

LICENSING ACT 2003 HEARING TUESDAY 12<sup>TH</sup> SEPTEMBER 2017 @ 1700HRS (5PM)

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

**1. Premises:**

Purple Turtle  
9 Gun Street  
Reading  
RG1 2JR

**2. Applicant:**

Purple Turtle (Holdings) Ltd

**3. Premises Licence:**

There is currently a premises licence in force at the premises (licence number LP9000368 dated 3<sup>rd</sup> March 2016) This licence currently permits regulated entertainment to be carried out to 4am (Monday to Saturday) and 3am (Sunday). It also permits the sale of alcohol to the same times with a closing time 30 minutes later (4.30am - Monday to Saturday and 3.30am on Sunday).

The licence is attached to this report at Appendix RF-3

**4. Proposed licensable activities and hours:**

The application is for the grant of a premises licence for the following activities:

Regulated Entertainment (Plays/Films/Indoor Sport/Live Music/Recorded Music/Performance of Dance)

Monday/Friday/Saturday - 1100hrs until 0330hrs the following day  
Tuesday/Wednesday/Thursday - 1100hrs until 0300hrs the following day  
Sunday - 1200hrs until 0300hrs the following day

Late Night Refreshment (Indoors)

Monday/Friday/Saturday - 2300hrs until 0330hrs the following day  
Tuesday/Wednesday/Thursday - 2300hrs until 0300hrs the following day  
Sunday - 2300hrs until 0300hrs the following day

The Sale of Alcohol (On and Off the Premises)

Monday/Friday/Saturday - 1100hrs until 0300hrs the following day  
Tuesday/Wednesday/Thursday - 1100hrs until 0300hrs the following day  
Sunday - 1200hrs until 0300hrs the following day

### Opening Hours

Monday/Friday/Saturday - 1100hrs until 0400hrs the following day  
Tuesday/Wednesday/Thursday - 1100hrs until 0330hrs the following day  
Sunday - 1100hrs until 0330hrs the following day

### **5. Temporary Event Notices**

In considering any application the Licensing Authority should be aware of the possible use of Temporary Event Notices to extend entertainment activities or hours of operation. A premises may extend the hours or scope of their operation by the use of Temporary Event Notices. Up to 15 events per year can be held under this provision at a particular premises. These events may last for up to 168 hours provided less than 500 people are accommodated and provided the total number of days used for these events does not exceed 21 per year.

### **6. Date of receipt of application: 19<sup>th</sup> July 2017**

A copy of the application form is attached as **Appendix RF-1**

### **7. Date of closure of period for representations:**

16<sup>th</sup> August 2017

### **8. Representations received:**

During the 28 day consultation process for the application, representations were received from:

Reading Borough Council Licensing Team (attached at appendix RF-2a)  
Thames Valley Police (attached at appendix RF-2b)

### **9. Licensing Objectives and Reading Borough Council's Licensing Policy Statement**

In considering representations received the Licensing Authority has a duty to carry out its functions with a view to promoting the four licensing objectives, which are as follows:

- the prevention of crime and disorder;
- public safety
- the prevention of public nuisance
- the protection of children from harm

Any conditions that are placed on a premises licence should be appropriate and proportionate with a view to promoting the licensing objectives. The Licensing Authority can amend, alter or refuse an application should it be deemed appropriate for the promotion of the licensing objectives.

The Council's licensing policy also places an onus on applicant's who wish to open past 11pm to demonstrate how they will mitigate the issues of crime and disorder and potential public nuisance.

**Amended Guidance issued under section 182 of the Licensing Act 2003  
April 2017**

**Licensing Objectives and Aims:**

1.5 (However) the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work.

They include:

protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;

**Steps to promote the licensing objectives:**

The Secretary of State's Guidance (latest edition of April 2017) at paragraphs 8.38 to 8.46 specifically outline what an applicant should address in order to be able to demonstrate that the proposed use of the premises for licensable activities would not undermine the licensing objectives.

Section 8.38 states that applicants are expected to have regard to the Council's Statement of Licensing Policy. This would have provided the applicant early sight of what the expectations of the Licensing Authority are and to demonstrate they have taken cognisance of the issues within the locality they propose to operate in.

Section 8.39 outlines that applicants are expected to demonstrate that they understand the layout of the local area and the proximity to residential premises or crime and disorder hotspots so as to fully and effectively gauge the risk posed by their proposed operation to the local area.

Section 8.40 states that applicants are expected to include positive proposals in how they will manage any potential risks. Where specific policies, such as Cumulative Impact exist, the applicant should demonstrate within the operating schedule an understanding on how their proposals may impact that area.

