



**Reading**  
Borough Council  
Working better with you

Alison Bell  
Director of Environment and  
Neighbourhood Services  
Civic Offices, Reading, RG1 7AE  
☎ 0118 937 3737  
Fax: 0118 937 2557  
SMS TEXT: 81722

┌  
Mrs Lavina Juanita Cooper  
The Royal  
2 Bedford Road  
Reading  
Berkshire  
RG1 7HS  
└

Our Ref: EP/JW2/482723  
  
Direct: ☎ 0118 9372652  
e-mail: Jodie.Wilson@reading.gov.uk  
  
14 January 2014

Your contact is: Jodie Wilson- Environmental Protection

Dear Sir/Madam

Environmental Protection Act 1990  
Alleged Noise Nuisance from: The Royal, 2 Bedford Road, Reading, Berkshire, RG1 7HS

I am writing to inform you that I have recently received a complaint with regards to noise from loud music and customers outside.

I would like to emphasise that I currently regard this report as unproven. However, the Council has a duty to impartially investigate complaints of noise nuisance. The purpose of this letter is to let you know that a complaint has been received, to explain what steps the Council will take to look into it, and to give you an opportunity to respond.

Please find enclosed an advice sheet entitled 'investigating commercial noise nuisance'. The sheet outlines the law concerning noise nuisance and also the measures that are routinely taken by officers to investigate complaints of this nature.

While no conclusions have been reached, I would ask that if you have reason to believe that noise from your premises may be affecting neighbours, you take steps to ensure a nuisance does not occur.

To control noise breakout from the premises, please ensure that doors and windows are kept closed when amplified music is being played. Patrons should be asked to keep noise levels to a minimum when outside to reduce disturbance to neighbouring residents.

If you consider the complaint made to be unjustified, or would like to discuss the matter further, I would strongly encourage you to contact me.

Yours faithfully

Jodie Wilson  
Senior Environmental Health Officer

C.c: Admiral Taverns Ltd, Milton Gate, 60 Chiswell Street, London, EC1Y 4AG

# FACT SHEET

## Investigating Commercial Noise Nuisance

The Environmental Protection team in Environmental Health has responsibility to investigate complaints of nuisance noise coming from commercial premises. Allegations of this nature are investigated under the Environmental Protection Act 1990 ("the Act").

It is important to understand that the Act does not state time curfews by which noise must cease or set maximum sound levels that are allowed. The investigating officer will be looking to see whether the noise being complained about significantly affects other people in their own premises and would be unreasonable to the average person. Factors that will be considered include:

- The time of day the noise occurs
- How long the noise goes on for
- The type and source of noise
- The location in which the noise occurs
- How loud the noise is
- How the noise affects others

A noise that significantly affects others and is being caused unreasonably can amount to a statutory nuisance under the Act. Common examples of noise nuisances are:

- Delivery times prior to 8 am
- Alarms sounding at night
- Construction noise outside of the hours of 8 am – 6 pm Mon-Fri & 9 am – 1 pm Sat
- Loud music
- Noise from external plant such as air conditioners and refrigeration units

We recognise that noise complaints can be motivated by a range of reasons. Please note that no conclusions will be made based solely on information from complainants without further supporting evidence.

To investigate, officers may make visits to the area to listen for noise and to check how others are being affected. These visits may be made during normal working hours and also at other times, such as late at night or at the weekend. Officers may also install noise monitoring equipment in the neighbourhood, which is to help record whether noise escaping from a premises is disruptive to others on their own land.

The purpose of these steps is to help establish whether there is noise coming from your premises that significantly affects others and would therefore be unreasonable.

If our investigation finds that a statutory nuisance exists or is likely to be caused, the Council has a duty to take steps to ensure that no further nuisance occurs. To achieve this, we would, if necessary, serve a noise abatement notice. This is a legal document that identifies a nuisance and requires the person upon whom it has been served to take steps to ensure no further nuisance is caused. Failure to comply with a notice of this type may constitute a criminal offence.

If you believe the complaint that has been made is unjustified, please contact the investigating officer to discuss your concerns. It can also be helpful if you contact us at an early stage to discuss the complaint, as this can help to resolve the matter more quickly and will also greatly assist the officer in coming to a fair conclusion.

**French, Richard**

**From:** [REDACTED]  
**Sent:** 03 February 2014 14:48  
**To:** French, Richard  
**Cc:** Goddard, Peter; McSharry, Mary  
**Subject:** PROTECTED: The Royal Public House  
**Expires:** 03 February 2014 17:00

Hi

The Royal is on the corner of Bedford Road/Oxford Road and backs on to our elderly sheltered accommodation in Trinity Place. The Royal has no car park and their late night licence means their customers are parking in our car park and in the early hours of Saturdays and Sundays there is great disturbance from people, banging of car doors, hooting of horns etc.

The tenants feel afraid to open their windows and ask the people to make less noise. They are elderly, vulnerable and some are really quite poorly and this disturbance is causing them upset.

Is there anything you can do as I assume the pub wishes to keep it's late night licence?

Regards

G.

~~Gillian Rimmer  
Tenant Support Service Manager  
Reading Borough Council  
[REDACTED]  
mobile [REDACTED] or [REDACTED]~~

Civic Centre, Reading, RG1 7AE

☎ 0118 937 3737  
Fax: 0118 9372 557  
SMS TEXT: 81722  
Our Ref: ES/LIC/SR/484291

Direct: ☎ 0118 9373 762  
e-  
mail: [jean.champeau@reading.gov.uk](mailto:jean.champeau@reading.gov.uk)

4 February 2014

┌  
Mrs L Cooper  
The Royal  
2 Bedford Road  
Reading  
RG1 7HS  
└

Your contact is: Jean Sebastien Champeau, Licensing, Consumer Protection

Dear Mrs Cooper

### Compliant re parking in Trinity place

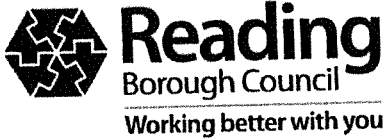
I have recently received a complaint from the tenant service support manager regarding car parking in Trinity Place late at night. Trinity Place is sheltered accommodation for the elderly, vulnerable and some very poorly residents. They are complaining about people banging car doors, hooting horns and a general disturbance.

I would be grateful for your comments on the complaint and your proposed solution, Please note that should this problem persist your operating hours may be reduced by way of a review.

If you have any queries, please feel free to contact me on the above direct dial number.

Yours sincerely

Jean Sebastien Champeau  
Licensing Enforcement



Alison Bell  
Director of Environment and  
Neighbourhood Services  
Civic Offices, Reading, RG1 7AE  
☎ 0118 937 3737  
SMS TEXT: 81722

Fax: 0118 9372 557  
Our Ref: LIC/FCCRRE2BED/3

Direct: ☎ 0118 9373 762 Option 3  
e-mail: jean.champeau@reading.gov.uk

4 March 2014

┌ Mrs L Cooper  
The Royal  
2 Bedford Road  
Reading  
Berkshire  
RG1 7HS  
└

Your contact is: Jean Sebastien Champeau, Licensing

Dear Mrs Cooper

**Licensing Act 2003**  
**Premises: The Royal**  
**Premises Address: 2 Bedford Road, Reading.**

On the 2 March 2014 Reading Borough Council officers noted that you were still open at 02.43hrs and 0316hrs, your permitted hours for the sale of alcohol on your premises licence are until 0200hrs and all members of the public off the premises by 0230hrs.

Council officers will now monitor your premises and should evidence be found regarding a breach of permitted hours formal action may be considered.

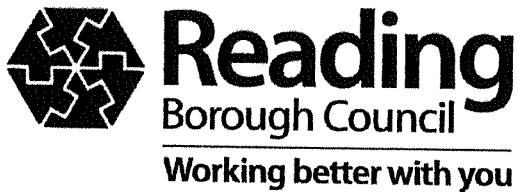
**This letter is sent and should be received as a warning against any future breaches of your premises licence. Should any future breaches occur, formal action may be considered.**

Should you wish to discuss the issues, please telephone me on the number above, during office hours.

Yours faithfully

Jean Sebastien Champeau  
Senior Licensing & Enforcement Officer

CC Mike King Licensing Officer Thames Valley Police.



Admiral Taverns Ltd  
FAO Rebecca Farley  
Milton Gate,  
60 Chiswell Street,  
London,  
EC1Y 4AG

Alison Bell

Directorate for Environment and  
Neighbourhood Services

Civic Centre, Reading, RG1 7AE  
☎ 0118 9373 737

Fax: 0118 9372 557

Our Ref: LIC/PN/EVU51000

Your Ref:

Direct: ☎ 0118 9372269

e-mail: peter.narancic@reading.gov.uk

3 April 2014

Your contact is: Mr Peter Narancic, Licensing, Environment and Neighbourhood Services

Dear Madam

**Licensing Act 2003**

**Premises Licence Number - LP2001435**

**Name of Premise - The Royal PH**

**Address - 2 Bedford Road, Reading.**

On Sunday 30 March 2014, I visited your premises with my colleague Anthony Chawama to ensure you are complying with the above premises licence.

On arrival, we found your premises open at 02:45 hours. As you are aware your premises licence does not have non standard hours in relation to British Summertime, and therefore your premises should have been closed. Additionally loud music was being played with a side window open allowing excessive noise to be heard outside.

Please ensure that you strictly follow the licensing hours stipulated on your premises licence and all the terms and conditions attached. I have attached a further copy to this letter

**This letter is sent and should be received as a warning against any future breaches of licensing law and the terms and conditions of your premises licence. Should any future breaches occur, formal action may be considered.**

**Recommendations**

Please ensure that your fire fighting equipment is inspected annually and all fire exits kept clear of obstructions at all times. Ensure your fire risk assessment is up to date and carry out any necessary staff re-training to ensure that your staff are fully aware of all issues regarding fire safety in your premises. For more information, go to [www.fire.gov.uk/Workplace+safety/WhatTheLawRequires/](http://www.fire.gov.uk/Workplace+safety/WhatTheLawRequires/)

Please ensure that your health and safety risk assessment is up to date. For more information, go to <http://www.hse.gov.uk/business/policy.htm>

Please ensure that above items are actioned within the next seven days.

Should you wish to discuss the issues, please telephone me on the number above, during office hours.

Yours faithfully

Mr Peter Narancic  
Senior Licensing & Enforcement Officer

Cc Mrs Lavina Juanita Cooper  
The Royal  
2 Bedford Road  
Reading  
Berkshire  
RG1 7HS

Mike King Licensing Officer  
Thames Valley Police  
Reading



**Reading**  
Borough Council  
Working better with you

APPENDIX WF-5

**Alison Bell**  
Director of Environment and  
Neighbourhood Services  
Civic Offices, Reading, RG1 7AE  
☎ 0118 937 3737  
Fax: 0118 937 2557  
SMS TEXT: 81722

Our Ref: EP/RJ1503146

Direct: ☎ 0118 9372314  
e-mail: ross.jarvis@reading.gov.uk

3 September 2014

┌  
The Manager  
The Royal  
2 Bedford Road  
Reading  
Berkshire  
RG1 7HS  
└

Your contact is: Ross Jarvis- Environmental Protection

Dear Sir/Madam

Environmental Protection Act 1990

Alleged Noise Nuisance from: The Royal, , 2 Bedford Road, Reading, Berkshire, RG1 7HS

I am writing to inform you that I have recently received a complaint with regards to noise coming from your premises, in particular with regards to very loud music.

I would like to emphasise that I currently regard this report as unproven. However, the Council has a duty to impartially investigate complaints of noise nuisance. The purpose of this letter is to let you know that a complaint has been received, to explain what steps the Council will take to look into it, and to give you an opportunity to respond.

Please find enclosed an advice sheet entitled 'investigating commercial noise nuisance'. The sheet outlines the law concerning noise nuisance and also the measures that are routinely taken by officers to investigate complaints of this nature.

While no conclusions have been reached, I would ask that if you have reason to believe that noise from your premises may be affecting neighbours, you take steps to ensure a nuisance does not occur.

If you consider the complaint made to be unjustified, or would like to discuss the matter further, I would strongly encourage you to contact me.

Yours faithfully

Ross Jarvis  
Senior Technical Officer



# FACT SHEET

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- Loud music
- Noise from external plant such as air conditioners and refrigeration units

We recognise that noise complaints can be motivated by a range of reasons. Please note that no conclusions will be made based solely on information from complainants without further supporting evidence.

To investigate, officers may make visits to the area to listen for noise and to check how others are being affected. These visits may be made during normal working hours and also at other times, such as late at night or at the weekend. Officers may also install noise monitoring equipment in the neighbourhood, which is to help record whether noise escaping from a premises is disruptive to others on their own land.

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If our investigation finds that a statutory nuisance exists or is likely to be caused, the Council has a duty to take steps to ensure that no further nuisance occurs. To achieve this, we would, if necessary, serve a noise abatement notice. This is a legal document that identifies a nuisance and requires the person upon whom it has been served to take steps to ensure no further nuisance is caused. Failure to comply with a notice of this type may constitute a criminal offence.

