which can operate without so doing earlier in the evening. The policy therefore takes a more targeted approach by focusing on certain types of operation and those that only operate beyond midnight. For certain types of premises which are not normally associated with undermining the licensing objectives, the policy is neutral or even positive.

- 8.4.2** This policy has regard to Secretary of State's Guidance which does not support fixed terminal hours. The policy creates a presumption against some premises operating beyond a certain hour and this is an appropriate and proportionate response to the particular circumstances in the proposed Reading Central CIP area. This is considered preferable than refusing applications outright.

#### **8.5 Application of this policy**

- 8.5.1** This policy will apply to all applications for premises licences and club premises certificates for material variations for premises within the Reading Central CIP Area. Material variations include increases of hours, capacity and all other variations that are likely to add to cumulative impact in the Reading Central CIP Area.

8.5.2 The policy will only be applied where there have been relevant representations. Where there are no relevant representations, it is the duty of the licensing authority to grant the application subject to the conditions in the operating schedule and the mandatory conditions imposed by law.

8.5.3 The policy takes a different approach to different types of premises. In the case of applications for hybrid premises that would fall into more than one type, the predominant use will be taken for the purposes of the policy.

## 8.6 The Policy

8.6.1 Restaurants: where applications are made for restaurants to sell alcohol ancillary to the consumption of full table meals, it is not envisaged that negative impact on the licensing objectives would result and therefore the Authority will look favourably upon such applications.

8.6.2 Hotels: where applications are made for hotels to sell alcohol, primarily for consumption by guests, it is not envisaged that any negative impact on the licensing objectives would result and therefore the Authority will look favourably upon such applications.

8.6.3 Theatres: where applications are made for theatres to sell alcohol primarily to patrons, it is not envisaged that any negative impact on the licensing objectives would result and therefore the Authority will look favourably upon such applications.

8.6.4 Traditional pubs: experience has shown that traditional pubs tend to appeal to a more mature clientele than a bar or nightclub might, and generally such premises have little impact on the licensing objectives. This is particularly true where venues sell real ales, do not play loud music and generally do not have opening hours extending beyond midnight. As a result, the Authority is more likely to grant such applications where it is satisfied that the application will not add to cumulative impact and that it complies with the other provisions of this licensing policy.

Where the application is for opening hours beyond midnight, the policy will be to refuse unless there are exceptional circumstances. Premises will need to demonstrate that detailed measures proposed in the operating schedule result in no increase in crime and disorder and will satisfy the Council that granting the application would not contribute to cumulative impact, and that there is compliance with the other provisions of this licensing policy.

8.6.5 Café Bars: Where a premises operating schedule and licence conditions specify that alcohol sales are to be by way of waiter service for consumption by persons seated at tables in premises where food is available at all times of operation and is a substantial aspect of the business, the Licensing Authority will look favourably upon the application.

8.6.6 Late night food outlets: Applications for the sale of food primarily for takeaway up to midnight will be granted where it is demonstrated that they

will not add to cumulative impact and that they will comply with the other provisions of this licensing policy.

Late night food outlets are a major contributor to crime and disorder after midnight. Therefore the policy is to refuse applications involving such sales unless there are exceptional circumstances.

Outlets will need to demonstrate that detailed measures proposed in the operating schedule will result in no increase in crime and disorder, will satisfy the Council granting the application would not contribute to cumulative impact, and there is compliance with the other provisions of this licensing policy.

- 8.6.7** Off-licences: Shops that sell alcohol up to midnight to take away such as newsagents and supermarkets will generally be granted where it is demonstrated that they will not add to cumulative impact and that they will comply with the other provisions of this licensing policy.

Currently the crime statistics indicate that crime levels increase significantly post-midnight. Therefore the policy is to refuse applications involving sales beyond midnight unless there are exceptional circumstances. Off-licences will need to demonstrate that detailed measures proposed in the operating schedule will result in no increase in crime and disorder, satisfy the Authority that granting the application would not contribute to cumulative impact, and there is compliance with the other provisions of this licensing policy.

- 8.6.8** Bars/Clubs/music and dancing venues: - Subject to the rebuttable presumption as outlined at paragraphs 7.1.10 to 7.1.11 above, the policy is to refuse applications for such premises. Experience has shown that venues which serve alcohol, often at low prices; provide limited seating for customers; provide facilities for music and dancing; and which are alcohol rather than food-led, have the strongest potential to have a negative impact on the licensing objectives and to add to cumulative impact. Applicants seeking to operate in the CIP area will need to demonstrate that detailed measures proposed in the operating schedule will result in no increase in crime and disorder.

**8.7** **Supporting evidence for CIP**

- 8.7.1** In 2010 the Council approved the Reading CIP Area; the evidence supporting the introduction is attached as appendix D
- 8.7.2** The data contained in the tables listed at appendix E details the number of relevant crimes in the CIP area from 1 October 2009 to 30 September 2012. There is evidence of a significant increase in offences between the hours of 23:00 and 05:59.
- 8.7.3** The data contained in the tables at Appendix F states the number of Notices served under Section 27, Violent Crime Act 2006 issued by Thames Valley Police. Section 27 notices are issued to individuals instructing them to leave the area for up to 48 hours. Should the individuals return they can be arrested for breach of the notice.

## **9. EARLY MORNING RESTRICTION ORDERS (EMRO)**

**9.1** EMROs are designed to address recurring problems such as high levels of alcohol-related crime and disorder in specific areas at specific times in which serious public nuisance or alcohol related anti-social behaviour is not directly attributable to specific premises.