Section 8.41 states that applicants are expected to make enquiries as to the locality of their premises and develop appropriate policies. Applicants must consider factors that may undermine any of the licensing objectives (such as proximity to residential dwellings)

Section 8.42 underlines where the applicant can obtain information about the area in which they propose to operate including the Council's licensing

policy and online crime data resources such as police.uk

Section 8.43 states that all parties (applicants, licensing authority and responsible authorities) should work in partnership before the any application to use local knowledge to resolve potential disputes before they arise.

Section 8.44 states that applicants are expected to provide licensing authorities with sufficient information to be able to determine the extent with which their proposed steps are sufficient to promote the licensing objectives. It goes on to say that applicants should underline why they believe their proposals are appropriate for the premises.

Section 8.45 underlines the importance of partnership working and to work out disputes accordingly.

Section 8.46 makes clear that the applicant should demonstrate within their application how their proposals will promote each of the licensing objectives.

#### **Representations from the police**

9.12 In their role as a responsible authority, the police are an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area<sup>5</sup>. The police should be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective, but may also be able to make relevant representations with regard to the other licensing objectives if they have evidence to support such representations. The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

#### **Licensing authorities acting as responsible authorities**

9.13 Licensing authorities are included in the list of responsible authorities. A similar framework exists in the Gambling Act 2005. The 2003 Act does not require responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect of different licensing processes. It is, therefore, for the licensing authority to determine when it considers it appropriate to act in its capacity as a responsible authority; the licensing authority should make this decision in

accordance with its duties under section 4 of the 2003 Act.

### Licensing Act 2003

The Licensing Act 2003 under Section 18 (6) also states that any relevant representation should be considered in the context of:

(a) the likely effect of the grant of the premises licence on the promotion of the licensing objectives.

Therefore in the context of the grant of a licence, it is reasonable for the Licensing Authority to base its decision on an application on what the likely effects of granting a licence would have on the promotion of the licensing objectives.

### The Council's Licensing Policy Statement:

#### Cumulative Impact Policy:

8.1.3 The Authority has considered in formulating this policy, in close consultation with Thames Valley Police, whether there is a particular concentration of licensed premises in a particular part of Reading, which is already causing a cumulative impact on one or more of the licensing objectives.

8.1.4 Concerns do exist about the number of licensed premises in parts of the town centre, particularly in Friar Street, and Gun Street areas, together with the impact that these premises have upon the licensing objectives. The Council recognises the concerns of residents in areas with high proportions of licensed premises and will use best endeavours and all available legislation so as to ensure these premises and the activities associated with them are properly controlled and do not result in unreasonable disturbance for residents.

8.1.9 The effect of keeping the cumulative impact policy, is to create a rebuttable presumption that applications for new premises licences and club premises certificates or material variations, will be refused, if relevant representations are received. A rebuttable presumption is not a presumption that is absolute; it is a presumption that may be overturned if sufficient evidence can be provided against the presumption.

8.1.11 Where during the application for the grant or variation of a premises licence or club premises certificate, responsible authorities or interested parties are concerned that the licensing objectives will be impacted upon, there are likely to *be* relevant representations, which would lead to the application proceeding to a hearing. If at that hearing, an applicant is able to rebut the presumption of refusal by demonstrating there will be no negative impact on the licensing objectives, a licence can still be granted. However, if the presumption cannot be rebutted, the application is likely to be refused.

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

8.6.8 Bars/Clubs/music and dancing venues: - Subject to the rebuttable presumption as outlined at paragraph 8.1.9 above, the policy is to refuse applications for such premises. Experience has shown that venues which serve alcohol, often at low prices; provide limited seating for customers; provide facilities for music and dancing; and which are alcohol rather than food-led, have the strongest potential to have a negative impact on the licensing objectives and to add to cumulative impact. Applicants seeking to operate in the CIP area will need to demonstrate that detailed measures proposed in the operating schedule will result in no increase in crime and disorder.

The relevant cumulative impact crime maps which are attached to the Council's Licensing policy are attached at **Appendix RF-4**.



**Reading**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
 licensing@reading.gov.uk  
 Telephone: 0118 937 3762

\* required information

**Form errors**

Some data entered into this form is invalid. Please resolve before continuing.

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is the applicant's business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name  If the applicant's business is registered, use its registered name.

Continued from previous page...

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.



Continued from previous page...