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Alison Bell  
Director of Environment and  
Neighbourhood Services  
Civic Offices, Reading, RG1 7AE  
☎ 0118 937 3737  
Fax: 0118 937 2557  
SMS TEXT: 81722

Our Ref: EP/RJ1507999

Direct: ☎ 0118 9372314  
e-mail: ross.jarvis@reading.gov.uk

5 November 2014

┌  
Admiral Taverns Ltd  
Milton Gate  
60 Chiswell Street  
London  
EC1Y 4AG

└

Your contact is: Ross Jarvis- Environmental Protection

Dear Mrs Cooper

Environmental Protection Act 1990

Alleged Noise Nuisance from: The Royal, , 2 Bedford Road, Reading, Berkshire, RG1 7HS

I am writing to inform you that I have recently received a complaint with regards to noise in relation to your premises, in particular with regards to patrons who sit on the wall drinking after leaving the pub.

I would like to emphasise that I currently regard this report as unproven. However, the Council has a duty to impartially investigate complaints of noise nuisance. The purpose of this letter is to let you know that a complaint has been received, to explain what steps the Council will take to look into it, and to give you an opportunity to respond.

Please find enclosed an advice sheet entitled 'investigating commercial noise nuisance'. The sheet outlines the law concerning noise nuisance and also the measures that are routinely taken by officers to investigate complaints of this nature.

While no conclusions have been reached, I would ask that if you have reason to believe that noise from your premises may be affecting neighbours, you take steps to ensure a nuisance does not occur.

If you consider the complaint made to be unjustified, or would like to discuss the matter further, I would strongly encourage you to contact me.

Yours faithfully

Ross Jarvis  
Senior Technical Officer

CC: Admiral Taverns Ltd

# FACT SHEET

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If you believe the complaint that has been made is unjustified, please contact the investigating officer to discuss your concerns. It can also be helpful if you contact us at an early stage to discuss the complaint, as this can help to resolve the matter more quickly and will also greatly assist the officer in coming to a fair conclusion.

## French, Richard

---

**From:** Rebecca Farley <Rebecca.Farley@AdmiralTaverns.co.uk>  
**Sent:** 02 December 2014 15:43  
**To:** Jarvis, Ross  
**Subject:** Royal, Reading - Alleged noise nuisance  
**Attachments:** SKMBT\_C45214111715210.pdf

Good Afternoon Ross,

As discussed, following the receipt of your letter.

I can confirm that the complainant and Mr & Mrs Cooper have liaised directly in relation to the issue (noise disturbance from people leaving the premises and sitting on a wall).

Mr & Mrs Copper have agreed with the complainant that Mr Cooper and a member of door staff will walk down to the area after closing time and disperse the people in the area. Hopefully this will deal with the complaint that has been raised to the council and the complainant and Mr & Mrs Cooper will continue to work with one another.

However, should any further complaints be received please send them over and I will deal with them straight away.

Many Thanks,

Becky

Rebecca Farley  
Licensing Administrator  
Admiral Taverns (Chester) Ltd  
Suite H3  
Steam Mill Business Centre  
Steam Mill Street  
Chester  
CH3 5AN  
DD: 01244 505402  
Fax: 08450 582503



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16/12/14  
S10811

APPENDIX KE-7

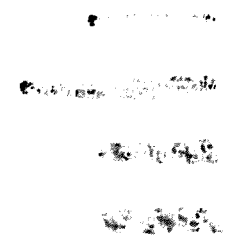
Dear Jean,

Further to our earlier conversation today and during the summer, I am still experiencing problems with the Royal Public House Oxford Rd with the noise of the music.

This is now a constant problem and most days the music is so loud that I can hear it above normal TV levels and if I have no TV or Music on in my flat I can identify in each individual song, the music is so loud my windows vibrate. During the summer I can not have my windows open because of the noise, also during the summer at the weekends the music starts at about lunch time and continues through the day until very late at night, and this is still continuing even with the cold/rain sometimes there is no one outside and the music is playing to its self! I can also hear the music faintly at the back of my flat in the bedroom with the doors shut to the lounge and the bedroom.

This is on a daily basis but the sound tends to increase as the evening goes on it is always at full blast over the weekends and into the early hours.

I normally go to bed around midnight and the Music will still be playing and on many occasions I have heard it on until 2.30 am If I am up, but to be honest its has been so bad at times I have had to go



to bed at 10 o/c because I can no longer stand the continuing vibrating and thumping of the base music!

As I was obviously aware that there is a public house almost directly opposite my Flat I did expect some noise from revellers and have no issue with the normal noise of people generally enjoying themselves, but now that they have speakers outside on the wall it really is affecting my quality of life. When I took over the tenancy of my flat the current tenants were not there, and it was called 'gespoda' and had Polish tenants and there were no issues.

I would be really grateful if we can get this sorted out as soon as possible, as it really is driving me mad.

Kind Regards

Janet Jones

~~Lower Flat~~

~~100, 101, 102~~

~~103~~

~~104~~

Morning Jean,

Thank you for your email,

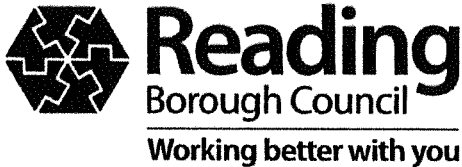
I can confirm that I have spoken to Lavina and Dean at the above premises, I have confirmed to them that the premises licence does not permit them to have outside speakers. Dean confirmed that they will be taken down within the next 48hours and will be switched off in the meantime.

Hopefully this will resolve the nuisance as they have procedures in place whilst entertainment is in progress.

If you could inform the complainant that would be great, also if they have any issues they can also contact me and discuss this with me directly.

If there are any further problems, please do not hesitate to contact me, I will come back to you in relation to the meeting requested.

Many Thanks,



Alison Bell  
Director of Environment and  
Neighbourhood Services  
Civic Offices, Bridge St, Reading, RG1 2LU  
☎ 0118 937 3787

Our Ref: 522701

Direct: ☎ 0118 9372314  
e-mail: ross.jarvis@reading.gov.uk

8 June 2015

Your contact is: Ross Jarvis - Environmental Protection

Dear Ms Attree

Environmental Protection Act 1990  
Enquiry Concerning Noise At: 10 Trinity Place, Reading, .

I refer to your recent enquiry concerning the above matter. I can confirm that I have now written to the premises and advised that a complaint has been received and that the Council will be investigating further if the problem persists.

Under the Environmental Protection Act 1990, noise can be considered to be a statutory nuisance, and the Council has powers to tackle nuisances of this type. Whether a noise is a statutory nuisance depends on a number of factors, which are explained in the enclosed advice sheet "Reporting Commercial Noise to the Council."

If there is no improvement in the situation please keep the enclosed diary sheets for a period of 2-3 weeks and return to me. The diary sheets are important because:

- They help to show whether the noise is likely to be a statutory nuisance;
- They help us to decide how best to investigate further, and;
- They form a written record of the noise as it occurs, which is important evidence of continuing nuisance. Please note that you may be required to support your diary sheets in court if legal action is taken.

It is important to be as specific as you can when completing the diary sheets, for example providing a specific location for the source of the noise. Please note that if we do not receive the diary sheets back, no further action will be taken in this matter and your complaint will be closed. If you have any queries regarding this letter, please do not hesitate to contact me.

Yours sincerely

Ross Jarvis  
Senior Technical Officer



# fact sheet

## Reporting Commercial Noise Nuisance to the Council

The Environmental Protection team in Environmental Health has responsibility to investigate complaints of nuisance noise coming from commercial premises. Allegations of this nature are investigated under the Environmental Protection Act 1990 ("the Act").

Noise can amount to a statutory nuisance under the Act, and if a noise nuisance exists the Council has powers to ensure that the noise is reduced to a level where it is no longer considered a nuisance. To be a nuisance, noise must be more than annoying or simply audible. It must significantly interfere with your enjoyment of your own premises and appear unreasonable to the average person. It is important to understand that noise nuisance investigations are about how you are affected. We will be unable to help without your co-operation and evidence.

Noise nuisance investigations are usually carried out in four stages:

**Stage 1:** We will provide you with some diary sheets, or you can fill in the online sheets at [www.reading.gov.uk/noise](http://www.reading.gov.uk/noise). These should be filled in for 2-3 weeks. The information you provide will be assessed against a number of factors, including:

- The time of day the noise occurs
- How long the noise goes on for
- The type of noise
- The location in which the noise occurs
- How loud the noise is
- How the noise affects you

This will allow us to determine whether the noise is likely to be a statutory nuisance.

**Stage 2:** Usually at the same time as stage 1 we will write to the premises causing the noise to let them know a complaint has been made and give them appropriate advice regarding how they may reduce the noise. In many cases this can solve the problem. You will be asked to continue completing diary sheets to see if there is any change in the noise.

**Stage 3:** Once we receive your completed diary sheets, and if there is continuing evidence of nuisance, there are a number of different options depending on the nature of the problem, including: installing noise monitoring equipment, or arranging a suitable time to visit you to witness the nuisance, or if the noise occurs out of office hours we can make special arrangements for an officer to attend.

**Stage 4:** If we witness the noise and are satisfied that a statutory nuisance exists, we can issue a noise abatement notice under the Environmental Protection Act 1990 requiring the company responsible to stop causing the nuisance noise. If the notice is ignored, we must witness the nuisance again so that we can take legal action.

We ask for you to be patient while we investigate, as it can take time to collect sufficient evidence of nuisance to enable legal action, especially when it is irregular or unpredictable. Please note that we cannot guarantee success. If we are unable to help, we will let you know so that you can consider action yourself. Please see the fact sheet **A guide to section 82 of the Environmental Protection Act 1990** for more details, which is available on the Council website [www.reading.gov.uk/noise](http://www.reading.gov.uk/noise).

Home Portal: ForestCare Out of Hours Service

Log Ref 78718

Log Ref 78718

Out of Hours Emergency

Log Title: Ssl 4 10 heavy plaza outst. 7th

Action Type: Update

Category: Environmental Health

Sub Category: Neighbour anti-social behaviour

Additional Comments:

Log Details:

- Customer: Mrs G/osa davis
- Client: RBC
- Log Owner: Heather Lambert
- SLA Priority: Priority 1
- Logged Date: Jun 7 2015 8:36PM
- Log Status: In Progress
- Category: Environmental Health

History

Action ID	Action	Time Stamp	Time Taken	Cost	Operator
2548437	Update	Jun 7 2015 8:42PM	0:0	0	heather lambert
2548401	New Log Details	Jun 7 2015 8:42PM	0:0	0	heather lambert

logged for noise

the royal pub has very loud music which she cant hear iv also they park in the scheme car park and come back in early hours making a lot more noise lady wants something done as not happy if happens all the time

19:33 09/06/2015



# DEALING WITH NUISANCE

Diary of incidents of nuisance, disturbance or anti social behaviour

Your name: CAROLE HANLON

Your address: [REDACTED] Trinity Place

Reading, Berkshire

Telephone: [REDACTED]

Are you prepared for your details to be:-

- 1. Used in court
  - 2. Disclosed to the perpetrators
  - 3. Referred to other agencies such as Thames Valley Police
- (Delete as necessary)

Date of incident (day/month/year) Time of incident

7th June 2015 . Midday to 8pm

Who was involved in the incident & their address

The Royal  
Bedford Road  
Reading, Berks.

Description of incident, including where it happened

(continue over page)

Very loud music e BBA unable to enjoy  
Communal Garden due level of noise a smoke  
could hear the base from flat (situated at  
other end of building.)

Description of incident (cont'd....)

How has the incident affected you?

Very annoying gets on my nerves and becomes  
wearing after hours of level of noise.

Names & Addresses of Witnesses

~~\_\_\_\_\_~~ Mrs Sadler  
~~\_\_\_\_\_~~ Mr Brophy  
~~\_\_\_\_\_~~ Mrs Lamont  
~~\_\_\_\_\_~~ Mrs Davis.

Have you reported this incident to any other organisation?

Your signature

Signed: ..P. Hanlon..... Date: ..9.6.15.....



# DEALING WITH NUISANCE

Diary of incidents of nuisance, disturbance or anti social behaviour

Your name: ...GUYAN LAMONT.....

Your address: .....~~REDACTED~~.....

.....TRINITY PLACE.....

Telephone: .....

Are you prepared for your details to be:-

- 1. Used in court
  - 2. Disclosed to the perpetrators
  - 3. Referred to other agencies such as Thames Valley Police
- (Delete as necessary)

Date of incident (day/month/year) Time of incident

7/5/15

Who was involved in the incident & their address

Royal Public House.

Description of incident, including where it happened

(continue over page)

Loud Music Played from 2 till 8pm.

Description of incident (cont'd...)

All you can hear is the  
Base drum, so it is a  
continuous Boom Boom

How has the incident affected you?

It has affected my Angina  
I have been getting pains in  
my chest.

Names & Addresses of Witnesses

Have you reported this incident to any other organisation?

Your signature

Signed: .....  ..... Date: 8/15/15 .....



# DEALING WITH NUISANCE

Diary of incidents of nuisance, disturbance or anti social behaviour

Your name: Tom Beohy  
 Your address: ~~XXXXXXXXXX~~ TRINITY PLACE  
READING, BERKSHIRE, RG1 7NH.  
 Telephone: .....