**9.1.2** The Licensing Authority may introduce, vary or revoke an EMRO. This power enables the Authority to prohibit the sale of alcohol for a specified period between the hours of 12 midnight to 0600 hours in the whole or part of its area if it is satisfied that this would be appropriate for the promotion of the Licensing objectives.

### **9.2 Introducing an EMRO**

**9.2.1** The Home Office issued guidance in October 2012 under section 182 of the Licensing Act 2003 outlining the process and matters that should be considered when the council believes an EMRO is required. The council will follow the guidance if it considers that an EMRO is required for an area in Reading. Any application for an EMRO must be approved by full Council.

### **9.3 Exceptions to an EMRO**

**9.3.1** An EMRO shall not apply to:

- a) Any premises on New Year's Eve (defined as 12 midnight 31 December to 0600 hours on 1 January.
- b) The supply of alcohol to residents by accommodation providers between 12 midnight and 0600 hours, provided the alcohol is sold through mini-bars and/or room service.
- c) A relaxation of the licensing hours by virtue of an order made under section 172 of the 2003 Act

### **9.4 Late Night levy**

**9.4.1** The late night levy enables the authority to raise contributions towards the cost of policing the late night economy. The levy is payable by the holders of any premises licence between midnight and 0600 hours.

**9.4.2** The Home Office have issued guidance on the process and matters that should be considered when the authority considers that it is appropriate to introduce a night time levy. Any application for a late night levy must be approved by full Council.

## **10. APPLICATIONS**

### **10.1 Grant and Full Variations**

**10.1.1** All licensing applications for the grant or variation of a premises licence must be served on:

- (a) The Licensing Authority for the area
- (b) The Chief of Police for the area
- (c) The Chief Fire Officer for the area
- (d) The Local Safeguarding Children's Board for Reading
- (e) Health and Safety Authority for the area
- (f) Local Environmental Health Authority for the area
- (g) The Local Weights and Measures Authority for the area
- (h) Environmental Protection Authority
- (i) Local Planning Authority for the area
- (j) Health Board (Reading Borough council)
- (k) A Licensing Authority other than Reading Borough Council in whose area part of the premises is situated

**10.1.2** In addition, where applications for the grant or full variation of a premises licence are on a boat, a copy of the application must be served on:

- (i) Navigation Authority
- (ii) The Environment Agency
- (iii) The Canal and River Trust
- (iv) The Secretary of State

**10.1.3** It is the responsibility of the applicant for all licences to ensure it is served in accordance with the provisions of the Act, unless the application is made electronically.

**10.1.4** Whilst many applications will be resolved without the need for a committee hearing, those not previously resolved will be referred to a Licensing Applications Committee where the application will be fully considered.

**10.1.5** Applications for the grant, variation or review of a premises licence or a club premises certificate shall be placed on the council's website for 28 days.

## **10.2 Minor Variations**

**10.2.1** In August 2009, the Government introduced a process for making minor variations to premises licences and club premises certificates, that could have 'no adverse impact' on the promotion of any of the four licensing objectives, as outlined at paragraph 3.2.2 above.

**10.2.2** Minor variations cannot be used to;

- (a) extend the period for which the licence or certificate has effect;
- (b) specify, in a premises licence, an individual as the premises supervisor;
- (c) add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate;
- (d) authorise the sale by retail or supply of alcohol at any time between 11pm and 7am;



- (e) authorise an increase in the amount of time on any day during which alcohol may be sold by retail or supplied;
- (f) authorise an individual to supply alcohol at a community premises.
- (g) vary substantially, the premises licence or club premises certificate, to which the premises relates.

**10.2.3 Minor variations can be used to:**

- (a) make minor changes to the structure or layout of a premises;
- (b) make small adjustments to the licensing hours;
- (c) remove out of date, irrelevant or unenforceable conditions;
- (d) add or remove licensable activities;
- (e) Add volunteered conditions to a premises licence or club premises certificate.

**10.2.4 Under the 'minor variations' process, the applicant must send the application to the Authority and must display the relevant details of the application on a white notice for a period of ten working days, beginning with the day after the application was given to the Authority. The applicant is:**

- (a) not required to advertise the variation in a:
  - (i) newspaper or;
  - (ii) circular or;
  - (iii) copy it to responsible authorities.

**10.2.5 On receipt of a minor variation application, the Authority will consider and consult the relevant responsible authority as appropriate as well as considering any relevant representations. The Authority may refuse the application if it believes the variation undermines the licensing objectives.**

**10.2.6 If the Authority fails to determine the application within 15 working days, the application will be treated as being refused and the fee returned.**

**10.3 Committee Hearings**

**10.3.1 These hearings will be held as directed by the Act. For example, in relation to applications for the grant, variation, transfer or review of a premises licence or club premises certificate or for the grant of a personal licence where there are objections and the issues cannot be resolved without a hearing. Hearings will also be held where there is an objection relating to a temporary event notice (TEN).**

#### **10.4 New Premises Licences**

- 10.4.1** Any person aged 18 years or over who is carrying on or who proposes to carry on a business that involves the use of premises for licensable activities may apply for a premises licence either on a permanent basis or for a time-limited period. "A person" in this context includes a limited company or partnership.
- 10.4.2** Where the premises are a managed public house, the Authority will expect the applicant for a premises licence to be the pub operating company, as the manager (as an employee) would not be the person actually carrying on the business. The same applies to premises such as cinema chains and fast food restaurant chains where the managers will similarly be employees of the operating company.
- 10.4.3** In respect of most 'leased' public houses a tenant may run or propose to run the business at the premises and in agreement with the pub operating company. In such cases the tenant and the operating company should agree who should apply for the premises licence.