Your position in the business Partner

Home country United Kingdom

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name 1

Street Friar Street

District Reading

City or town Reading

County or administrative area Berkshire

Postcode RG1 1DA

Country United Kingdom

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name 9 (including basement of 10)

Street Gun Street

District

City or town Reading

County or administrative area Berkshire

Postcode RG1 2JR

Country United Kingdom

**Further Details**

Telephone number 01189 [REDACTED]

Non-domestic rateable value of premises (£)

95,000

### Section 3 of 21

#### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

#### Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

### Section 4 of 21

#### NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

#### Non Individual Applicant's Name

Name

Purple Turtle (Holdings) Limited

#### Details

Continued from previous page...

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

\* Nationality  Documents that demonstrate entitlement to work in the UK

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Continued from previous page...

The premises are a bar which already has the benefit of an existing Premises Licence for the whole venue (8000166) with the exception of the new area being the basement area under number 10 Gun Street. As this basement area will in practice generally be operated as part of the existing licensed area (as part of the Purple Turtle), the application is for a new licence to incorporate that extended basement. The new Licence will also cover the existing licensed areas on the ground floor and beer garden. If the new Licence is granted in the terms sought, then the existing Licence (800016) will be surrendered. Extensive draft conditions are set out in section 18 to negate any adverse effect on the licensing objectives and to rebut the presumption against the issue of the Premises Licence (due to the premises being in a cumulative impact zone).

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

### Section 6 of 21

### PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

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THURSDAY

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End

FRIDAY

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End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the performance of a play take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Under the current Licence (LP8000166) this licensable activity is permitted to 04:00 daily (03:00 Sunday). Under the terms of this application and following informal consultation with the Police/Local Authority, the Applicant is content to apply for slightly shorter hours as stipulated above. In addition please note the volunteered conditions set out in section 18 including a 'last entry' condition and that this regulated entertainment activity will only be conducted indoors.

State any seasonal variations for performing plays

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 7 of 21**

**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

- Yes       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

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Start  End

THURSDAY

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Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Will the exhibition of films take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Please note that Regulated Entertainment in the form of Film exhibition will only take place indoors.

Under the current Licence (LP8000166) this licensable activity is permitted to 04:00 daily (03:00 Sunday). Under the terms of this application and following informal consultation with the Police/Local Authority, the Applicant is content to apply for slightly shorter hours as stipulated above.

In addition please note the volunteered conditions set out in section 18 including a 'last entry' condition. In addition please note that from 23:00 this regulated entertainment activity outdoors will be silent (i.e. moving pictures may be displayed but without sound).

State any seasonal variations for the exhibition of film

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

Continued from previous page...

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

Indoor activity only

Under the current Licence (LP8000166) this licensable activity is permitted to 04:00 daily (03:00 Sunday). Under the terms of this application and following informal consultation with the Police/Local Authority, the Applicant is content to apply for slightly shorter hours as stipulated above. In addition please note the volunteered conditions set out in section 18 including a 'last entry' condition.

State any seasonal variations for indoor sporting events

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for indoor sporting events at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.



Continued from previous page...

WEDNESDAY

Start  End

Start  End

THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

Start  End

Start  End

Will the performance of live music take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

This form of Regulated Entertainment will only take place indoors.

Under the current Licence (LP8000166) this licensable activity is permitted to 04:00 daily (03:00 Sunday). Under the terms of this application and following informal consultation with the Police/Local Authority, the Applicant is content to apply for slightly shorter hours as stipulated above. With the extended basement (incorporating the space under number 10 Gun Street) many of the bands/performances will perform in this under ground-level space, with good sound-proofing.

In addition please note the volunteered conditions set out in section 18 including a 'last entry' condition and that this regulated entertainment activity will only be conducted indoors.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will you be providing recorded music?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

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Start

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors  Outdoors  Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

**Continued from previous page...**

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

This form of Regulated Entertainment will only take place indoors. Under the current Licence (LP8000166) this licensable activity is permitted to 04:00 daily (03:00 Sunday). Under the terms of this application and following informal consultation with the Police/Local Authority, the Applicant is content to apply for slightly shorter hours as stipulated above. In addition please note the volunteered conditions set out in section 18 including a 'last entry' condition and that this regulated entertainment activity will only be conducted indoors.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Will the performance of dance take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Under the current Licence (LP8000166) this licensable activity is permitted to 04:00 daily (03:00 Sunday). Under the terms of this application and following informal consultation with the Police/Local Authority, the Applicant is content to apply for slightly shorter hours as stipulated above. In addition please note the volunteered conditions set out in section 18 including a 'last entry' condition and that this regulated entertainment activity will only be conducted indoors.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Continued from previous page...

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Start

End

Give a description of the type of entertainment that will be provided

The activities will be similar to those currently conducted at the Premises and will include activities to support the Arts scene in Reading - for example comedy; book readings; improvisation etc...

Will this entertainment take place indoors or outdoors or both?