Are you prepared for your details to be:-

1. Used in court
  2. Disclosed to the perpetrators
  3. Referred to other agencies such as Thames Valley Police
- (Delete as necessary)

Date of incident (day/month/year) Time of incident  
7/6/2015 10am - 11am ALL DAY (NOT SURE WHAT TIME FINISHED WELL INTO EVENING)

Who was involved in the incident & their address  
THE ROYAL PUBLIC HOUSE  
2 BEDFORD ROAD  
READING BERKSHIRE RG1 7HS

Description of incident, including where it happened (continue over page)  
VERY LOUD MUSIC & BBQ, SMOKE BLOWING INTO GARDEN. TENANTS UNABLE TO ENJOY GARDEN. MARY McSHARLEY HAS REMOVED GLASS BOTTLES FROM CAR PARK. CUSTOMERS FROM PUB HAVE RELIEF THEMSELVES UP AGAINST THE WALL. IN CAR PARK.

Description of incident (cont'd...)

How has the incident affected you?

VERY UPSET ABOUT CONSTANT NOISE & CUSTOMERS OF PUBS LEAVING BOTTLES IN CAR PARK, WEEING, GENERALLY CAUSING NUISANCE UNTIL EARLY HOURS OF MORNINGS EVERY WEEKEND FROM FRIDAY - SUNDAY/MONDAY MORNING.

Names & Addresses of Witnesses

~~██████~~ Mrs SADLER,  
~~██████~~ Mrs LAMONT.

Have you reported this incident to any other organisation?

No.

Your signature

Signed: 2. B. naphy Date: 8/6/2015





# DEALING WITH NUISANCE

Diary of incidents of nuisance, disturbance or anti social behaviour

Your name: Gloria Davis

Your address: TRINITY PLACE

Reading, Berkshire

Telephone: [redacted]

Are you prepared for your details to be:-

- 1. Used in court
  - 2. Disclosed to the perpetrators
  - 3. Referred to other agencies such as Thames Valley Police
- (Delete as necessary)

Date of incident (day/month/year) Time of incident

7th June 2015. 6.20pm - 10.30pm to 11pm.

Who was involved in the incident & their address

The Royal.  
Bedford Road  
Reading

Description of incident, including where it happened (continue over page)

Very loud music a very Rowdy noise when  
Customers leave the Pub.  
Heard someone shouting over the music.

Description of incident (cont'd...)

How has the incident affected you?

Unable to hear television, or be able to read as  
not able to concentrate, it becomes unbearable

Names & Addresses of Witnesses

~~XXXXXX~~ Mrs Sadler  
~~XXXXXX~~ Mr Brophy  
~~XXXXXX~~ Mrs Hamont

Have you reported this incident to any other organisation?

Reported to NAG

Your signature

Signed:

*G. Davis*

Date:

9th June 2015



# DEALING WITH NUISANCE

Diary of incidents of nuisance, disturbance or anti social behaviour

Your name: JOAN SADLER

Your address: ~~XXXXXXXXXX~~ TRINITY PLACE

READING, BERKSHIRE

Telephone: ~~XXXXXXXXXX~~

Are you prepared for your details to be:-

1. Used in court
  2. Disclosed to the perpetrators
  3. Referred to other agencies such as Thames Valley Police
- (Delete as necessary)

Date of incident (day/month/year) Time of incident

7/6/2015. Started Midday - 8pm.

Who was involved in the incident & their address

The Royal  
 Beaford Road  
 Reading, Berks.

Description of incident, including where it happened

(continue over page)

Very loud music & BBQ unable to enjoy  
 Communal Garden, unable to read whilst in  
 flat or watch TV.

Description of incident (cont'd...)

How has the incident affected you?

This made Mrs Sadler worried & unnerved  
her.

Names & Addresses of Witnesses

~~Address~~, Mr Brophy  
~~Address~~ Mrs Davis  
~~Address~~ Mrs Lambert.

Have you reported this incident to any other organisation?

Your signature

Signed: J. Sadler Date: 9 / 6 / 2015

**French, Richard**

**From:** French, Richard  
**Sent:** 08 June 2015 17:53  
**To:** 'Rebecca Farley'  
**Cc:** 'Darren Kelly'  
**Subject:** The Royal, 2 Bedford Road, Reading  
**Attachments:** reading-209700-Reading\_Application\_for\_a\_Temporary\_Event\_Notice (7.pdf; The Royal TEN 080615.pdf

Good Afternoon Rebecca,

I write in relation to The Royal, 2 Bedford Road, Reading.

We have been receiving complaints about noise and the lack of dispersal of patrons from the premises. You may recall that we spoke about this probably about a year to 18 months ago now.

Our Environmental Health team who deal with Noise Nuisance has therefore objected to the latest application for a temporary event notice. I attach the temporary event notice and objection to this application. We have written to the applicant and advised her of three things:

- 1: That the Licensing Authority will not accept an application that is left blank - notably the sections where asked what kind of event is being applied for and the nature of the event.
2. That the number of noise complaints over the period they have occupied the premises is unsatisfactory and that dispersal of patrons from the premises in a timely manner is not occurring.
3. There has been an objection to their latest TEN from the Noise team.

Whilst it is up to Ms Cooper to decide whether she wishes to submit a complete application and have her application determined by the Licensing Applications Committee, I am concerned that the premises is becoming an issue in terms of noise nuisance to the residents who live around it. Certainly condition 15 of the licence is not being complied with and is causing distress to residents.

Due to historic complaints of noise and the ongoing complaints that are being investigated - with the most recent being last weekend - and the seeming inability of the DPS to manage the premises in a way that promotes the licensing objectives, we are seriously considering reviewing the licence. This would be with the view to either add more robust noise conditions to the licence, a reduction of opening hours and/or the exclusion of all regulated entertainment from the premises licence.

Obviously we would prefer to work with yourselves to resolve this and I would welcome your feedback on the issues raised in this letter and the attachments.

Kind Regards

Richard French

Licensing Enforcement Officer  
 Reading Borough Council  
 Licensing Team  
 Civic Offices  
 Bridge Street  
 Reading, RG1 2LU

## French, Richard

---

**From:** Darren Kelly <Darren.Kelly@AdmiralTaverns.co.uk>  
**Sent:** 16 June 2015 11:04  
**To:** French, Richard  
**Cc:** Nicola Reeves  
**Subject:** The Royal, 2 Bedford Road, Reading - Site Meeting Confirmation

Hi Richard,

I can confirm that Wednesday 1<sup>st</sup> July is suitable to hold the meeting on-site. The Business development manager, Nicola Reeves, is copied in to the email as confirmation.

Many thanks

Darren Kelly  
Licensing Department

Admiral Taverns Ltd  
Steam Mill Business Centre  
Steam Mill Street  
Chester  
CH3 5AN

DD: 01244 505427  
Fax: 08450 582501  
[darren.kelly@admiraltaverns.co.uk](mailto:darren.kelly@admiraltaverns.co.uk)

**From:** French, Richard [mailto:Richard.French@reading.gov.uk]  
**Sent:** 12 June 2015 17:26  
**To:** Darren Kelly  
**Subject:** RE: The Royal, 2 Bedford Road, Reading

Hi Darren,

Neither myself or my colleague are available on Monday 29<sup>th</sup> June.

Therefore I propose a new date of Wednesday 1<sup>st</sup> July 2015 at 2pm if that is agreeable with yourselves?

Regards

Richard

---

**From:** Darren Kelly [mailto:Darren.Kelly@AdmiralTaverns.co.uk]  
**Sent:** 12 June 2015 14:21  
**To:** French, Richard  
**Cc:** Nicola Reeves  
**Subject:** RE: The Royal, 2 Bedford Road, Reading

Hi Richard,

Thank you for the below email outlining the issues at the Royal.

We would like to request a site meeting so we can discuss all issues and the most recent complaint. I have spoken to the Business Development manager, Nicola reeves, who said the earliest date she could attend is Monday 29<sup>th</sup> June.

Please could you confirm if this date is agreeable with you?

Many thanks

Darren Kelly  
Licensing Department

Admiral Taverns Ltd  
Steam Mill Business Centre  
Steam Mill Street  
Chester  
CH3 5AN

DD: 01244 505427  
Fax: 08450 582501  
[darren.kelly@admiraltaverns.co.uk](mailto:darren.kelly@admiraltaverns.co.uk)

**From:** French, Richard [<mailto:Richard.French@reading.gov.uk>]

**Sent:** 08 June 2015 17:53

**To:** Rebecca Farley

**Cc:** Darren Kelly

**Subject:** The Royal, 2 Bedford Road, Reading

Good Afternoon Rebecca,

I write in relation to The Royal, 2 Bedford Road, Reading.

We have been receiving complaints about noise and the lack of dispersal of patrons from the premises. You may recall that we spoke about this probably about a year to 18 months ago now.

Our Environmental Health team who deal with Noise Nuisance has therefore objected to the latest application for a temporary event notice. I attach the temporary event notice and objection to this application. We have written to the applicant and advised her of three things: 1: That the Licensing Authority will not accept an application that is left blank - notably the sections where asked what kind of event is being applied for and the nature of the event. 2. That the number of noise complaints over the period they have occupied the premises is unsatisfactory and that dispersal of patrons from the premises in a timely manner is not occurring. 3. There has been an objection to their latest TEN from the Noise team.

Whilst it is up to Ms Cooper to decide whether she wishes to submit a complete application and have her application determined by the Licensing Applications Committee, I am concerned that the premises is becoming an issue in terms of noise nuisance to the residents who live around it. Certainly condition 15 of the licence is not being complied with and is causing distress to residents.

Due to historic complaints of noise and the ongoing complaints that are being investigated - with the most recent being last weekend - and the seeming inability of the DPS to manage the premises in a way that promotes the licensing objectives, we are seriously considering reviewing the licence. This would be with the view to either add more robust noise conditions to the licence, a reduction of opening hours and/or the exclusion of all regulated entertainment from the premises licence.

Obviously we would prefer to work with yourselves to resolve this and I would welcome your feedback on the issues raised in this letter and the attachments.

Kind Regards

Richard French

Licensing Enforcement Officer  
Reading Borough Council  
Licensing Team  
Civic Offices  
Bridge Street  
Reading, RG1 2LU

Telephone: 01189 37 2846

Email: [Richard.french@reading.gov.uk](mailto:Richard.french@reading.gov.uk)

Website: <http://beta.reading.gov.uk/licensing>



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# DEALING WITH NUISANCE

Diary of incidents of nuisance, disturbance or anti social behaviour

Your name: ...~~GILLIAN~~...~~LAMONT~~.....  
 Your address: ...~~TRINITY~~...~~TRINITY~~.....  
 ...PLACE, ...READING.....  
 Telephone: .....

Are you prepared for your details to be:-

1. Used in court
  2. Disclosed to the perpetrators
  3. Referred to other agencies such as Thames Valley Police
- (Delete as necessary)

Date of incident (day/month/year) Time of incident

13 | 6 | 15                      14 | 6 | 15

Who was involved in the incident & their address

Royal Pub, Oxford Rd

Description of incident, including where it happened

(continue over page)

Load Music on Sat night  
 & continuous music nearly all day  
 Sunday.

They also have a Patio on  
 the back of the pub, which is full of  
 Rubbish.

Description of incident (cont'd....)

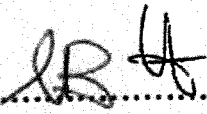
How has the incident affected you?

Very Stressed

Names & Addresses of Witnesses

Have you reported this incident to any other organisation?

Your signature

Signed: .....  ..... Date: ..... 16/6/15 .....

# Incidents

DEA

Diary of i

14/6/15.

Your name: ~~XXXXXXXXXX~~

Your address: ~~XXXXXXXXXX~~

~~XXXX~~ Trinity Race

Telephone: .....

- 1. Used in court
  - 2. Disclosed to the perpetrators
  - 3. Referred to other agencies such as Thames Valley Police
- (Delete as necessary)

Date of incident (day/month/year) Time of incident

14<sup>th</sup> June 2015 10.30PM 2.45AM  
2.45PM

Who was involved in the incident & their address

Customer Unknown from Royal Pub  
Bedford Road.

Description of incident, including where it happened

(continue over page)

Unable to sleep, heard Pub was closing as  
 Couldn't hear the loud music which could  
 be heard louder from 10.30pm onwards,  
 Saw a customer (Glass bottle in hand) enter  
 Car Park & stand up against wall near  
 Garage. Mrs Darby knew he was going to  
 urinate. Mrs Darby opened window & asked  
 him 'not to do that', she then said 'I have  
 to live here, Man said 'What you live in the  
 Car Park' Mrs Darby repeated asked him to  
 stop because she lives here, & doesn't want

Description of incident (cont'd...)

filthy animal in the car park peeing.  
Man said that she shouldn't be up at this  
time, that she should be in bed!

Mrs Darby said 'It is really difficult with  
all the disturbances & noise going. Man  
left the car park after finishing weeing.

~~00000000~~  
000000

How has the incident affected you?

Feels that no one has respect for other  
people's homes.

Names & Addresses of Witnesses

Have you reported this incident to any other organisation?

No

Your signature

Signed: X Mrs Darby ..... Date: 15/6/15 .....