#### **10.5 Review of Premises Licence**

- 10.5.1** Any premises subject to a premises licence or club premises certificate may have that licence or certificate reviewed by the Licensing Authority on application by a responsible authority or interested parties. The Act provides strict guidelines as to the timescale and procedures to be adhered to and the Authority will deal with every review application on that basis.

#### **10.6 Appeals**

- 10.6.1** Where an applicant is aggrieved by the decision of the licensing authority, an appeal may be lodged with the Magistrates' Court for the area. The Authority must in all cases be a respondent to such an appeal.

#### **10.7 Designated Premises Supervisor (DPS)**

- 10.7.1** This is the person who for the time being is specified in the premises licence as being the premises supervisor. That person must hold a personal licence.
- 10.7.2** Any premises at which alcohol is sold or supplied may employ one or more personal licence holders. The main purpose of the 'designated premises supervisor' as defined in the Act, is to ensure that there is always one specified individual among these personal licence holders who can be readily identified for the premises where a premises licence is in force.
- 10.7.3** In July 2009 the Government empowered the Licensing Authority, on the application of the management committee of community premises, not to apply the normal mandatory conditions relating to the sale of alcohol, but instead to impose a condition rendering the management committee responsible for the supervision and authorisation of all alcohol sales made pursuant to the licence. (See paragraph 10.2.2(f) above).

## **10.8 Change of Designated Premises Supervisor (DPS)**

- 10.8.1** Any application to change a DPS will be dealt with in accordance with the Act. Where an objection is received from the Chief of Police, unless previously resolved, the Authority is required to hold a hearing.

## **10.9 Personal Licences**

- 10.9.1** Under the Act, the Licensing Authority will automatically grant applications for personal licences so long as the applicant is 18 years or over, has possession of the qualification determined by the Secretary of State, has not had a personal licence forfeited within 5 years of the date of application and has not been convicted of any relevant offence or any relevant foreign offence. Such applications will be dealt with by an administrative process within the Licensing Section.

- 10.9.2** Thames Valley Police may make representations where the applicant has been convicted of a relevant offence or relevant foreign offence. In such cases the Licensing Sub-Committee will consider the matter and the application will be refused if the Sub-Committee decides that refusal is in the interest of the promotion of the prevention of the crime objective. In all other cases the application will be granted.

- 10.9.3** In relation to personal licence holders in community premises, see paragraph 10.7.3 above.

## **10.10 Temporary Event Notices**

- 10.10.1** Section 100 of the Act states that the organiser of a Temporary Event must give the Authority notice of the proposed event. Section 104 of the Act states that a copy of the notice must also be provided to the Police and Environmental Health. No notification need be given to other authorities such as the Fire Authority or Planning Section by the applicant but see below.

- 10.10.2** Section 100(7) states that the organiser must give the Authority a minimum of 10 clear working days notice. This does NOT include the application date, event date, weekends and bank holidays. However, in a significant number of cases this time period would not allow enough time for the organiser to liaise with the police and other relevant bodies to ensure that the event passes off safely with minimum disturbance to local residents.

- 10.10.3** The Authority strongly recommends that it and Thames Valley Police receive all Temporary Event applications at least 28 days before the planned event. This will ensure that full discussion can occur between the organiser and any other interested parties in order that the event can take place with the minimum risk of crime and disorder.

- 10.10.4** Although applicants are not required to notify the Fire Authority of temporary events the Authority will, if requested to do so, notify the Fire Authority of all temporary events notices received, in order that they are able to ensure the

safety of such events. In addition, whilst applicants do not have to notify the Planning Section in respect of a temporary event, ***they should at least ensure that they have the relevant planning consent to hold the event or extend their hours.*** However, neither the Fire Authority nor any other responsible authority will be able to make any representations to the Licensing Authority in respect of temporary events.

**10.10.5** Section 107 states that a personal licence holder may hold up to 50 Temporary Events each year and a person who is not a personal licence holder may hold up to 5 such events. Each Temporary Event may last for up to 168 hours and an individual premises may hold up to 12 such events per year so long as the total number of days used for these events does not exceed 21 per calendar year.

#### **10.10.6 Late Temporary Events Notices**

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. If there is an objection from either the police or Environmental Health, the event will not go ahead and a counter notice will be issued.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and two for a non-personal licence holders. These count towards the total number of temporary event notices (see 9.10.5)

### **11. LICENSING HOURS**

#### **11.1 Fixed Early Closing Times**

**11.1.1** The Authority recognises that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people tend to leave licensed premises at the same time. Longer licensing hours regarding the sale of alcohol may therefore be considered as an important factor in reducing friction at late night food outlets, taxi ranks and other sources of transport in areas where there have previously been incidents of disorder and disturbance.

#### **11.2 Zoning**

**11.2.1** It is not intended to introduce any form of zoning. Experience in other areas shows that this can lead to the significant movement of people across boundaries in search of premises opening later and puts greater pressure on town centres than is necessary.

#### **11.3 Hours of Sales in Off Licences**

**11.3.1** Shops, stores and supermarkets will generally be permitted to sell alcohol for consumption off the premises during the normal hours they intend to open for shopping purposes. However, in the case of individual shops that are known to be a focus of disorder and disturbance, then subject to relevant representations being received, a limit on licensing hours may be appropriate.