Indoors  Outdoors  Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

The activities will be similar to those currently conducted at the Premises and will include activities to support the Arts scene in Reading - for example comedy; book readings; improvisation etc...

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes       No

Continued from previous page...

### Standard Days And Timings

MONDAY

Start 11:00

End

Start

End 03:30

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start 11:00

End

Start

End 03:00

WEDNESDAY

Start 11:00

End

Start

End 03:00

THURSDAY

Start 11:00

End

Start

End 03:00

FRIDAY

Start 11:00

End

Start

End 03:30

SATURDAY

Start 11:00

End

Start

End 03:30

SUNDAY

Start 12:00

End

Start

End 03:00

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Under the current Licence (LP8000166) this licensable activity is permitted to 04:00 daily (03:00 Sunday). Under the terms of this application and following informal consultation with the Police/Local Authority, the Applicant is content to apply for slightly shorter hours as stipulated above. In addition please note the volunteered conditions set out in section 18 including a 'last entry' condition.



*Continued from previous page...*

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name	<input type="text" value="Robert"/>
Family name	<input type="text" value="McNaught"/>
Date of birth	<input type="text" value="dd mm yyyy"/>

**Enter the contact's address**

Building number or name	<input type="text" value="█"/>
Street	<input type="text" value="Wingrove Road"/>
District	<input type="text"/>
City or town	<input type="text" value="Reading"/>
County or administrative area	<input type="text" value="Berkshire"/>
Postcode	<input type="text" value="RG30 2BX"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="PL0081"/>
Issuing licensing authority (if known)	<input type="text" value="Wokingham Borough Council"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Under the current Licence (LP8000166) access to the premises by children is limited to before 19:00; the Applicant is again content for this condition to apply to this proposed licence.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

**Continued from previous page...**

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Under the current Licence (LP8000166) the premises is open daily to 04:30 (03:30 Sunday). Under the terms of this application and following informal consultation with the Police/Local Authority, the Applicant is content to apply for slightly shorter hours as stipulated above. In addition, the Applicant is content to offer a 'last entry' condition for weekends and additional conditions to minimise any risk to the promotion of the Licensing Objectives - see section 18 measures

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

--

## Section 18 of 21

### LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The Purple Turtle has operated for many years at 9 Gun Street and has had the benefit of a Licence under the Licensing Act 1964 and for many years, under Licensing Act 2003 (Licence LP 8000166).

New Licence but in substitution for an existing Premises Licence:

Although this is a new Licence application, the Applicant is seeking another Premises Licence permitting licensable activities of the same nature as are currently permitted under LP 8000166 (with only the addition of late night refreshment). The differences between the current Licence (LP8000166) and the licence being sought are essentially that the existing basement area under number 9 will be expanded to include the basement area under number 10 Gun Street - reference should be made to the plans served with the application.

Reduction in licensing hours

Further, the hours sought in this licence application are shorter than the hours currently permitted under Licence LP8000166. With an expanded basement area, the capacity of the Premises will be increased (to the level permitted by building standards/Fire Regulations) and louder bands will typically play in the expanded basement which will be well soundproofed. The premises already has excellent CCTV coverage which will also apply to the expanded basement area.

Experienced Licensing History/Management/Staffing:

The premises are managed (and will continue to be managed) by its owners (who have over 25 years' experience in the licensed trade) and a very experienced General Manager (the proposed DPS) Mr Stuart McNaught (with similar extensive licensing experience to the owners) and are staffed with well trained personnel.

Professional Operational Policies and Procedures

Policies and procedures (which are updated in line with good industry practice and are contained in an Operations Manual entitled "The Purple Turtle Bar Reading: Working together with 4D Solutions Ltd" ("the Manual") are in place to ensure that the four licensing objectives are promoted, and so that those attending the premises can enjoy the experience, in a friendly environment. In particular the Manual contains full details of the following procedures applicable to the running of the venue:

1. General Policies and working Practices (including Challenge 25)
2. CCTV
3. Security Staff (including additional measures)

*Continued from previous page...*

4. Dispersal Policy
5. Queue and Capacity Management
6. Searching and Admissions
7. Drink/Drugs - Duty of Care

Additional measures to rebut the CIZ presumption

Additional measures to ensure Cumulative Impact is unaffected by proposed (expanded) operation have been incorporated in the draft volunteered conditions supporting this application. These measures do not currently apply to the Premises but the Applicant is content to introduce them to demonstrate its commitment to the promotion of the Licensing Objectives.

Draft Licence conditions are set out below to support the application (following input from Thames Valley Police). These draft conditions may be further varied following consultation from the Responsible Authorities and/or other interested parties.