# DEALING WITH NUISANCE

Diary of incidents of nuisance, disturbance or anti social behaviour

Your name: Marilyn Daby  
 Your address: ~~XXXXXX~~  
Trinity Place, Reading  
 Telephone: .....

- Are you prepared for your details to be:-
1. Used in court
  2. Disclosed to the perpetrators
  3. Referred to other agencies such as Thames Valley Police
- (Delete as necessary)

Date of incident (day/month/year) Time of incident 7.10am left 7.30pm.  
14th June 2015 7.35pm  
8.40 - 10.35pm

Who was involved in the incident & their address Believe to be customers  
M55 SAU Arrived 7.10pm left 7.30pm of The Royal Pub.  
LR63 YBD Arrived UNKNOWN cleaned car at 7.35pm  
AK 05 VVL Arrived 8.40pm - 10.35pm.

Description of incident, including where it happened (continue over page)  
CARS ABOVE using car Park, Believe to be  
Customers of the Royal Pub.  
Car Reg LR63 YBD Arrived unknown time but  
at 7.35pm was cleaning his car with bottled  
water.

Description of incident (cont'd....)

How has the incident affected you?

Very annoying as family if want to visit has to park on road where they only have a limited time of parking.

Names & Addresses of Witnesses

Have you reported this incident to any other organisation?

No.

Your signature

Signed:  ..... Date: .....



# DEALING WITH NUISANCE

Diary of incidents of nuisance, disturbance or anti social behaviour

Your name: Mr Tom Brophy

Your address: ~~XXXXXX~~  
Trinity Place, Reading, Berks

Telephone: .....

- Are you prepared for your details to be:-
1. Used in court
  2. Disclosed to the perpetrators
  3. Referred to other agencies such as Thames Valley Police
- (Delete as necessary)

Date of incident (day/month/year) Time of incident

14/6/15 Allpm. @ 7.30pm

Who was involved in the incident & their address

3-4 Cars believe to be customer of The Royal Pub. Bedford Road

Description of incident, including where it happened (continue over page)

3-4 Cars Using Car Park

7.30pm Spoke to people parking there, one car moved as I told them not to park in the car park. Another owner of a car told ~~Mr~~ Mr Brophy to shut up.

Description of incident (cont'd...)

How has the incident affected you?

Sick & tired of People using Car Parking facilities & being told to shut up in your own home. Had enough of it.

Names & Addresses of Witnesses

Mr & Mrs Pun. (Nepalese has language barrier)  
~~Trinity Place~~  
Trinity Place

Have you reported this incident to any other organisation?

No

Your signature

Signed: Z. Brophy Date: 15th June 2015





# DEALING WITH NUISANCE

Diary of incidents of nuisance, disturbance or anti social behaviour

Your name: Joan Sadler

Your address: ~~XXXXXX~~

Trinity Place, Reading

Telephone: .....

Are you prepared for your details to be:-

1. Used in court
  2. Disclosed to the perpetrators
  3. Referred to other agencies such as Thames Valley Police
- (Delete as necessary)

Date of incident (day/month/year) Time of incident

14th June 2015 2pm - 9pm

Who was involved in the incident & their address

Unknown but are ~~the~~ Customers to The Royal Pub.

Description of incident, including where it happened

(continue over page)

4/5 cars were parked in Trinity Place (Resident only) Car park, making it difficult for tenants family's to use Car park.

Description of incident (cont'd...)

*[Faint handwritten mark]*

How has the incident affected you?

Do not like Strangers or Wide Public  
Using facilities where there are Vulnerable  
People living; makes me worry as to who's about.

Names & Addresses of Witnesses

Have you reported this incident to any other organisation?

No.

Your signature

Signed: .....

*J. Sadler*

Date: .....

15<sup>th</sup> June 2015



# DEALING WITH NUISANCE

Diary of incidents of nuisance, disturbance or anti social behaviour

Your name: Mrs Gloria Davis  
 Your address: ~~XXXXXX~~  
 Trinity Place, Reading  
 Telephone: .....

Are you prepared for your details to be:-

1. Used in court
  2. Disclosed to the perpetrators
  3. Referred to other agencies such as Thames Valley Police
- (Delete as necessary)

Date of incident (day/month/year) Time of incident

14/6/2015 1.30am - 2.20am.

Who was involved in the incident & their address

The Royal Pub.  
 Bedford Road  
 Reading

Description of incident, including where it happened

(continue over page)

Woken up by loud music & screaming & shouting, reported to Forest Care, advised to contact Police, Mrs Davis rang Police & they attended.

Description of incident (cont'd....)

How has the incident affected you?

Was Woken & felt disorientated & frightened. Usually a heavy sleeper, level of noise was distressing eventually got back to bed at 4 AM

Names & Addresses of Witnesses

Have you reported this incident to any other organisation?

Reported to Police & Fire Service,  
Police attend

Your signature

Signed: G. Davis ..... Date: 15th June 2015 .....



# DEALING WITH NUISANCE

Diary of incidents of nuisance, disturbance or anti social behaviour

Your name: Mrs Gloria Davis

Your address: ~~Trinity Place~~  
Trinity Place, Reading

Telephone: .....

Are you prepared for your details to be:-

1. Used in court
  2. Disclosed to the perpetrators
  3. Referred to other agencies such as Thames Valley Police
- (Delete as necessary)

Date of incident (day/month/year) Time of incident

15/6/15 Approximately 8pm

Who was involved in the incident & their address

The Royal Pub  
Bedford Road  
Reading, Berks.

Description of incident, including where it happened *(continue over page)*

Man out on the corner of Oxford Road/Trinity Place using megaphone. Said 'Can you bloody hear this! Then a lady started laughing & all went quiet.'

Description of incident (cont'd....)

How has the incident affected you?

Feel that we are being persicuted, had enough of it all.

Names & Addresses of Witnesses

Have you reported this incident to any other organisation?

No.

Your signature

Signed: G. Davis Date: 15th June 2015

Log Ref: 78931

Main Log Type Out of Hours Emergency

Log Title Flat 24 10 Yearly Coat Oxford Road Reading Bucks RG1 7NL

Action Type Update

Category Environmental Health

Sub Category Neighbour noise nuisance

Additional Comments

Customer mes glona davis

Type

Status

Address Flat 4 10 Yearly place oxford road rg1 7nl

Email Address

Phone Number 0752080656

Log Details

- Customer mes glona davis
- Client RBCC
- Log Owner Louise Neal
- SLA Priority Priority 1
- Logged Date Jun 14 2015 1:49AM
- Log Status In Progress
- Category Environmental Health

History

Action ID	Action	Time Started	Time Taken	Cost	Operator
2556006	Update	Jun 14 2015 2:26AM	0 0	0	Louise Neal
2556001	New Log Details	Jun 14 2015 2:25AM	0 0	0	Louise Neal

Logged for RBCC and advised Mrs Davis to call 101 to report it as a passing police car had got them to turn it down earlier

...ed in at approx 1:40am to report that the Royal Pub was playing music loudly and there were people in the car park shouting loudly. The pub is lit up and it has disturbed her

Admiral Taverns - via email  
Rebecca.Farley@AdmiralTaverns.co.uk

6 July 2015

Your contact is: Richard French, Licensing

Dear Sirs

**Licensing Act 2003**

**Premises Licence Number: LP2001435 dated 30/08/2013**

**Premises: The Royal**

**Premises Address: 2 Bedford Road, Reading, Berkshire, RG1 7HS**

On the 1<sup>st</sup> July 2015, I visited your premises with Thames Valley Police and my colleague Mr Jarvis from the Council's Noise and Nuisance team to ensure you are complying with the above premises licence. We also visited in relation to noise complaints received from events held at the premises.

**Breach of Conditions:**

1. Condition 2 on the premises licence in relation to patron's removing glasses and open bottles from the premises was not being complied with. Officers of the Council were in attendance outside the premises on Saturday 27<sup>th</sup> June and witnessed open bottles being removed from the premises. You are further reminded that the Oxford Road and surrounding roads are Drink Restriction Zones so no drinks should be leaving the premises at all. Please ensure that measures are put in place to deal with this.
2. Condition 6 on the premises licence in relation to signage for CCTV to be displayed in a prominent position was not being complied with. Please ensure this is rectified.
3. Condition 9 on the premises licence in relation to risk assessing door supervisors on every day of the week was not being complied with. No written risk assessment was produced for inspection. Please ensure that these risk assessments are put into place immediately in a written form so that they may be inspected by authorised officers.
4. Condition 10 on the premises licence in relation to the register of door supervisors was not being fully complied with. The second paragraph of the condition states that records should be kept for 6 months and made available to authorised officers. The 2 registers produced indicated that one register ended on 20<sup>th</sup> February and the next one started on 22<sup>nd</sup> May. Therefore there is a gap in the SIA register. Please ensure that these registers are available on the premises at all times.
5. Condition 12 on the premises licence in relation to an active policy to prevent illegal weapons and drugs being brought onto the premises was not being complied with. No



written documentation was produced to ourselves to demonstrate this was taking place at the premises. Please ensure that a policy is submitted to Thames Valley Police right away.

6. Condition 15 on the premises licence in relation to a dispersal policy is not being complied with. No written policy could be produced and during the meeting, it was acknowledged that no policy was being operated. It was further noted that officers of the Council were witness to large groups of people hanging around outside the premises on the Oxford Road side on numerous occasions and that this was potentially causing noise and anti social behaviour. It was explained during the meeting that it is not sufficient to simply close the premises and leave patrons standing on the Oxford Road directly outside. Case law indicates that the premises licence holder must disperse customers from the vicinity of the premises. Please ensure that an active dispersal policy, tailored to the premises and its location, is implemented right away and signed off by Thames Valley Police.

7. Condition 16 on the premises licence in relation to the last permitted entrance time for new customers was not being complied with. When I asked you what your last entry time was you confirmed that you let people in up until 0100hrs - in direct contravention of the licence condition. Please ensure that no new customers are allowed entrance to the premises after 0030hrs.

8. Condition 22 on the premises licence in relation to maximum number of persons permitted on the premises was not being complied with. Whilst looking through the door supervisor register, capacity figures were entered that were significantly higher than the stated capacity of 100. Examples of this can be found on 4<sup>th</sup> February with 140 persons entered and on 21<sup>st</sup> June with a capacity of 135 entered. This is not only a breach of the licence but also a fire risk and is potentially placing customers and staff at risk of overcrowding. Please ensure that capacity figures are adhered to.

It was also noted during our meeting that the Designated Premises Supervisor was not present. It was further noted that the representative of the Designated Premises Supervisor could not tell me what the four licensing objectives were. This is a concern as we would expect persons running a licensed premises to know this.

It was stated at the beginning of the inspection that Reading Borough Council had received 6 complaints of noise nuisance and 4 reports of the premises open past its permitted hours. This has been since January 2014.

### **Recommendations:**

1. The premises should collate all of its policies into a folder which can be produced to authorised officers of Reading Borough Council and Thames Valley Police.
2. You were advised by Mr Jarvis that during late night operation, the premises should continue to monitor sound levels within the premises and outside the premises - notably at Trinity Place.
3. You were advised that no speakers should be placed on window ledges pointing at the beer garden.

4. You were advised that further temporary event notices were likely to be monitored and that all of the conditions currently on the premises licence should be undertaken when having any temporary event notices.

5. That to ensure compliance with condition 7 of the premises licence, a further person shall be trained to use the CCTV system.

6. It was suggested by the Admiral Taverns representative that a telephone number should be made available to residents who may be affected by noise coming from the premises. This would help to ensure that issues are resolved at an early stage and therefore avoiding escalation.

7. The premises licence holder and/or designated premises supervisor advise their door team as to the requirements for dispersal, searching and removal of drinks from the premises.

Please ensure that the above points under the heading 'Breach of Conditions' are rectified within 7 days of this letter.

**This letter is sent and should be received as a warning against any future breaches of your premises licence. Should any future breaches occur, formal action may be considered.**

Should you wish to discuss the issues, please telephone me on the number above, during office hours.

Yours faithfully

Richard French  
Licensing Enforcement Officer

**French, Richard**

---

**To:** Chawama, Anthony  
**Subject:** RE: Friday night

**From:** Chawama, Anthony  
**Sent:** 29 June 2015 14:27  
**To:** French, Richard  
**Subject:** RE: Friday night

Hi Richard,

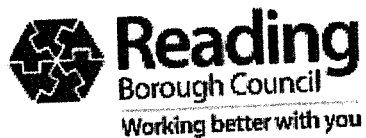
I did a visit to The Royal and I have attached a video clip to this email if you can't view it please let me know as you can view it on my laptop. My main concern was a lot of the customers came out 02:30am on 27th June 2015 holding pint of beer and few with bottles, the door staff should have stop them leaving with drinks. There is a black female wearing a grey tracksuit was about to start fight with 2 black female, her name is [REDACTED] I can hear people telling her to calm down, she's very mannish in her behaviour. I recognised to be always aggressive outside Iguana in the past, you can see her behaviour in the video.