## **11.4 Licensed Premises in Residential Areas**

- 11.4.1** In general the Authority will deal with the issue of licensing hours on the individual merits of each application. However, when issuing a licence, stricter conditions are likely to be imposed with regard to noise control in the case of premises that are situated in largely residential areas. In general, public houses located in and catering for residential areas wishing to open beyond 11pm will need to demonstrate clearly that public nuisance will not result from later operation.

## **11.5 No Smoking Legislation**

- 11.5.1** In July 2007, the government introduced legislation to prohibit smoking in virtually all enclosed and substantially enclosed public places and workplaces. This includes both permanent and temporary structures such as tents and marquees. Smoking rooms in public places and workplaces are no longer allowed.
- 11.5.2** The new law also requires vehicles to be smoke free at all times if they are used:
- (a) to transport members of the public or;
  - (b) in the course of paid or voluntary work by more than one person regardless of whether they are in the vehicle at the same time.
- 11.5.3** As a consequence of the no smoking legislation, many licensed venues have external areas which could be designated for smoking purposes. However, a number of town centre venues do not have such areas, resulting in their customers having to smoke on the streets.
- 11.5.4** Where smoking subsequently takes place in either a beer garden or on the public highway and complaints of public nuisance or noise are received, the Authority will consider controls to limit the disturbance.
- 11.5.5** In order to assist town centre venues in segregating and regulating smokers, as well as controlling entry/exit numbers, street smoking area consents have been introduced as and where necessary.

## **11.6 Drinking Up and Winding Down Time**

- 11.6.1** Under the Act, drinking up time as existed in the Licensing Act 1964 no longer applies. However, it is neither in the Authority's, the personal or premises licence holders, residents or the customers interest, for customers to have to leave a premises immediately after purchasing a drink. Therefore the Authority will normally expect the service of alcoholic drinks to cease at least 30 minutes before customers are required to leave the premises, unless it can be demonstrated that this is unnecessary.
- 11.6.2** In the case of nightclubs, dance venues and similar premises, during the 30 minutes immediately after the service of alcohol ceases, designated premises supervisors will be expected to operate a winding down time. During this

time licensees will be expected to slow down the pace, volume and type of music played so as to ensure that customers are not exiting into the street in an agitated state. During the winding down period, it may be appropriate that licensees alter the lighting, serve food, coffee and other soft drinks, all of which are permitted under the Act, depending on the licensing conditions granted.

- 11.6.3** In future, licensees may also consider the operation of a dedicated cab service from inside the premises. However, it should be borne in mind that if customers purchase food and soft drinks during this period, additional time may need to be allowed for the consumption of these purchases. Door staff should be stationed outside the premises to encourage customers to leave quietly to supplement written notices to that effect.

## **11.7 Late Night Refreshment**

- 11.7.1** There are concerns about noise and nuisance, crime and disorder and anti-social behaviour related to late night opening. Therefore, operators of late night refreshment premises wishing to open beyond 11pm will need to demonstrate clearly that nuisance, crime, disorder or antisocial behaviour will not result from their later operation.

- 11.7.2** In the case of premises which were in operation prior to the Act coming into force, the Authority will not seek to curtail operating hours unless there is evidence that such operation impacts negatively on the licensing objectives.

## **11.8 Gambling in Licensed Premises**

- 11.8.1** The Gambling Act 2005 became effective in 2007 and a separate 'Statement of Gambling Licensing Principles' has been drawn up and approved by this Council. The Authority will therefore have due regard to the contents of the document in so much as its relevance to and bearing on the licensing policy.

## **11.9 Sex Encounter Establishments**

- 11.9.1** In November 2009, the Policing and Crime Act came into force. This Act amended Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 so as to incorporate sexual entertainment venues.

- 11.9.1** Under the 1982 Act as amended, Sexual Entertainment Venues offering entertainment like lap dancing or any live performance or display of nudity on more than 11 occasions within a 12-month period, are required to obtain a sex establishment licence, from the authority, authorising such activity. A separate sex encounter policy applies, from which, conditions can be drawn and attached to the licence by the local authority.

- 11.9.2** The following are not regarded as sexual entertainment venues for the purpose of the amendment to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982;

(a) Sex shops and sex cinemas;

(b) Any premises that at the time in question:

- (i) has not provided relevant entertainment on more than 11 occasions within the previous 12 months;
  - (ii) no such occasion has begun within the period of one month beginning with the end of any previous occasion; and
  - (iii) no such occasion has lasted for more than 24 hours.
- (c) other premises exempted by order of the Secretary of State where an order may be made that certain types of performances or displays of nudity are not to be treated as relevant entertainment for the purposes of the Schedule.
- (d) Premises specified or described in an order made by the relevant National Authority.

**11.9.3** Where the promoter of a sexual entertainment venue wishes to provide any of the licensable activities as outlined in the Licensing Act 2003 in addition to the sexual entertainment, then a premises licence will also be required for that activity.

#### **11.10 Dispersal Policy**

**11.10.1** Where there is a likelihood of residents living around licensed premises being disturbed by customers leaving venues, or there being an impact on crime and disorder from customers leaving venues, licensees may wish to consider putting in place a dispersal policy which sets out the steps in place to minimise the potential for disorder and disturbance as customers leave. This will assist licencees in their application being determined without representations being received

#### **11.11 Noise**

**11.11.1** The Authority will assess each application having regard to noise and the likelihood of nuisance being caused to persons in the area. If licencees anticipate potential noise problems from their premises, or operate a pub (or similar premises) in a residential area and wish to open beyond 11pm, they should contact the Council's Environmental Protection Team for advice and assistance.