As will be noted from a comparison with the current conditions (attached to Licence 8000166) the Applicant has volunteered considerably more onerous licence conditions to promote of the licensing objectives and to rebut the presumption against the grant of this Licence (in substitution for Licence 8000166).

The proposed (draft) conditions are

Public Safety

CCTV

1. A CCTV system shall be installed, in accordance with current or amended Home Office Code of Practice for Digital CCTV Systems. The system shall be maintained and operated correctly to the satisfaction of Thames Valley Police, (TVP) 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 and in any light condition.
2. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept and available for a minimum of 31 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 authorised officers of (TVP) Reading Borough Council (RBC). Any breakdown or system failure will be notified to TVP immediately and remedied as soon as practicable. Any request from (TVP) or RBC for a recording to be made for evidential purposes must be carried out immediately.
3. Recordings shall be made available to an authorised officer of TVP or an authorised officer of RBC together with facilities for viewing with immediate access by a person qualified to operate the system.
4. A sign advising customers that CCTV is in use shall be positioned in a prominent position. A fully trained person who can operate the system shall be available at all times when the premises is open to the public.

Door Staff

5. A register of Door Staff shall be kept. The register must show the following details:
  - a. Full SIA registration number.
  - b. Date and time that the Door Supervisor commenced duty, countersigned by the Designated Premises Supervisor or Duty Manager.
  - c. Date and time that the Door Supervisor finished work, countersigned by the Designated Premises Supervisor or Duty Manager.
  - d. Any occurrence or incident of interest involving crime & disorder or public safety must be recorded giving names of the Door Supervisor involved.
  - e. A record of the number of patrons on site shall be made half hourly in the door register.
6. The Door Supervisor register shall be kept at the premises and be available for inspection by an authorised officer of TVP, or an authorised officer from RBC and shall be retained for a period of 1 year.

*Continued from previous page...*

7. Door Staff shall be clearly identifiable at all times whilst on duty and display Hi-Visibility personalised armbands containing their SIA badge.

8. Door Staff shall receive Vulnerability training. This training shall formally take place once every 6 months and signed records of this training shall be maintained. These records shall be kept for a minimum of 1 year and shall be made available to any authorised Officer of TVP or an authorised Officer of RBC.

#### Admission Policies

##### Search Policy

9. The Premises Licence Holder shall implement a written search policy (following discussion with TVP), to minimise the risk of illegal weapons and drugs being brought onto the premises, including search, detection, confiscation, storage and disposal of drugs procedures. The search policy shall provide, as a minimum:

- a) For 100% bag search of all customers attempting to enter the premises, from when the PLH's Security personnel start shift;
- b) For random searches of any customer when considered appropriate by PLH's Security personnel or PLH Management based on risk assessment of the night in question;
- c) For the operation of intelligence lead searches of any customer as required.

10. 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 TVP shall be informed if anyone is found in possession of illegal drugs or offensive weapons.

##### Challenge 25 and ID SCAN

11. At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage customers). This Policy shall (as a minimum provide) that before entry (or alternatively, before any sale of alcohol), any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport; driving licence, UK Military ID card; PASS (or similar) card to prove that he/she is over the age of 18, before being permitted.

12. Notices advertising the Challenge 25 and proof of age policies shall be displayed in prominent places in the premises so that they can be seen internally and externally.

13. Children shall not be permitted in the premises after 19.00.

14. ID SCAN shall be available as a condition of entry and specifically the PLH's staff shall :

- a) operate 100% ID Scanning for all customers from 24:00 Friday & Saturday; and
- b) from when its security personnel start shift, daily operate an ID scan of all customers reasonably thought to be under 25; and
- c) shall ID scan any potential customer of any age at any time in large groups or intelligence lead.

"Customer" for the purposes of this condition shall include any patron; non-regular Staff, promoters and performers entering the premises. This condition shall not apply to headline performers and regular staff members whose identity is already known to PLH staff.

15. The ID Scan Device shall record the names and dates of birth of all persons entering the premises and retain the image and details of the ID. These records shall be kept for a minimum of thirty one days and shall be made available to any authorised Officer of TVP or an authorised Officer of RBC.

16. Records shall be made available to an authorised officer of TVP or an authorised officer of RBC together with facilities for viewing with immediate access by a person qualified to operate the system.

17. Any breakdown or system failure will be notified to TVP immediately and remedied as soon as practicable.

#### Measures to minimise the risk of entry of intoxicated customers

*Continued from previous page...*

18. The PLH shall have a breathalyser unit available for Security staff to use at their discretion as an aid to determine the intoxication of customers trying to gain entry.