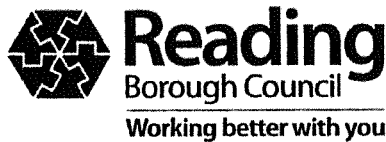
Regards

Anthony Chawama  
Licensing Enforcement Officer  
Licensing | Environment & Neighbourhood Services  
[Anthony.chawama@reading.gov.uk](mailto:Anthony.chawama@reading.gov.uk)  
Mobile:07885819882

Reading Borough Council  
Civic Offices, Bridge Street, Reading, RG1 2LU

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Alison Bell  
Director of Environment and  
Neighbourhood Services  
Civic Offices, Bridge St, Reading, RG1 2LU  
☎ 0118 937 3787

Our Ref: 051929

┌ Via email to Admiral Taverns ┐  
Rebecca.farley@admiraltaverns.co.uk

Direct: ☎ 0118 9373 762 Option 3  
e-mail: richard.french@reading.gov.uk

16 July 2015

Your contact is: Richard French, Licensing

└ Dear Sirs ┘

**Licensing Act 2003**

**Premises Licence Number: LP2001435 dated 30/08/2013**

**Premises: The Royal**

**Premises Address: 2 Bedford Road, Reading, Berkshire, RG1 7HS**

Further to the visit by Reading Borough Council and Thames Valley Police on the 1<sup>st</sup> July 2015 and my previous letter dated 6<sup>th</sup> July 2015, I write to advise you that the premises above were observed carrying out an activity that is not in accordance with the premises licence issued to it. This was observed by Licensing Enforcement Officers of Reading Borough Council on the morning of Sunday 12<sup>th</sup> July between the hours of 0239hrs and 0254hrs:

**Unlicensed Activity:**

1. The premises licence pursuant to the Licensing Act 2003 permits late night refreshment to be provided at the premises between the hours of 2300hrs on the Saturday night all the way through to 0230hrs on the Sunday Morning. It should also be noted that the provision of late night refreshment is permitted indoors only. At 0239hrs, officers of Reading Borough Council observed patrons of the premises buying hot food from a barbeque that had been positioned in the beer garden next to the front door of the premises. The hot food was being sold by the manager of the premises. The selling of hot food from the barbeque carried on to at least 0254hrs when officers of the Council left the scene. Given that the premises should have ceased providing any late night refreshment within the premises at 0230hrs, the person committing that offence from that premises is carrying on or attempting to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation which is a breach of Section 136 (1) of the Licensing Act 2003.

**Breach of Condition:**

2. Further to the last site visit on 1<sup>st</sup> July 2015 and the subsequent letter dated 6<sup>th</sup> July 2015, it was noted that the premises were in breach of 8 conditions placed upon the premises licence. One of these conditions was condition 15 in relation to a dispersal policy. I copy below what was written in my previous letter dated 6<sup>th</sup> July 2015:

*Condition 15 on the premises licence in relation to a dispersal policy is not being complied with. No written policy could be produced and during the meeting, it was acknowledged that no policy was being operated. It was further noted that **officers of the Council were witness to large groups of people hanging around outside the premises on the Oxford Road side on numerous occasions and that this was potentially causing noise and anti social behaviour.** It was explained during the meeting that it is not sufficient to simply close the premises and leave patrons standing on the Oxford Road directly outside. Case law indicates that the premises licence holder must disperse customers from the vicinity of the premises. **Please ensure that an active dispersal policy, tailored to the premises and its location, is implemented right away and signed off by Thames Valley Police.***

Officers of Reading Borough Council have observed that whilst late night refreshment was being provided from the premises between the hours of 0239hrs and 0254hrs, a large crowd of patrons were gathered outside the premises on the Oxford Road and at the junction of Trinity Place. There were also patrons in the beer garden of the premises purchasing food. Some of these patrons were shouting, some were shoving each other and others were simply loitering. Therefore the premises is, once again, in breach of condition 15 of the premises licence as no active dispersal policy is being operated. Indeed, the setting up of a barbeque on the premises and the provision of late night refreshment without a licence is exacerbating the situation. Further, I have received no indication from Thames Valley Police that an active dispersal has been submitted to them for approval. It is also disappointing to note that despite advice being offered by Reading Borough Council and Thames Valley Police during the performance meeting of 1<sup>st</sup> July and the assurances of the management of the premises, that customers are still on or in the vicinity of the premises during a time when they shouldn't be and causing a disturbance to nearby residents.

As per condition 4 of the premises licence issued under the Licensing Act 2003, I, as an authorised officer of Reading Borough Council, formally request a copy of the CCTV from 0200hrs until 0300hrs on the morning of Sunday 12<sup>th</sup> July 2015 for this premises. The CCTV coverage should cover all of the premises whilst it is open. I would also request any footage that is covering the beer garden - again, between the hours of 0200hrs and 0300hrs on Sunday 12<sup>th</sup> July 2015. Please provide this within 48 hours from receipt of this letter to the Civic Offices.

I would be grateful for a response to the contents of this letter and the contents of the letter dated 6<sup>th</sup> July 2015.

Should you wish to discuss the issues, please telephone me on the number above, during office hours.

Yours faithfully

Richard French  
Licensing Enforcement Officer

A district judge has rejected an appellant's argument that noise from departing customers was a matter for their individual responsibility and should not have led to a reduction in licensed hours.

The case of *Kouttis v London Borough of Enfield* (9 September 2011) involved the Willow Public House in Winchmore Hill. The venue had previously suffered from crime and disorder, but the operators had refurbished the pub with a restaurant upstairs and a music and cocktail bar downstairs.

The Trading Standards authority, with the backing of some local residents, applied to remove musical entertainment from the licence and reduce its hours because of noise breakout and disturbance from departing customers.

A noise management plan, including sound attenuation measures, was drawn up and presented to the Licensing Sub-Committee.

The sub-committee accepted the plan and agreed to allow musical entertainment to continue. However, it also reduced the terminal licensing hour from midnight to 11 pm on Fridays and Saturdays because of the noise on dispersal.

Before District Judge Daber, the appellant submitted that noise from departing customers was their individual responsibility and should not have led to a reduction in licensing hours.

They relied on government guidance which says that "beyond the vicinity of the premises, these are matters for personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right"

The appellant also argued that:

- given that certain residents were not disturbed, this did not amount to public nuisance

within the meaning of para 2.33 of the guidance as approved by Burton J in the *Hope and Glory* case

- the authority was not obliged to respond to every nuisance, but should be more concerned with whether the operator's attitude was such as to minimise nuisance which is occurring.

District Judge Daber dismissed the appeal and ordered the appellant to pay £21,000 in costs to the council.

The judge concluded that there was sufficient evidence of public nuisance, and that section 4 of the Licensing Act gave the licensing authority a positive duty to deal with it proportionately.

No less interventionist way of dealing with the nuisance had been suggested in the case, the judge said. He held that not only was the authority not wrong, but that it was in fact right to reduce the hours as it had.

Philip Kolvin QC of 2-3 Gray's Inn Square represented the London Borough of Enfield.

**Luminar Leisure Ltd v Wakefield Magistrates' Court, Brooke  
Leisure Limited, Classic Properties Limited, Wakefield  
Metropolitan District Council**

CO/2876/2007

High Court of Justice Queen's Bench Division The Administrative Court

18 April 2008

**[2008] EWHC 1002 (Admin)**

**2008 WL 2596040**

Before: Mr Justice Ouseley

Friday, 18th April 2008

**Representation**

- Mr K De Haan QC (instructed by Poppleston Allen ) appeared on behalf of the Claimant.
- The Respondent did not attend and was not represented.
- Mr S Walsh (instructed by Gosschalks Solicitors) appeared on behalf of the First Interested Party.
- Mr B Williams (instructed by Wakefield BC ) appeared on behalf of the Third Interested Party.

**Judgment**

Mr Justice Ouseley:

1 Luminar Leisure Limited, the appellant, operate a nightclub known as Buzz Bar in part of 75- 81 Westgate in Wakefield. It has a licence capacity of 1380 patrons.

2 On 23rd May 2006 Wakefield Metropolitan District Council granted a new premises licence for the whole of 75- 81 Westgate, under the Licensing Act 2003 , with a capacity of 2000 patrons. Buzz Bar at the time, and at least partly because of the application and the associated commercial consequences, was operating at about 300- 400 patrons. The operators of rival venues in Westgate appealed to the Magistrates' Court against the grant of that new licence.

3 District Judge Bennett allowed their appeal on 5th November 2006. Luminar Leisure Limited now appeals by case stated against his decision. I can only allow its appeal if the district judge made an error of law.

4 The trade rivals have appeared in opposition to that appeal. The local authority has adopted a neutral stance, although making helpful short written submissions. I say at the outset that the judgment and case stated are careful and thorough documents.

5 It is clear from the district judge's judgment that he was satisfied that the venue, as proposed to be operated, would be attractive, different from the current entertainment venues in Westgate, that it would be well designed for safety and internal order, and that queueing for entry and any other activities in the immediate vicinity of the venue, for which the operator would be responsible and which could be controlled by condition, would not lead to the refusal of the licence.

6 Put shortly, the district judge allowed the appeal because of the effect which the increase in the number of people attending such a venue in Westgate would have, generally, on crime and disorder in the area.

7 The issues raised in the appeal are encapsulated in the three questions



posed in the case stated. These questions are: " i) Was it open to the court to take into account issues relating to crime and disorder away from the proposed premises and beyond the direct control of the licensee? ii) If it was open to the court, was there any evidence upon which a reasonable tribunal could have drawn the conclusion that the proposed premises would give rise to such problems of public disorder as to undermine the licensing objectives?

iii) Was it a proportionate response to refuse the licence rather than to impose conditions on any licence?"

8 To understand the issues it is necessary to examine briefly the relevant statutory provisions. Section 4 of the Licensing Act 2003 provides:

### **8 " General duties of licensing authorities**

(1) A licensing authority must carry out its functions under this Act (' licensing functions' ) with a view to promoting the licensing objectives.

(2) The licensing objectives are—

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

(3) In carrying out its licensing functions, a licensing authority must also have regard to—

- (a) its licensing statement published under section 5, and.
- (b) any guidance issued by the Secretary of state under section 182."

The same provisions apply to the district judge when deciding an appeal.

9 Wakefield Metropolitan District Council had produced a statement of its licensing policy under section 5 . This included certain passages on which Mr De Haan QC, for the appellant, put some weight. At paragraph 3.10 the policy document says:

" The Licensing Act 2003 is not a way to control anti-social or violent behaviour away from premises and beyond the direct control of licensees. There are other controls to deal with these matters, but licensees have a duty to be aware of these measures and support the strategies. It does, however, have measures intended to prevent and control these problem areas inside and in the vicinity of licensed premises and to make the licence holders, both personal and from premises, responsible for meeting the Licensing Objectives."

10 In paragraph 37 the purposes of the capacity limit where one is imposed are to avoid internal disorder and to ensure safe evacuation in an emergency. The policy document also discusses circumstances which might lead to the refusal of a licence even though, by itself, the grant would be acceptable, because of the cumulative impact of such licences on an area. Paragraphs 5.4 to 5.7 deal with this in these terms:

" If there are serious problems of nuisance and disorder arising, or beginning to arise outside, or some distance from premises licensed to serve alcohol, because of the number of premises in the area increasing the number of individuals in that area, then this could be seen as a cumulative impact. This would usually be more than the impact of all the individual premises put together and may make the area a focal point for large groups to gather and circulate away from individual licensed premises."

11 After considering the potential for dealing with the problem by the imposition of conditions, the policy concludes that if conditions would be ineffective to achieve the licensing objectives, applications would still have to be viewed on their individual merits, but it would be for the applicant to show that the additional premises or capacity would not effect the cumulative impact and licensing objectives. In other words, the effect of a special cumulative impact policy would be to impose on the applicant the burden of showing that the licensing objectives would not be undermined rather than the other way round.

12 In that policy document Westgate Wakefield is identified as a problem area. But there was not at the time any cumulative impact policy. Such a policy was being proposed but it had not been finalised or adopted. The policy was proposed with the support of the police. The district judge rightly ignored the draft policy but took note of the circumstances which had led to its being proposed. The fact that one was being proposed of itself is relevant as well. Government guidance, under section 182 of the Licensing Act , is to similar effect as the local authority licensing statement.

13 With that background, I now turn to the first question in the case stated: is evidence of crime and disorder away from the immediate vicinity of the premises relevant?

14 The appellant did not in fact contend that the Licensing Act 2003 made it unlawful for such factors to be taken into account in deciding a premises licence application. Nor did the appellant contend that such evidence could only be taken into account if a specific cumulative impact policy had been adopted. It may be that the passage in paragraph 3.10 of the Wakefield MDC guidance is too rigid, given the admitted relevance of those factors. However, I do not think that Mr Walsh is right in saying that that passage was only intended to deal with a limit on the imposition of conditions.

15 It was not contended by the appellant either that the district judge had misinterpreted the local authority policy or indeed government guidance in some way. In substance, Mr De Haan's argument was that the district judge had attached overmuch weight to events remote from, or at least not in the immediate vicinity of the premises. That, with respect to Mr De Haan, is not an argument capable of showing that an error of law has been made. The answer to question 1 is "yes".