**11.11.2** The Authority may impose conditions in relation to licensed premises to prevent unnecessary noise, vibration and disturbance to local residents as it considers appropriate. This may include sound proofing requirements, restrictions on times when music or other licensable activities may take place, and may include technical restrictions on sound levels at the premises by the use of sound limiting devices properly set to prevent noise breakout and disturbance.

**11.11.3** Conditions relating to limiting the hours of open-air entertainment, the use of outdoor areas, gardens and patios may be imposed to control and prevent unnecessary noise and disturbance.

**11.11.4** Conditions may be imposed requiring the display of signs both inside and outside of the premises reminding customers to leave the premises quietly and to respect the rights of nearby residents.

**11.11.5** The Authority may only attach conditions to the licences which are consistent with the operating schedule submitted as part of the application process or if relevant representations are received.

## **12. CHILDREN AND LICENSED PREMISES**

**12.1.1** The Act makes it an offence to permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises.

**12.1.2** Outside of this restriction, the Council will not seek to limit access by children to all types of premises such as theatres, cinemas, restaurants, pubs, nightclubs, cafes, take-away premises, community halls and schools, unless it is considered necessary to do so in the promotion of the licensing objective in relation to the protection of children from harm. Harm to children includes physical, moral, and psychological harm in some way. Examples of circumstances where access by children may be limited are as follows:

- (a) where adult entertainment is provided;
- (b) where there have been convictions of members of the current management for serving alcohol to minors or with a reputation for underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider in the company of adults during a table meal);
- (c) where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not the norm;
- (d) where there is a known association with drug taking or dealing;
- (e) where there is a strong element of gambling on the premises, but not small numbers of cash prize gaming machines;
- (f) where the supply of alcohol for consumption on the premises is the exclusive or primary purposes of the services provided at the premises.

**12.1.3** In the case of premises which are used for film exhibitions, licensees must include within their operating schedules arrangements for restricting children from viewing age restricted films classified according to the recommendations of the British Board of Film Classification or the licensing authority itself.



- 12.1.4** Conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Authority itself.
- 12.1.5** Where a large number of children are likely to be present on any licensed premises, for example a children's show, pantomime, youth disco or similar event, an appropriate number of adult staff should be present to control the access and egress of children and to ensure their safety and protection from harm, and conditions to this effect will be necessary upon the licence.
- 12.1.6** Where staff have unaccompanied contact with and responsibility for direct supervision of children, the suitability of these staff must be verified by carrying out Criminal Records Bureau checks.
- 12.1.7** Some options available for limiting access by children would include:
- (a) limitations on the hours when children may be present;
  - (b) limitations on the presence of children under certain ages when particular specified activities are taking place;
  - (c) limitations on the parts of premises to which children may have access;
  - (d) age limitations (below 18);
  - (e) limitations or exclusions when certain activities are taking place;
  - (f) requirements for accompanying adults (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
  - (g) full exclusion of those people under 18 from the premises when any licensable activities are taking place.
- 12.1.8** The Authority is not able to impose any condition that specifically requires access for children to be provided at any premises. Where no restriction or limitation is imposed, the issue of access will be at the discretion of the individual licensee or club.
- 12.1.9** Venue operators seeking premises licences may volunteer such prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. Where no relevant representations are made, any volunteered prohibitions or restrictions will become conditions.
- 12.1.10** The responsible authority for protecting children from harm for the Reading Borough Council area is the Local Safeguarding Children's Board.

### **13. FIRE SAFETY AND CAPACITY LIMITS**

- 13.1.1 The Authority is committed to ensuring public safety in licensed premises by working in close partnership with Royal Berkshire Fire and Rescue Service, subject to the provisions of the Regulatory Reform (Fire Safety) Order 2005.
- 13.1.2 The Authority will, when relevant representations are received from the Fire Authority, consider the implications relating to fire safety for each individual application for, or variation of, a premises licence. The Authority will seek to protect the safety of all persons at all licensed premises by ensuring that the requirements of the Fire Authority are met.
- 13.1.3 In order to avoid the necessity for representations to be made applicants should ensure that the Fire Authority have sight of such documentation as may be required in order to demonstrate compliance with the above.
- 13.1.4 "Safe Capacities" should only be imposed where appropriate for the promotion of public safety or the prevention of crime and disorder. If a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. However if no safe capacity has been imposed the authority may consider it appropriate for a new capacity to be attached when licensable activities are taking place.

### **14. LICENCE CONDITIONS**

#### **14.1 General Approach to Licence Conditions**

- 14.1.1 The purpose of the licensing Act is the regulation of licensable activities on licensed premises. All conditions attached to Premises Licences and Club Premises Certificates, will be focused on matters, which are within the control of individual licensees and others in possession of relevant authorisations. Accordingly, matters will centre on the premises being used for licensable activities and the vicinity of these premises.
- 14.1.2 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour once persons are away from licensed premises, and therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation. However, licensing law will always be part of a holistic approach to the management of the evening and local economy.
- 14.1.3 Licensing conditions will relate to licensed premises and the impact of those licensable activities on the premises in the vicinity thereof. In this latter regard the Council will primarily focus on the direct impact of any activities taking place on those living, working or otherwise engaged in the area concerned.
- 14.1.4 The Authority does not have power to impose conditions on a premises licence or club premises certificate unless it has received a representation from a responsible authority, or "other persons" such as a local resident or local

business, which is a relevant representation, or conditions are consistent with the operating schedule submitted by the applicant.