Drugs Initiative

19. The Premises Licence Holder shall implement an active policy, agreed with Thames Valley Police, (TVP) to prevent illegal weapons and drugs being brought onto the premises, including search, detection, confiscation, storage and disposal of drugs procedures.

20. The venue shall also actively partake in drugs initiatives run by TVP (including, but not exclusively, drug itemiser, passive drug dogs and spiked drinks campaigns).

Town-safe Radio

21. The Premises Licence Holder shall participate in the Local Town Radio Scheme when the premises are opened for licensable activities after 2100hrs Monday to Sunday inclusive.

Staff Training

22. The Premises Licence Holder shall ensure that all staff employed in the sale of alcohol shall be trained in their responsibilities and a record of their training shall be maintained. These records shall be made available to any authorised Officer of TVP or an authorised Officer of RBC. This training shall formally take place once every 6 months and signed records of this training shall be maintained. These records shall be kept for a minimum of 1 year and shall be made available to any authorised Officer of TVP or an authorised Officer of RBC.

Incident Book

23. An incident book shall be used to record details of incidents that occur in and around the venue. The incident book shall truly reflect what has occurred and shall be specific in detail. If incidents involve members of staff, including Door Staff their names shall be entered onto the log book. All incidents shall be signed off either by the Designated Premises Supervisor (DPS) or the nominated individual when the DPS is not on site.

24. All visits by an enforcement authority, all refusals of service, shall be recorded. The incident book shall be retained for a period of six months and shall be made available on request to any authorised Officers of TVP or authorised Officers of RBC.

25. The Premises Licence Holder shall ensure that a system of preventing drinks being taken from the building by customers other than to the beer garden or any other enclosed area which is adopted and maintained. The Premises Licence holder shall prevent customers from leaving the premise with any alcoholic or non-alcoholic drinks from the Premises in open containers (e.g. glasses, opened bottles, & cans).

Operation of the Premises

Hours of Operation and Entry restrictions

26. The terminal hour for cessation of alcohol on (Fridays into) Saturdays; (Saturdays into) Sundays & (Mondays into) Tuesday mornings shall be 03.30, with closure at 04.00. On (Sundays into) Mondays, (Tuesdays into) Wednesday, (Wednesdays into) Thursdays and (Thursdays into) Friday mornings, the terminal hour will be 03.00 with closure at 03.30.

27. Save for LWE Card-holders (who can gain entry subject to condition 28), the PLH shall ensure that no new customers shall be permitted entry to the premises after 01.30 on Saturday and Sunday mornings. Re-admission to existing customers to retrieve personal belongings and those who have gone outside to use the smoking area is permitted, subject to a search by the Door Staff prior to being let in.

28. For a "late worker" (being a person who works (full-time; part-time; on an ad hoc or shift basis) beyond midnight) to gain access to the premises between 01:30 and 03:00 Saturday; Sunday or Tuesday mornings, he/she shall have to show to the DPS or Duty Manager a valid Late Worker Entry Card ("LWE Card"). Further:

a. To obtain a LWE Card, he/she shall (in advance of his/her first late night entry) attend at the Premises and shall provide the DPS (or his nominated Deputy) with:

*Continued from previous page...*

- a. A passport photo showing his clear image;
  - b. Form of ID with photo (e.g. passport or driving licence) stating his/her home address;
  - c. Documentary evidence to show that he/she is a "late worker" (for example a recent payslip showing hours of work; contract of employment; offer letter; shift pattern on email) – with details of the employer(s) for whom he/she works.
  - d. A completed LWE Card application form (providing the information at Appendix A).
- b. Provided that the DPS/his nominated deputy has a genuine belief based on the documentation provided that the individual qualifies as a late worker, he may issue him/her with a sealed, numbered LWE card (with photo included) for late night entry for a period of one year from date of issue. The LWE card shall provide that:
- i. It must be shown to the DPS; Duty Manager or Head of Security before Late Entry will be permitted, along with formal ID.
  - ii. The DPS/Duty Manager/Head of Security will record his/her late night entry in the LWE Record
  - iii. The date of expiry;
  - iv. That the Management of the Purple Turtle can withdraw the LWE Card at any time;
  - v. That entry is not guaranteed
  - vi. The LWE Card is not transferable and if misused will be revoked;
  - vii. That on transfer of the Premises Licence to any Third Party (other than to an associated company of Purple Turtle Holdings Ltd) the LWE card will cease to be effective.
- c. That the Premises Licence Holder/DPS will keep a daily LWE Record of any late worker entry (available for inspection to authorised officers of Reading Borough Council and TVP on reasonable request) recording:
- i. The name of the LWE Card Holder;
  - ii. The formal ID against which the LWE Card was checked
  - iii. The LWE Card number
  - iv. The date and time of entry

#### Music

29. All recorded music shall be reduced to a background level thirty minutes prior to the time the premises is required to be closed to the public.