16 The second question raises the issue of whether various conclusions, in relation to evidence about events remote from the premises, were rational and evidence based. A number of separate points were raised under this head. I deal, first of all, with the question of additional numbers. Mr De Haan submitted that the district judge, in reality, had ignored the fact that the existing licence was for 1380, and so the increase involved in the new application was only 600. He submitted that the decision reads as though the district judge was dealing with the full 2000 capacity increase.

17 There was some debate about how the issue had been put by the appellant to the district judge, given the fact that the current actual level at Buzz Bar was only about 300 to 400. But it was clear that it had not been suggested that the district judge should compare that actual figure of attendance with the 2000 capacity. Nor was it suggested that the district judge should compare that figure of 300 to 400 with some commercial estimate of the likely usage of the new premises. Nor had the district judge been invited to assess a base case of Westgate Wakefield, as it was, together with a further 1000 supposed people in attendance, in order to reflect full usage of the existing capacity, and then use that to measure the impact of a further 600 to represent the proposed increase in capacity represented by the new premises licence application.

18 It is clear that the common approach by all parties was that there would be an increase of 600, and no separate base case was put forward for comparison. This is a fairly simple approach which was urged upon the district judge. The district judge, in my judgment, makes it perfectly clear in what he says that he understood that it

was an increase of 600 and understood the way in which the parties were putting their case. In his discussion of the extra numbers he is entirely consistent in relation to that understanding of the appellant's case. Nothing in his findings in the case stated suggest otherwise either.

19 The district judge was entitled also to conclude that although some of the additional customers to the premises would come from other venues in Westgate and so would not add to existing problems, the appellant's own evidence supported his view that the different and more attractive style and variety of attractions at the venue, would bring in people not currently attending similar venues in Westgate or anywhere in Wakefield at all. These would therefore add to the numbers of those late at night in Westgate. There is no error in his approach to additional numbers.

20 Secondly, irresponsible drinking promotion. Mr De Haan submitted that the district judge had found that the appellant would engage in irresponsible drink promotion if it were found not to be attracting extra people into its premises in Westgate, or that it would do so in response to price cutting by rivals, which they might undertake in order to maintain their own levels of patronage. That conclusion, he said, was not supported by evidence and, in any event, had the district judge been of that view, he ought also to have considered the extent to which irresponsible drink promotion was capable of control through the effect of the policy of the local authority against it, enforcement via review of licences or their revocation under section 52 and possible conditions in relation to consulting the police on certain aspects of promotion.

21 The relevant passage in the case stated is 10(h). The district judge says this:

" If I was wrong and additional numbers were not attracted then I was concerned as to the possibility of a marketing and price war. This was a problem in Wakefield. I accepted this was not the intention of the appellants. However discounts have been offered at Buzz. The appellant's could not rule out having to do so again if competitors began to offer discounts."

This is a summary of a larger passage in his judgment, which refers to a concern in the Government Office that there had been irresponsible drinks offers in Wakefield, though not by the appellant.

22 I do not read the district judge's judgment as involving any finding at all that the appellant would engage in irresponsible pricing or promotion, though others might do so. Rather, it is a finding that, in an area where drink promotion is already a problem, competitive and promotional pricing could be used to attract people, without being irresponsible, if the appellant's aimed for patronage levels were not being met. That conclusion, and the way in which it was deployed in the judgment of the district judge, is both evidence based and rational.

50 Metres From the Rivals: Mr De Haan's third point was that it was not rational for the district judge to put weight on the fact that the premises the subject matter of the licence application were only 50 metres away from rival premises. He said, obviously correctly, that that was the situation at the moment in relation to Buzz Bar. He submitted, and he is supported by the evidence that there was no problem currently identified, resulting directly from that proximity, and it was accepted that there would be appropriate controls in relation to queueing for entry, so there was no basis for concern over some disorderly interaction there either.

23 What the district judge said in relation to this proximity was this at paragraph 10(f):

" I was concerned as to the proximity of these premises to those of the respondents. They were within 50 metres. As well as the crime and disorder issue I had concern about the infra structure, or lack of it. The government office report had already commented upon the issue and dangers of the alleyways leading off the main thoroughfare."

But, in my judgment, what the district judge is saying, and he is entitled to say it, is that this is where the increase in the numbers of itself, in a small and quite confined

area, with limited means of dispersal, is relevant. He was entitled, in my judgment, to give that some weight.

24 The appellant suggested that if the concern was about taxis, a condition should have been imposed preventing the use of the premises until a scheme had been agreed with the local authority, building on tentative negotiations with a private hire company which were underway, for a private car hire office in the club, waiting and pick up arrangements. Such a condition was not suggested and there is difficulty in suggesting one, without more information as to how the scheme might operate in such a way as to demonstrate that it might be effective in overcoming the problem. But it goes beyond that, because the district judge's concerns were not simply about queueing for taxis. He said at paragraph 10(d) that those arrangements would not be able to address the identified problem of an insufficient number of taxis and private hire vehicles and that it might even lead to fewer being available to those queueing on the streets. The problem of those queueing on the streets, for an insufficient number of taxis and private hire vehicles, had already been referred to by him in the evidence as a "significant disorder" problem. The district judge said that he did not think the arrangements proposed would be a resolution of a much deeper problem that required a co-ordinated response. So neither in his approach to proximity, nor in his approach to taxis do I consider that the district judge has reached a conclusion that was irrational or wanting for evidence.

25 The fourth point raised by Mr De Haan under this head related to crime statistics. Mr De Haan criticised the district judge's approach to these statistics. He first suggested that the district judge should not have relied on them at all because they could not prove that there had been any recent increase in crime in the area. However, the reality is that the district judge used the figures to show that there had been no recent decline in violence or disorder, as had been suggested by one of the officers who gave evidence. This was because there had been a change in charging policy, so the offences which had been treated as public order offences, and hence categorised as violent, were now charged as drunk and disorderly, which were not. That led, obviously, to a reduction in statistically recorded crimes of violence without altering the picture of disorder.

26 Mr De Haan's second's submission was that it was irrational for the district judge to prefer a report from the Government Office for West Yorkshire and Humberside, which was a year old, to more up-to-date material presented in oral evidence to the judge. But the position was not quite as simple as that. The district judge clearly thought that the report was fuller, more objective and reliable, whereas the later evidence created statistical confusion and was more impressionistic. He sets these points out in full in paragraphs 10(a)- c). I do not need to read them out. There is nothing irrational in his approach to the figures. The conclusions he has reached were entirely open to him on that evidence. So the answer to question 2 is "yes".

27 The third question concerns the proportionality of a refusal of a licence as opposed to one in which conditions were imposed. The conditions that were raised concerned the operation of a private hire car system within the premises. I have already dealt with that proposed condition. No condition was sought limiting the use of the premises to 1380, which would have been difficult to refuse; but it was not sought on commercial grounds. It was suggested by Mr De Haan that such a limitation in the interests of cumulative impact might have been a misuse of the power to impose such conditions, according to the policy which appears to confine the use of such condition to the interests of safety and internal order. I am not sure that the powers to impose such a condition can properly be limited to those factors, if it is accepted that the cumulative impact is legally relevant. To put a limit on the extent to which cumulative impact is legally relevant is something which seems to me not to be permitted by the statute. But with all that this condition was not sought. So the answer to question 3 is "yes".

28 Accordingly I take the three questions which I set out at the beginning of the judgment:

" i) Was it open to the court to take into account issues relating to crime and

disorder away from the proposed premises and beyond the direct control of the licensee?"

" Yes"

" ii) If it was open to the court, was there any evidence upon which a reasonable tribunal could have drawn the conclusion that the proposed premises would be give rise to such problems of public disorder as to undermine the licensing objectives?"

" Yes"

" iii) Was it a proportionate response to refuse the licence rather than to impose conditions on any licence?"

" Yes"

This appeal is therefore dismissed.

29 MR JUSTICE OUSELEY: Mr Walsh?

30 MR WALSH: On behalf of Brooke Leisure there is an application for costs. I have a schedule here.

31 MR JUSTICE OUSELEY: Yes, Mr De Haan has a copy? (Same Handed).

32 MR JUSTICE OUSELEY: Do you want to say anything about that? 33 MR DE HAAN: They have been examined.

34 MR JUSTICE OUSELEY: I make an order for costs in the sum of £24,889.12.

35 MR WALSH: Thank you, my Lord.

36 MR JUSTICE OUSELEY: Thank you very much.

**IN THE Highbury Corner Magistrates' Court**

**BETWEEN:**

**ELECTRIC STAR LIMITED**

**(On behalf of The Star of Kings, 126 York Way, London, N1 0AX)**

**Appellant**

**-and-**

**THE LONDON BOROUGH OF ISLINGTON**

**(The Licensing Authority)**

**Respondent**

1. This is an appeal under section 181 and schedule 5 of the Licensing Act 2003 ['the Act'] against the decision of the Licensing Sub-Committee of the London Borough of Islington ['LBI'] on 20.11.12 in determining a review brought by Michael Sweeney, a local resident, of the premises licence for The Star of Kings ['the Star']. Electric Star Limited ['ESL'] is the licence holder for the premises.

The Premises and Locality

2. The Star is located on York Way, a predominately residential area. Nevertheless it is a busy area with other licensed premises in the locality and the road is busy both day and night. During the day the premises operates as a pub serving food until 10pm. It has a late license until midnight during the week and 02.00 hours on Friday and Saturday nights. It has a capacity of 300 on the ground floor and 100 in the basement. The basement is used for events, including parties, bands and DJ events. There have historically been problems with the premises under a different licensee when the premise was known as Backpackers. There is no complaint about the way the premises is run inside since it has operated as The Star. The problems have arisen with the use of the forecourt area at the front of the premises and dispersal of customers.

The Licensing Sub-Committee decision

3. On 20.11.12 the Licensing Sub-Committee made the following decisions:
  - a) To reduce the sale of alcohol to end at 0100 hours on Friday and Saturdays (a reduction of 1 hour), with closing time at 0130 hours.
  - b) To reduce the maximum capacity from 400 to 300 (200 on the ground floor and 100 in the basement).

The decision and reasoning of the Sub-Committee are found at p321-326 of the Respondent's bundle. They found clear noise disturbance caused by patrons of the premises. They found that the licensing objectives would be promoted by a reduction in hours and capacity due to lack of confidence in the management dealing with dispersal in the context of a residential area.

#### Legal Framework

4. This is an appeal by way of re-hearing. However, following *R (Hope and Glory Public House Limited) v City of Westminster Magistrates' Court* [2011] EWHC Civ 31, this appeal court should only reverse the decision of the Licensing Sub-Committee if it is satisfied that the decision was wrong in light of the evidence before the magistrates' court. It is for the Appellant to prove that it was wrong on the balance of probabilities.
5. I have also been directed towards other case law, including:
  - a) *R (Townlink Ltd) v Thames Magistrates' Court* [2011] EWHC 898 – The court should make its own findings of fact on the material issues.
  - b) *Little France Ltd v Ealing LBC*, unreported, 15.02.13 – This deals with the adequacy of the Sub-Committee's reasons.
6. The Licensing Authority and therefore the court in any appeal must carry out its functions under the Act with a view to promoting the licensing objectives. The relevant objective in this case is the prevention of public nuisance. The court can take what steps it considers appropriate to promote the licensing objectives.
7. The court must have regard to the national guidance and the LBI licensing policy. It is unnecessary for me to rehearse the policies here. However I note the following:
  - a) April 2012 national guidance:
    - Para 2.34 – 'It is important to remember that the prevention of public nuisance could therefore include low-level nuisance, perhaps affecting a few people living locally...It may also include in appropriate circumstances the reduction of the living and working amenity and environment of person living and working in the area of the licensed premises.'
    - There is acknowledgement that there may be some disruption as customers leave premise but it should be 'minimal'.
    - A factor the court can consider is the financial burden of any restriction.
  - b) At the time of the Sub-Committee decision the relevant local policy was the 2011-2014 policy. Much of this policy is repeated in the 2013-2017 policy which it is agreed is the relevant policy for this court to consider. Of particular relevance in the 2013-2017 policy are:

- Policy 7 – ‘Licensing Authority may seek to restrict hours of opening where it is appropriate to promote the licensing objectives.’
- Policy 9 – ‘Encourages the highest standards of management’ and ‘will impose restrictions and conditions that are appropriate for promoting the licensing objectives.’
- Policy 18 – ‘committed to protecting the amenity of residents...in the vicinity of licensed premises, particularly when late hours have been sought.’
- Policy 21 – ‘normally require all licensed premises to be cleared of patrons within a reasonable period, usually 30 minutes’.