**14.1.5** The Authority will, only impose conditions on premises if it is considered necessary and proportionate to do so in order to promote the licensing objectives. The Authority does not propose to implement standard conditions on licences across the board but instead, will draw upon a pool of conditions based upon those issued by the Home office and will attach such other conditions as it considers appropriate, given the circumstances of each individual case.

**14.1.6** The model conditions will cover issues surrounding;

(a) crime and disorder

(b) public safety

(c) public nuisance

(d) protection of children from harm

**14.1.7** Conditions to be imposed on licences will be tailored to the individual premises and events concerned. None of the matters discussed within this policy which may result in the imposition of conditions will be applicable or suitable for all premises. The Authority will have regard to the size and type of premises when considering imposing conditions upon licences as the result of receiving relevant representations.

**14.1.8** Applicants are asked to consider the model conditions and incorporate such of the conditions into their operating schedules as they consider appropriate and necessary in order to promote the licensing objectives. The Authority will impose the model conditions on application when those conditions are consistent with the operating schedule.

## **14.2 Film Exhibitions**

**14.2.1** The Authority will not permit the showing of films which are likely to:

(a) Lead to disorder; or

(b) Stir up hatred or incite violence towards any section of the public on grounds of colour, race or ethnic or national origin, disability, religious beliefs, sexual orientation or gender.

**14.2.2** In connection with the exhibition of film, the Authority will expect conditions attached to the licence to specify that access to view films by patrons must be in accordance with appropriate film classifications. In addition, immediately before each exhibition at the premises of a film (other than a current newsreel) passed by the British Board of Film Classification, there shall be exhibited on screen for at least 10 seconds in such a manner as to be easily read by all persons in the auditorium, a reproduction of a certificate of

the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the category of the film.

- 14.2.3** For a film passed by the Authority, conditions will require notices to be displayed both inside and outside the premises so that persons entering can readily read them and be aware of a category attached to any film or trailer.

### **14.3 Drinks Promotions and Binge Drinking**

- 14.3.1** The Authority believe that irresponsible alcoholic drinks promotions may lead to binge drinking and subsequent crime and disorder problems, public safety issues and public nuisance. The Authority generally considers such promotions inappropriate within licensed premises in Reading.

- 14.3.2** Since the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 came into force, the mandatory conditions outlined below are attached to all 'ON' licence premises.

- 14.3.3** The responsible person shall take all reasonable steps to ensure that staff on 'relevant premises' do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

- 14.3.4** An irresponsible promotion means any one of the following activities or substantially similar activities carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to:

- crime and disorder
- prejudice to public safety
- public nuisance;
- harm to children and involves
  - (a) games or other activities which require or encourage, or are designed to require or encourage individuals to:
    - (I) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (II) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) the provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount

available to an individual in respect of alcohol for consumption at a table meal as defined in section 159 of the Act.

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event where that provision is dependant on:
  - (i) the outcome of a race, competition or other event or process; or
  - (ii) the likelihood of anything occurring or not occurring;
- (e) selling or supplying alcohol in association with promotional posters or flyers on or in the vicinity of the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

**14.3.5** The responsible person shall ensure that no alcohol is dispensed by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

**14.3.6** The responsible person shall ensure that free tap water is reasonably available to customers on request.

**14.3.7** The mandatory conditions outlined at paragraph 13.3.8 to 13.3.10 below apply to premises where alcohol is sold or supplied:

- (a) A premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (b) 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, identification bearing their photograph, date of birth and a holographic mark before being served alcohol.

**14.3.8** The responsible person shall ensure that:

- (a) where any of the following alcoholic drinks are sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale in a securely closed container) it is available to customers in the following measures:
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whiskey: 25ml or 35ml; and
  - (iii) still wine in a glass: 125 ml: and

(b) customers are made aware of the availability of these measures.

**14.3.9** Examples of inappropriate promotions within Off Licence premises include:

- Buy one get one free;
- Three for the price of two

**14.3.10** Licensees are asked to consider including in their operating schedule a commitment to abide by the British Beer and Pub Association's Guidance on Responsible Promotions. Licensees are asked to sell units of soft drinks at significantly lower prices than alcohol.

#### **14.4 Casinos and Bingo Clubs**

**14.4.1** The Gambling Commission and local authorities enforce the Gambling Act 2005. The Council will take into account any existing controls under this legislation and will endeavour to avoid duplication when determining applications for premises licences under the Licensing Act 2003.

### **15. ENFORCEMENT**

#### **15.1 General**

**15.1.1** Reading Borough Council and Thames Valley Police have established a joint enforcement approach. The protocols provide for the targeting of agreed problem and high-risk premises, with a lighter approach applied to well managed and maintained premises.

**15.1.2** Any enforcement action taken will comply with the Regulators Compliance Code and the Council's own enforcement policy so as to be consistent, transparent and proportionate.

#### **15.2 Test Purchasing**

**15.2.1** Reading Borough Council and Thames Valley Police have created a Reading Alcohol Misuse Enforcement Group (RAMEG) and have agreed a joint protocol to tackle the sale of alcohol to persons under the age of 18. This includes the approach to carrying out test purchases and the enforcement action to be taken against offenders.

**15.2.2** The Consumer Protection (Trading Standards) Service has established two Community Alcohol Partnerships (CAPs) in the Borough. CAPs promote partnership working between the authorities and retailers to help prevent under age sales of alcohol and also focus on educating young people and parents to tackle alcohol consumption by minors. Test purchasing is generally used in an advisory rather than enforcement tool. If the two CAPs are successful, this initiative may be rolled out to other parts of Borough.