#### Capacity

30. The maximum capacity of the venue is 898 inclusive of members of staff; security and any persons providing Regulated Entertainment (and crew).

#### Dispersal Policy

31. A written closure and dispersal policy, agreed with TVP, 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. This policy shall be made available to any authorised Officer of TVP or an authorised Officer of RBC.

32. Whilst dealing with the dispersal of patrons the door staff shall wear full high visibility vests.

33. The Premises Licence holder shall ensure notices are predominantly displayed at all exit points to advise customers that the area surrounding the premises is an Alcohol Restriction zone.

34. Two of the three PLH Duty Managers shall assist with queue management between 00:01 and 01:30 on Saturday and Sunday mornings.

35. Music and alcohol sales in the Cellar Bar shall finish 30 minutes prior to the main bar (ground floor), on Saturday & Sunday mornings, to encourage a gentle 'wind-down' and gradual dispersal of customers.

36. PLH Security staff\* shall leave the premises on closure via the front door exit, for a last assessment of Gun Street and the direct surrounding area. Any patrons in the immediate locality and known to have been in the premises that evening will be asked politely to make their way home/move away from the area, so as to not disturb residents nearby and to minimise the risk of any crime and/or disorder,

*Continued from previous page...*

#### Noise

37. The licensee shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which in either case gives rise to undue disturbance to local residents;
38. All external doors and windows must be kept closed, other than for access and egress, when events involving amplified music or speech are taking place.
39. The placing of refuse – such as bottles – into receptacles outside the premises shall only take place between the hours of 08.00hrs and 21.00hrs.
40. Periodic observation of the noise level and the likelihood that it will cause disturbance, shall be undertaken by a member of staff at the boundary at reasonable and regular intervals and logged. This log must be made available for inspection by an Authorised Officer. The logbook must set out: time and date of observation; observer; observation of noise level i.e. either A: satisfactory level of noise unlikely to cause disturbance, or B: unsatisfactory level of noise, likely to cause disturbance; and if the level of noise is unsatisfactory, the action taken to resolve situation.
41. During operating hours, the DPS or a nominated representative shall be available to receive and respond to nuisance-related complaints. A contact number shall be readily available to residents upon request.
42. In the event of the premises closed for alterations, additions, and repairs or decorating they shall not be reopened until the Council has been notified, at least 7 days in advance of opening.
43. Except with the prior consent of the Council no work in connection with any alterations, repairs or decorating in areas occupied by the public or performers should be carried out while the public or performers are on the premises.
44. The toilets shall be kept in a clean and well maintained condition.
45. All wash hand basins shall be provided with a supply of hot and cold running water, soap, a suitable means of drying hands and, if necessary, waste bins.
46. All parts of the premises, including any external areas, storage areas etc... and external means of escape from the premises shall be kept in a clean condition to the reasonable satisfaction of the Council.

#### Definitions

PLH means:

Premises Licence Holder or its management including the DPS or his nominated deputy.

PLH Security Staff means

any security staff employed by the PLH or employed by a third party company, providing services to the PLH

In view of the limited changes proposed to the current licensed operation (LP 800016), there are no reasonable grounds to believe that a new licence in the terms sought will have any negative effect on the promotion of the Licensing Objectives at the premises (incorporating the expanded basement). Indeed with greater space in the basement and with reduced operating hours, the new Licence may have positive effects on the promotion of those Objectives.

#### b) The prevention of crime and disorder

Please see all of the measures detailed in section (a) above which are of equal application to this Licensing Objective.

#### c) Public safety

Please see all of the measures detailed in section (a) above which are of equal application to this Licensing Objective.



*Continued from previous page...*

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d) The prevention of public nuisance

Please see all of the measures detailed in section (a) above which are of equal application to this Licensing Objective.
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e) The protection of children from harm

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**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

*Continued from previous page...*

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

## **Section 20 of 21**

### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. The fee payable will be based on the rateable value of the property. Band A - 0 - 4300 - Fee Payable - 100 Band B - 4301 - 33,000 - Fee Payable - 190 Band C - 33,001 - 87,000 - Fee Payable - 315 Band D - 87,001 - 125,000 - Fee payable - 450 Band E - 125,001 and over - Fee payable - 635 Additional fees apply to outdoor events.

\* Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if **N/A** am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)


Ticking this box indicates you have read and understood the above declaration

Continued from previous page...

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

A full name must be entered

\* Full name

 S. E. Dowling of Blandy & Blandy LLP

A capacity must be entered

\* Capacity

Solicitor for the Applicant company.