### Chronology

8. Dec 2010 - Licence transferred to ESL
- 22.08.11 - Licensing Sub-Committee heard an application to vary the premises licence. Application to extend hours withdrawn. 26 objections from residents, councillors, police and health and safety were received. Some changes made to the licence conditions including: member of staff to monitor all persons on forecourt after 22.00 hours, table and chairs outside to be rendered unusable after 22.00 hours.
- 02.09.11 - Licensing Officers observed very intoxicated customers, insufficient door staff, poor management of customers outside the premises and whilst leaving, and non compliance with the taxi and CCTV conditions.
- 23.09.11 - Meeting between LBI and licensees to discuss complaints made by residents and the observations by licensing officers. Action plan agreed including: barriers to demark forecourt from pavement, more door supervisors on busy nights, door supervisors to actively engage with noisy customers, limit of 10 smokers outside after 22.00 hours, customers outside to remain on forecourt rather than pavement. Matters agreed confirmed in letter dated 29.09.11.
- 01.11.11 - Review application by Lorraine Gibney, local resident. Representations made by Michael Sweeney.
- 15.12.11 - Hearing of review application. A number of further conditions were imposed on the licence including: only 15 people outside after 22.00 hours and not permitted to take drinks outside, duty manager to supervise dispersal of customers at the end of the night, door supervisors to encourage people to disperse as they leave and not to loiter, management to be more actively involved in seeing customers off the premises, customers to be proactively monitored for rowdiness outside the premises, where a taxi is requested staff to call taxi for customer and remind customers that it would be wise to wait inside for the taxi.
- 06.09.12 - Meeting between LBI and Licensee and Designated Premises Supervisor to discuss noise complaints received from residents.
- 27.09.12 - Review application by Michael Sweeney, local resident. Representations from four other



residents: Janys Lomax, Clementina Walters, Agnes Fagbohunge, Lorraine Gibney. Also representations from the LBI noise team, licensing authority and Paul Convery, the local ward councillor.

20.11.12 - Hearing of review application

### Evidence of Residents

9. Lorraine Gibney is a local resident living at 65 York Way, 265 Copenhagen Street, about 200 yards from the premises.

a) Her review application on 01.11.11 was based on anti-social behaviour from customers loitering outside the venue at all hours waking her and her children, mostly on Friday and Saturday nights. Customers were smoking, drinking, shouting, fighting and arguing after 02.00 hours. She had spoken directly with management but the problems had not been resolved. The following is a summary of her noise diary:

02.09.11 - Anti-social behaviour until 03.00 hours.

16&17.09.11 – Anti-social behaviour 02.15-02.35 hours and 02.20-03.15 hours.

01.10.11 - Anti-social behaviour until 05.00 hours.

07.10.11 - Noise from people leaving the venue at 00.30 hours.

15.10.11 - Noise from 02.20-02.45 hours.

16.10.11 - Woken at 02.15 hours by noise from people talking.

22.10.11 - Woken by anti-social behaviour at 02.30 hours.

29.10.11 - Anti-social behaviour from 00.55-02.50 hours. No sign of security outside venue.

b) Since the last review hearing she made a complaint to LBI on 21.04.13 at 02.40 hours about customers screaming and shouting by the electricity box near the premises.

10. Michael Sweeney is a local resident living at 11 York Way Court, 265 Copenhagen Street, about 30 metres from the premises.

a) He made a review application on 27.09.12. He complains of problems with the venue over the last 12 years. He describes himself as a 'campaigner' and has an agenda that the venue should not have a licence beyond 23.00 hours. He is particularly aggrieved that the venue is able to operate as what he perceives to be a 'nightclub' with a late licence and music events. The tone of his emails to the management at the Star have on occasions become personal and unpleasant.

b) He said he is disturbed most weekends in the early hours by yelling, screaming and shouting of patrons from the premises.

c) In his review application he detailed the following incidents which I summarise. Where relevant, the response by Steve Macri, the Designated Premise Supervisor, is listed in [ ].

27.06.12 - 02.30-03.10 hours woken by anti-social behaviour.

09.06.12 - 02.10-02.25 hours woken by anti-social behaviour. [Bar closed 01.00 hours, very quiet night.]

10.06.12 - 01.00-02.30 hours continuous intermittent loud noise from customers. The court was shown footage filmed from his bedroom window showing noise from people and cars by the venue.

25.06.12 - 01.30-01.40 hours by anti-social behaviour. [Closed by 23.00 hours]

14.07.12 - 00.05-00.30 hours anti-social behaviour.

25.07.12 - 22.30-22.40 hours – Loud noise from customers who were using benches outside. [The manager ensured the benches were re-stored. Different system in place now to ensure benches not used after 22.00 hours.]

04/05.08.12 - Loud noise at intervals until 02.40 hours

25/26.08.12 - Large crowd causing much public disorder. The court was shown footage filmed outside the venue showing large numbers of people in the street outside the venue causing noise disturbance at 02.30 hours.

31.08.12/01.09.12 - 23.20 hours large number of customers causing public disorder. The court was shown footage filmed from his bedroom window at 23.40 hours and 00.03 hours.

15.09.12 - 00.40-01.10 hours anti-social behaviour.

He also had a petition of 44 names supporting his application. It should be noted that there was a petition of 32 names opposing the review.

d) Since the review he has complained of the following incidents:

27.01.13 - Large groups of people causing disturbance up to 02.55 hours.

CCTV viewed by Terri Lane who notes large groups of customers and security acting appropriately and CCTV inconclusive.

28.03.13 - Disturbance in the early hours.

31.03.13 - Lone male, wanders in, ejected, police/ambulance called 7.45pm.

07.04.13 - Disturbance in early hours. CCTV with customers still leaving at 2.55am. The court was shown footage filmed at 02.29 and 02.32 hours.

e) I consider that he was unfairly criticised for referring to other local residents being disturbed.

Whilst I do not rely on that part of the evidence it is not uncommon for an individual to become an unofficial spokesperson. He said many residents did not wish to complain directly and that was also the view of Lorraine Gibney. I find that any error in holding himself out as vice-chair of the York Way Court Resident Association before it was properly formed was a genuine mistake.

11. Other residents attended court and gave evidence:

a) Agnes Fagbohunge lives at 43 Your Way Court, 265 Copenhagen Street which is at the back of the premises. She gave evidence that she and her family were regularly disturbed by customers of

the premises. She detailed two incidents in the last six weeks when after 03.00 hours she was disturbed by noise from customers and music and another occasion at around 01.00 hours when customers on the forecourt were being noisy.

- b) Kevin Rice, 35 York Way Court – gave evidence in support of the Star.
- c) Sandra Davies, 20 Tiber Gardens – gave evidence in support of the Star.
- d) Sandra O’Neill, 44 York Way – Lives behind the pub, next door to Agnes Fagbohunge, and gave evidence in support of the Star that she had not been disturbed.
- e) Betty Gurie, 5 Tiber Gardens – gave evidence in support of the Star.
- f) Sonia King, 69 Tiber Gardens – gave evidence in support of the Star.

12. The following residents provided statements in support of the Star:: Jean Hanneh, 47 Tiber Gardens; Sande, 51 York Way; Maria Martins, 49 York Way Court; Nigel Taylor, 45 York Way; Maggi Mahoney, 46 York Way Court; Tanya Pierce, 19 York Way Court.

13. Save for Sandra O’Neill, all the other residents who provided evidence in support of the Star live further away from the premises than Lorraine Gibney, Michael Sweeney and Agnes Fogbohunge. I also note that although Maggi Mahoney makes no complaint there was a complaint from Thomas Mahoney, of the same address, to LBI on 16.03.13 at 01.26 hours in relation to very loud music from the Star.

#### Other evidence from LBI

14. Terri Lane, manager of the Licensing Team at LBI, and Janice Gibbons, Service Manager for Commercial Environmental Health and Licensing and Emergency Planning at LBI both gave evidence. Janice Gibbons perception was that the management failed to come up with solutions and she had to take a more active role and prompt them with suggestions, such as using a different door supervisor company. She said that they had ‘got there in the end’ but it had been a ‘long and tortuous process’. There had been improvement but this was against a long history of complaints, two reviews and other meetings.

15. Monitoring by the Noise Patrol and Anti-Social Behaviour Teams of LBI:

- a) [p301-303 of the Respondent’s bundle] Log of visits by the teams and complaints to LBI between 05.11.11 and 21.10.12. No concerns were noted during the proactive visits.
- b) [p307-308 of the Respondent’s bundle] Log of visits by licensing officer. Concerns were raised regarding 25.08.12 at 02.05 hours when over 100 people were observed outside the premises with loud noises, play fighting, urinating, intoxicated customers, limited door staff and staff/management not moving people on. It took until 02.35 hours for this to be cleared.

- c) At the request of the court the LBI produced a schedule of visits made by the noise patrol and anti-social behaviour teams of LBI between 03.11.12 to 26.05.13. There have been 42 visits, mostly at the weekends and in the early hours of the morning. None of these visits coincided with the dates Michael Sweeney has complained about or the time of Lorraine Gibney's complaint. It appears that on 14.04.13 there were some concerns about the number of customers still in the premises and been dispersed after 01.30 hours.

16. From January to September 2012 the Licensing team received complaints on eight occasions from residents. On all of these occasions Mr Sweeney complained. On three of the occasions there were complaints by other residents. Since the last review the LBI have requested CCTV from the premises when there has been a complaint. They have found no breaches of licence conditions. However, it is important to note that there is no audio on the CCTV and therefore, this does not mean that there was not disturbance for local residents.

#### Other evidence from the Appellant

17. Steve Macri, the Designated Premises Supervisor:

- a) The management had tried to maintain good relations with the local community, inviting them to meetings with the management and by attending meetings of local resident associations. They have provided residents with a mobile number for contacting the duty manager.
- b) They have liaised and worked with the licensing authority, being proactive regarding policies and solutions.
- c) He accepted he had not provided a comprehensive response to the complaints raised in Lorraine Gibney's review. However, they had implemented a dispersal policy which, upon their invitation, was incorporated into the license conditions.
- d) They have made two changes to their SIA door supervisor providers in September 2012 and January 2013.
- e) They have a risk assessment policy in relation to promoted events and have declined many events that they deem unsuitable.
- f) He explained that if people were waiting for taxis they had been advised by the licensing officer to keep them inside the premises even if it is after 02.30 hours.
- g) He accepted that historically there had been some problems and that policies had taken time to 'bed down' but considered that these were resolved now.

18. Robert Hives, the director of Electric Star Ltd and overall manager for the premises, gave evidence.

19. Torben Anderson prepared a report on behalf of RBA Acoustics for the Appellant in relation to noise monitoring on two occasions 15/16.02.13 and 25.05.13. There were no significant findings re noise. This evidence carries little weight as it only relates to two nights and the visits were prearranged and known to management.

#### Submissions by the parties

20. Summary of the main submissions on behalf of the Respondent:

- a) The conditions imposed were reasonable and appropriate, not disproportionate, given the history of problems and warnings and reviews since this management took over.
- b) Although there has been improvement, there remain problems even whilst the appeal has been pending.

21. Summary of the main submissions on behalf of the Appellant:

- a) Capacity:
  - This is only to do with fire risk.
  - There was no discussion at the Sub-Committee regarding the significance of capacity.
  - There is no rationale for the reduction in capacity.
- b) Even the best run premises can experience the occasional problem and some disruption as customers leave the premises.
- c) There has been substantial improvement such that, even if the reduced opening hours were appropriate at the time of the Sub-Committee hearing, they are not appropriate now.
- d) There will be a financial burden on the premises if the hours and capacity are reduced. I note that no evidence was presented to support this.
- e) This has been a resident led complaint by Michael Sweeney who has a particular agenda and, therefore, his complaints should be assessed with care.

#### Conclusions

22. I find that local residents have suffered noise disturbance in the early hours of the morning due to anti-social behaviour by customers of the Star. This is mostly of short duration but sufficient to wake them and disturb them at night. Although Mr Sweeney has an agenda, I find that he has suffered genuine disturbance. Some of his complaints are supported by video footage. There were incidents in June, July, August and September 2012. Complaints were received by the LBI between January and September 2012. These were not just from Mr Sweeney.

23. I find that incidents have continued in 2013. There were incidents of noise disturbance in January, March and April 2013. In particular there were incidents on 7<sup>th</sup>, 14<sup>th</sup> and 21<sup>st</sup> April.

24. This is not a situation of a well run premises suffering the unlucky occasional incident. This is a management team that have been unable to prevent public nuisance when customers use the outside area and disperse. The disturbance during dispersal is not regular but it is repeated and is more than the minimal disruption that is inevitable for any licensing premises. On occasions it is due to large groups of people outside the premises at the time the premises is closing. The problems have been ongoing since 2011.
25. The disturbance has repeatedly occurred after 02.30 hours when the premises should be clear. The management appeared to have the attitude that the final 30 minutes was 'drinking up time' rather than the time to clear the premises and ensure that all the customers have dispersed.
26. The management appear to put the main responsibility for the failure on the door supervisors and have tried to resolve the problem by changing their door supervisors. However, given that the licensing conditions require the duty manager to supervise dispersal and for the management to be more actively involved in seeing customers off the premises, responsibility must lie with them.
27. Further conditions on the licence would not achieve the objective of preventing public nuisance.
28. I do not accept that the issue of capacity of a venue is only a matter of fire risk. It is also a matter of what is appropriate for the type of venue and the ability of the management to deal with the numbers of customers.
29. The changes to the licensing hours and the reduced capacity are appropriate, reasonable and proportionate responses. It seeks to prevent disturbance to local residents by making the numbers leaving the premises more manageable for the management and also to prevent disturbance at such a late hour.
30. The appeal is refused and the decision of the Licensing Sub-Committee is upheld.

District Judge Crane

11<sup>th</sup> June 2013

A handwritten signature in black ink, appearing to read 'DT Crane', with a horizontal line underneath.