**15.2.3** Consumer Protection (Trading Standards) Service has advised the off-licence trade in particular about how to set up systems to avoid selling to minors. The Service will continue to regularly conduct covert test purchasing exercises with volunteers in response to complaints and local intelligence.

**15.2.4** Consumer Protections (Trading Standards Officers) and the Police have brought a number of successful prosecutions and premises licence reviews in recent times, having particular regard to the link between alcohol and a range of crime and disorder issues.

**15.2.5** The Authority recommends a tiered approach to preventing under age sales of alcohol. Applicants for licences should consider as a minimum implementing till prompts, initial and ongoing training, records of training, adoption of Challenge 25 and refusals registers to help prevent under age sales of alcohol. These actions will help demonstrate that the applicant is taking responsibility for preventing under age sales of alcohol are being taken seriously.

### **15.3 Inspections**

**15.3.1** The Authority will carry out routine inspections at all premises where a premises licence is in force. In addition, where a complaint or an application for a review of a premises licence is received, the premises will be inspected. The Council and Thames Valley Police will continue to liaise and may carry out joint inspections of premises. This partnership approach is intended to maximise the potential for controlling crime and disorder at licensed premises and ensure compliance with relevant licensing conditions.

### **15.4 Thames Valley Police Approach**

**15.4.1.** Thames Valley Police has created the following seven new Neighbourhood Policing Areas within the Borough, overseen by a team of three Inspectors:

- Abbey and Battle
- Minster and Katesgrove
- Peppard and Caversham
- Redland and Park
- Southcote and Norcut
- Tilehurst
- Whitley and Church

**15.4.2** Neighbourhood Teams, in liaison with Police Licensing staff, will consider applications for grants, variations, reviews and minor variations of a premises licence, TENS, and for a personal licence on individual merits.

**15.4.3** Reading Local Police Area (LPA) will strive to work closely with the Licensing Trade. Whenever minor misdemeanours occur, Police may request a licensed premises review meeting in order to discuss issues. Notes of meetings will be kept and may be used to inform review hearings in the event of any negotiations breaking down. This statement does not preclude an officer

from conducting a Police and Criminal Evidence Act (PACE) interview if deemed more appropriate.

- 15.4.5 Each case will be treated on its own merits. In some cases it may be appropriate to amend conditions on the licence via the minor variations or full variations procedure. However, where serious issues are identified, a review may be requested immediately or where necessary, legal proceedings.

## **16. ADMINISTRATION, EXERCISE AND DELEGATION OF FUNCTIONS**

### **16.1 Licensing Authority**

- 16.1.1 The powers of the Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority. The Licensing Committee will consist of between 10-15 members and the committee may establish one or more sub-committees consisting of two or three members.

- 16.1.2 As many of these functions will be largely administrative with no perceived areas of contention, they will be carried out mainly by officers for the sake of efficiency and effectiveness.

- 16.1.3 A Licensing Sub-Committee shall hear all applications where relevant representations have been received or for applications for review of licences in order that the widest consideration can be given.

- 16.1.4 Officers will deal with all other licence applications where either no representations have been received or where representations have been received and it is agreed by the parties that a hearing is not necessary.

- 16.1.5 Decisions as to whether representations are irrelevant, frivolous or vexatious must be made objectively and not on the basis of any political judgment. Accordingly, Council officers will make the decisions on whether representations or applications for licence reviews should be referred to the licensing committee or sub-committees. Where representations are rejected, the person making that representation will be given a written reason as to why that is the case.

- 16.1.6 When determining applications the Authority will have regard to any Guidance issued by the Home Office. In particular, account will be taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community as a whole. If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the Authority's consideration will be balanced against the wider benefits to the community.

- 16.1.7 When attaching conditions the Authority will also be aware of the need to avoid measures that might deter live music, dancing or theatre by imposing indirect costs of a substantial nature.



**16.1.8** The Authority acknowledges the advice received from Home Office that the views of vocal minorities should not be allowed to predominate over the general interests of the community.

**16.1.9** The Authority will expect individual applicants to address the licensing objectives in their Operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community. Applicants should make themselves aware of the Council's Statement of Licensing Policy and in particular the issues that will need to be addressed in formulating the Operating Schedule.

## **16.2 MPs and MEPs**

**16.2.1** MPs and MEPs are not allowed to make representations about licensing applications in their own right as an elected representative, unless they are representing an "any other person".

## **16.3 Local Councillors**

**16.3.1** Where a Councillor has a prejudicial interest in a licensing application, for example due to living or being involved in a business in the vicinity of the premises in question s/he may attend the meeting at which the application is being considered, in order to make representations as other persons and to speak in respect of his/her objection. However, the Councillor must first declare a personal and prejudicial interest and must leave the meeting before the decision is taken on the application.

**16.3.2** Under the Policing Reform and Social Responsibility Act 2011 which amended the Licensing Act 2003, Ward Councillors can no longer make representations unless they fall within the definition of "other persons" living or working in the vicinity of the premises and who are likely to be affected by the application.

**16.3.3** A Councillor does not have a personal interest in an application through being the Ward Councillor. Consequently a Ward Councillor (who does not have a personal or prejudicial interest in the application for any other reason) may represent an interested party at a Sub-Committee meeting in any of the following three circumstances:

- Where the interested party is not attending the meeting but has given prior notice to the Council by the deadlines specified by the Licensing Regulations that s/he will be represented at the meeting;
- Where both the Councillor and an interested party who has not given prior notice in an application attend the meeting;
- Where the Councillor has submitted a written objection on behalf of an interested party and has notified the Council that s/he will be representing that party, again within the specified deadlines s/he must specify both the name and address of the interested party.

**16.3.4** Where a Councillor who is a member of a licensing committee or a licensing sub-committee has had a direct or indirect involvement in the affairs of an application before him/her, in the interests of natural justice and given Article 6 of the Convention of the Human Rights Act 1988, (which requires a person to be given a fair hearing), s/he will disqualify him/herself from any involvement in the decision-making process affecting the premises licence in question.

#### **16.4 Applicants**

**16.4.1** Applicants will be encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account, where appropriate, when formulating their Operating Plan.

### **17. CONTACT DETAILS/ADVICE AND GUIDANCE**

**17.1.** The Council's Licensing, Noise and Health and Safety Sections, Thames Valley Police and Royal Berkshire Fire & Rescue Service can provide advice and information regarding sources of further guidance. Applicants are encouraged to engage in informal discussion with appropriate responsible authorities before the application process in order to resolve potential problems and avoid unnecessary hearings and appeals.

**17.1.1** Further details including applications forms can be obtained from:  
[www.reading.gov.uk/business/licensing](http://www.reading.gov.uk/business/licensing) or e-mail [licensing@reading.gov.uk](mailto:licensing@reading.gov.uk)

Reading Borough Council  
Licensing Section  
Civic Centre  
READING  
RG1 7AE  
Tel: 0118 937 3762 and choosing Option 3.

Advice about permitted hours and noise disturbance can be obtained from:  
Reading Borough Council  
Environmental Protection Section  
Civic Centre  
READING  
RG1 7AE  
Tel: 0118 937 2975  
Email: [environmental.protection@reading.gov.uk](mailto:environmental.protection@reading.gov.uk)

Advice about Health and Safety issues can be obtained from:  
[consumerprotection@reading.gov.uk](mailto:consumerprotection@reading.gov.uk)  
Reading Borough Council  
Health and Safety Section  
Civic Centre  
READING  
RG1 7AE

Tel: 0800 626540

Advice about Trading Standards matters can be obtained from:

[consumerprotection@reading.gov.uk](mailto:consumerprotection@reading.gov.uk)

Reading Borough Council

Consumer Protection (Trading Standards Service)

Civic Centre

READING

RG1 7AE

Tel: 0845 4040506

Advice from Thames Valley Police can be obtained from:

Licensing Officer

Thames Valley Police

Castle Street

READING

RG1 7TH

Tel: 0118 953 6353

E-mail: [licensing@thamesvalley.pnn.police.uk](mailto:licensing@thamesvalley.pnn.police.uk)

Advice from Royal Berkshire Fire and Rescue Service (RBFRS) available from:

Royal Berkshire Fire & Rescue Service

103 Dee Road

Tilehurst

READING

RG30 4FS

Tel: 0118 9322744

E-mail: [readingfiresafety@rbfrs.co.uk](mailto:readingfiresafety@rbfrs.co.uk)

- 17.1.2 Please note - In the long term, RBFRS will be relocating. However, at the time of publication of this report no relocation details were available and it is anticipated the changes may not take place during the lifetime of this report.

Reading Borough Council Planning Section

Civic Centre

Reading

RG1 7AE

Tel: 0118 939 0900

E-mail: [planningcomments@reading.gov.uk](mailto:planningcomments@reading.gov.uk)

The Local Safeguarding Children's Board for Reading (LSCB)

Reading Borough Council

Civic Centre

Reading

RG1 7AE

Tel: 0118 937 3643

E-mail: [safeguarding.adults@reading.gov.uk](mailto:safeguarding.adults@reading.gov.uk)

Public Health

Reading Borough Council

Civic Centre

Reading  
RG1 7AE  
Tel: 0118 937 3657  
Email: publichealth@reading.gov.uk

- 17.1.3** Applications intended for “Responsible Authorities” should be served at all of the addresses listed above. However, where the Council is not the enforcing authority for premises subject to the Health and Safety at Work etc. Act 1974, the responsible authority for Health and Safety purposes will be the Health and Safety Executive. In which case copies of applications should be served on:

The Health and Safety Executive  
Priestley House  
Priestley Road  
BASINGSTOKE  
RG24 7NW  
Tel: 01256 404000

- 17.2** In the case of vessels (boats), other responsible authorities must also be served with applications. These include the Navigation Authority, the Environment Agency, the British Waterways Board or the Secretary of State. In the case of applications for licences for vessels, applicants are requested to contact the Licensing Section for further information.
- 17.3** All applications must be submitted to the Licensing Section of the Council, which acts on behalf of the Authority. The authorities outlined at 15.1 to 15.9 above, who are able to offer advice directly, must be served with copies of all full licensing applications. For minor variations, it is only the Licensing Section who must be served with a copy of the application.

## **18. APPENDICES - See separate documents**

- Appendix A - Map containing the street drinking restriction zones**
- Appendix B - Map showing cumulative impact area.**
- Appendix C - Conditions that are appropriate for operating schedules in the Cumulative impact area.**
- Appendix D - 2010 Crime maps and figures used for the introduction of the Cumulative impact area.**
- Appendix E - 2013 Crime Figures for Cumulative Impact area**
- Appendix F - 2012 Section 27 Notices**
- Appendix G - Delegation of Licensing functions**