**LICENSING ACT 2003 PREMISES LICENCE - PART A**

Reading Borough Council being the Licensing Authority under the above Act,  
**HEREBY GRANT** a **PREMISES LICENCE** as detailed in this licence.

<b>Premises Licence Number</b>	LP2001435
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**Premises Details**

**Trading name of Premises and Address**

The Royal  
2 Bedford Road  
Reading  
Berkshire  
RG1 7HS

**Telephone Number**

<b>Where the Licence is time limited the dates the Licence is valid</b>
N/A

**Licensable Activities**

**Licensable Activities authorised by the Licence**

- Performance of Live Music - Indoor
- Playing of Recorded Music - Indoor
- Performance of Dance - Indoor
- Late Night Refreshment - Indoor
- Sale of Alcohol by Retail - On & Off the Premises

**Authorised Hours for Licensable Activities**

**The times the licence authorises the carrying out of licensable activities**

**Hours for the Performance of Live Music**

- Monday from 1100hrs until 0000hrs
- Tuesday from 1100hrs until 0000hrs
- Wednesday from 1100hrs until 0000hrs
- Thursday from 1100hrs until 0000hrs
- Friday from 1100hrs until 0200hrs
- Saturday from 1100hrs until 0200hrs
- Sunday from 1200hrs until 2230hrs

**Non Standard Timings:**

An additional hour on every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring Bank Holiday and every August Bank Holiday weekend. An additional hour on every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

An additional hour on Christmas Eve and Boxing Day.

### **Hours for the Playing of Recorded Music**

Monday from 1100hrs until 0000hrs  
Tuesday from 1100hrs until 0000hrs  
Wednesday from 1100hrs until 0000hrs  
Thursday from 1100hrs until 0000hrs  
Friday from 1100hrs until 0200hrs  
Saturday from 1100hrs until 0200hrs  
Sunday from 1200hrs until 2230hrs

#### **Non Standard Timings:**

An additional hour on every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring Bank Holiday and every August Bank Holiday weekend. An additional hour on every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

An additional hour on Christmas Eve and Boxing Day.

### **Hours for the Performance of Dance**

Monday from 1100hrs until 0000hrs  
Tuesday from 1100hrs until 0000hrs  
Wednesday from 1100hrs until 0000hrs  
Thursday from 1100hrs until 0000hrs  
Friday from 1100hrs until 0200hrs  
Saturday from 1100hrs until 0200hrs  
Sunday from 1200hrs until 2230hrs

#### **Non Standard Timings:**

An additional hour on every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring Bank Holiday and every August Bank Holiday weekend. An additional hour on every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

An additional hour on Christmas Eve and Boxing Day.

### **Hours for the Provision of Late Night Refreshment**

Monday from 2300hrs until 0030hrs  
Tuesday from 2300hrs until 0030hrs  
Wednesday from 2300hrs until 0030hrs  
Thursday from 2300hrs until 0030hrs  
Friday from 2300hrs until 0230hrs  
Saturday from 2300hrs until 0230hrs

#### **Non Standard Timings:**

An additional hour on every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring Bank Holiday and every August Bank Holiday weekend. An additional hour on every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

An additional hour on Christmas Eve and Boxing Day.

### **Hours for the Sale by Retail of Alcohol**

Monday from 1100hrs until 0000hrs  
Tuesday from 1100hrs until 0000hrs



Wednesday from 1100hrs until 0000hrs  
Thursday from 1100hrs until 0000hrs  
Friday from 1100hrs until 0200hrs  
Saturday from 1100hrs until 0200hrs  
Sunday from 1200hrs until 2230hrs

**Non Standard Timings:**

An additional hour on every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring Bank Holiday and every August Bank Holiday weekend. An additional hour on every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

An additional hour on Christmas Eve and Boxing Day.

**Opening Hours**

**Hours the Premises is Open to the Public**

Monday from 1100hrs until 0030hrs  
Tuesday from 1100hrs until 0030hrs  
Wednesday from 1100hrs until 0030hrs  
Thursday from 1100hrs until 0030hrs  
Friday from 1100hrs until 0230hrs  
Saturday from 1100hrs until 0230hrs  
Sunday from 1200hrs until 2300hrs

**Non Standard Timings:**

An additional hour on every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring Bank Holiday and every August Bank Holiday weekend. An additional hour on every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

An additional hour on Christmas Eve and Boxing Day.

**Alcohol**

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

Sale of Alcohol by Retail - On & Off the Premises

**Premises Licence Holder**

**Name, (registered) address of holder of premises licence**

**Name:** Admiral Taverns Ltd

**Address:** Milton Gate, 60 Chiswell Street, London, EC1Y 4AG

**Additional Details**

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

**Name:** Mrs Lavina Juanita Cooper

**Address:** [REDACTED]

**Designated Premises Supervisor**

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

**Personal Licence Number:** LP7002307  
**Issuing Authority:** Reading Borough Council

This Licence shall continue in force from **30/08/2013** unless previously suspended or revoked.

Dated: 30 August 2013

Head of Environment & Consumer Services



## Mandatory Conditions

### Supply of Alcohol

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

### Film Exhibitions

<b>To be applied only where a premises licence or club premises certificate authorises the exhibitions of films</b>	
1	The admission of children to any exhibition of any film must be restricted in accordance with section 20 of Part 3 of the Licensing Act 2003.
2	In the case of films which have been classified by the British Board of Film Classification admission of children to films must be restricted in accordance with that classification.
3	In the case of films which have not been classified by the British Board of Film Classification, admission of children must be restricted in accordance with any recommendation made by the Licensing Authority.

### Door Supervisors

<b>To be applied where a premises licence or club premises certificate includes a condition that any person must be at the premises to carry out a security activity. [Except premises with a premises licence authorising only plays or films or premises used exclusively by a club].</b>	
1	Each individual present at the licensed premises to carry out a security activity must be licensed by the Security Industry Authority.

**Responsible drinks promotions.**

**On licence premises only (commencement date 6/4/2010)**

- 1 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.
- 2 In this paragraph, an irresponsible promotion means any one or more 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, or harm to children-
  - (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) 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 dependent 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.

## Responsible drinking On and Off Sales

### (Commencement date 6 April 2010)

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

## Supply of tap water

### On licence premises only (commencement date 6/4/2010)

The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

### Age Verification (commencement 1<sup>st</sup> October 2010)

(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the supply of alcohol.

(2) The policy must require individuals who appear to the responsible person, as defined within the meaning of Section 153 (4) of the Licensing Act 2003, to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

### Drink Measurements (commencement 1<sup>st</sup> October 2010)

1. The responsible person, within the meaning of Section 153 (4) of the Licensing Act 2003, shall ensure that:

a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

- i) beer or cider: half a pint
- ii) gin, rum, vodka or whisky: 25ml or 35ml and
- iii) still wine in a glass: 125 ml and

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

**Conditions Consistent with the Operating Schedule**

**Conditions agreed with Thames Valley Police via Minor Variation 07/12/2012**

1. The Premises Licence Holder and the Designated Premises Supervisor should provide suitable and sufficient first aid arrangements for members of the public and non employees
2. The Designated Premises Supervisor shall take all responsible precautions and exercise all due diligence to ensure that no patron removes glasses or open bottles from the premises. The Designated Premises Supervisor shall display notices advising that glasses and bottles must not be removed from the premises at all exit points normally used by patrons.

**CCTV**

3. A CCTV system shall be installed in accordance with current or amended Home Office Guidelines relating to UK Police requirements for Digital CCTV systems. The system shall be maintained and operated correctly to the satisfaction of Thames Valley Police ensuring all licensed areas of the premises (except toilet facilities) are monitored - including all entry and exit points enabling frontal identification of every person entering the premises in any light condition.
4. All CCTV cameras shall continually record whilst the premises are open to the public and the recordings shall be kept for a minimum of 28 days with time and date stamping and, except for mechanical breakdown beyond the control of the proprietor, shall be made available upon request to the Police and authorised officers of Reading Borough Council. Any breakdown or system failure will be notified to the Police immediately or remedied as soon as is practicable. Any request from Thames Valley Police or Reading Borough Council for a recording to be made for evidential purposes shall be carried out immediately. Recordings shall be made available to an authorised officer of the Police or Reading Borough Council together with facilities for viewing with immediate access by a person qualified to operate the CCTV system.
5. CCTV recordings for up to the preceding two days shall be made available immediately upon request. Recordings outside this period shall be made available upon 24hrs notice.
6. A sign advising customers that CCTV is in use shall be positioned in a prominent position.
7. A fully trained person who can operate the CCTV system shall be available at all times when the premises is open to the public.

**SIA Door Staff**

8. A minimum of 2 SIA registered door supervisors shall be present where the premises are being used for regulated entertainment on Friday and Saturday from 2100hrs until closing time.

9. On Mondays to Sundays the requirement for door supervisors shall be risk assessed and recorded by the Designated Premises Supervisor and shall be made available for inspection by any authorised officer of the Police or Reading Borough Council.

10. A register of door supervisors shall be kept. The register must contain the following details:

- i) Full SIA registration number
- ii) Date and time that the door supervisor commenced duty, countersigned by the Designated Premises Supervisor or Duty Manager
- iii) Date and time that the door supervisor finished duty, countersigned by the Designated Premises Supervisor or Duty Manager
- iv) Any occurrence or incident of interest involving crime and disorder or public safety must be recorded giving names of the door supervisor involved.

The door supervisor register shall be kept at the premises and be made available for inspection by authorised officers of the Police and Reading Borough Council. Records shall be retained for six months.

11. Door supervisors shall be clearly identifiable at all times whilst on duty and display 'Hi-Vis' personalised armbands containing their SIA badge.

### **Weapons, Drug Searches and Dispersal**

12. The licensee must implement an active policy, agreed with Thames Valley Police, to prevent illegal weapons and drugs being brought onto the premises including search, detection, confiscation, storage and disposal of drugs procedures.

13. Notices shall be displayed advising the public that the right to conduct an outer body search is reserved as a condition of entry and that the Police shall be informed if anyone is found in possession of illegal drugs or offensive weapons.

14. The venue shall actively partake in drugs initiatives run by Thames Valley Police including, but not exclusively, drug itemiser, passive drug dogs and spiked drink campaigns.

15. A closure and dispersal policy agreed with Thames Valley Police for controlling the closing of the premises and the departure of customers at the conclusion of the licensed activities shall be put in place and shall be actively operated.

16. No new customers shall be permitted entry to the premises after 0030hrs.

17. Re-entry for existing customers leaving the premises to smoke is permitted and, where appropriate, subject to an outer body search by door supervisors when returning to the premises.

18. The Premises Licence Holder shall participate, as far as is practicable, in the Local Town Radio Scheme when the premises are open for licensable activities after 2100hrs Monday to Sunday inclusive.

## **Age Checking Policy & Staff Training**

19. The premises shall, at all times, operate a Challenge 25 policy to prevent any customers who attempt to purchase alcohol and who appear to staff members to be under the age of 25 years of age without having first provided identification. Only a valid British driver's licence showing a photograph of the person, a valid passport or proof of age card showing the 'PASS' hologram are to be accepted as identification.

20. Notices advertising the Challenge 25 and proof of age policies shall be displayed in prominent positions on the premises.

21. The Designated Premises Supervisor must ensure that all staff are adequately trained in procedures to ensure that no underage drinking occurs on the premises. Signed training records must be kept and made immediately available to authorised officers of Reading Borough Council and the Police upon request.

## **Public Safety**

22. The maximum permitted numbers for the premises are: Ground Floor - 100 persons

23. The premises must have adequate external/exterior lighting.

## **Prevention of Public Nuisance**

24. Signs will be prominently displayed on the premises to encourage customers to leave the premises quietly.

25. No live music and only low level soft recorded music shall be played during drinking up time.

26. Windows must be kept closed during the evening trading hours during regulated entertainment.

## **Protection of Children from Harm**

27. Individuals under 18 years of age must not be allowed on the premises unless accompanied by an adult.

28. The AWP machine must be kept in clear view from the bar.

29. All staff must be trained to the standards required by the relevant legislation and refusals log book must be maintained.

## **Annex 3**

### **Conditions attached after a hearing by the Licensing Authority**

N/A

## **Annex 4**

### **Plans**

As attached plan no. 510765 dated 24/05/2005



**THE SUMMER BLUES**

White Weekender - SAT 25TH JULY 2015

10pm - 5am

AMIELLO COLLECTIVO PRESENTS

THE ROYAL HOME OF AFRICA

DR PSYCHO

CLASSIC WONDERENTS

YELLOW YOUTS SOUND

£5 ENTRY OR £8 WRISTBAND FOR BOTH NIGHTS

INFO & TICKET HOTLINE - 07534 361902

ANGELLO COLLECTIVO PRESENTS

10pm - 5am

FRI 24TH JULY 2014

AFRICA

BLUE OR WHITE  
Dress Code

Weekender -

# THE SUMMER BLUES

Blue & White

@ THE ROYAL HOME

2 BEDFORD RD, READING RG1 7HS

Featuring...

DR PSYCHO  
CLASSIC WONDER ENTS  
FARDA PEBBS



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TAGET  
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£5 ENTRY  
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WRISTBAND  
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