Date (dd/mm/yyyy)

19.07.17

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/reading/apply-1> to upload this file and continue with your application.

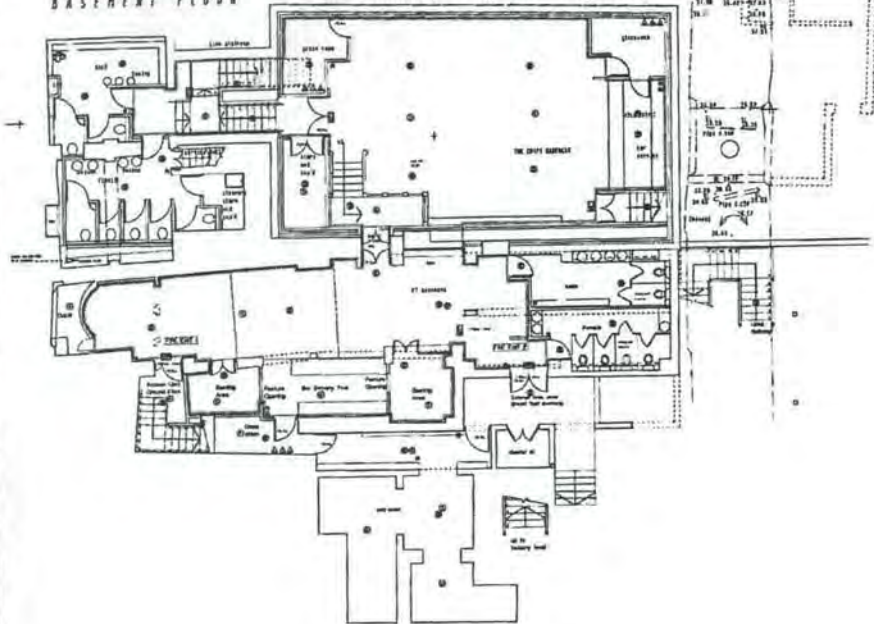
Don't forget to make sure you have all your supporting documentation to hand.

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

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

ALL DIMENSIONS TO BE CHECKED ON THE SITE AND ALL WORK MARKED  
 ALL DIMENSIONS TO BE REPORTED TO THE ARCHITECT OFFICE

BASHEMENT FLOOR



**FILE 477**

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- ③ Property left hand
- ④ The rest of the
- ⑤ Air
- ⑥ The height of the
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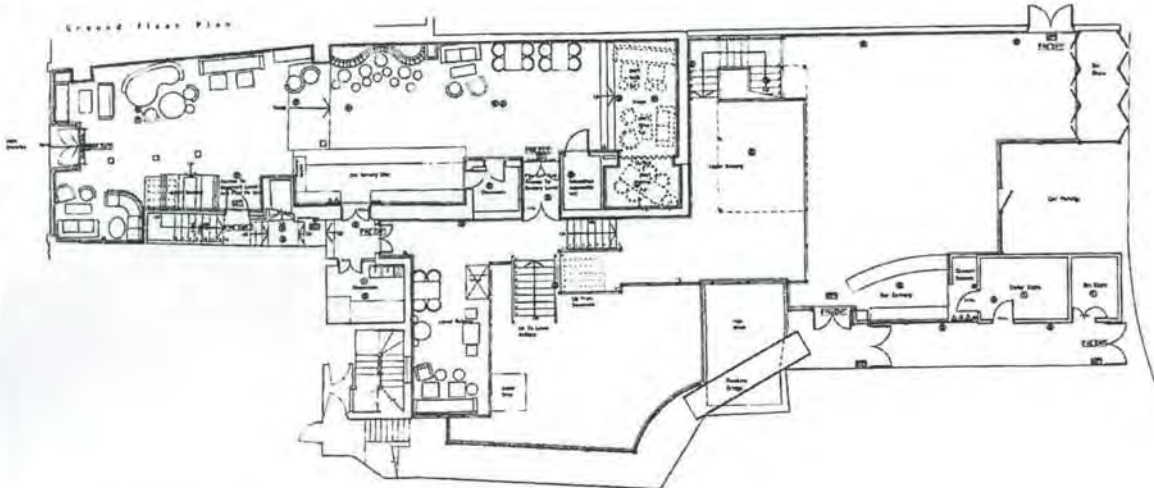
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Ⓜ To make the existing and existing

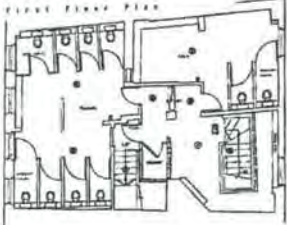
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Ⓩ To make the existing and existing

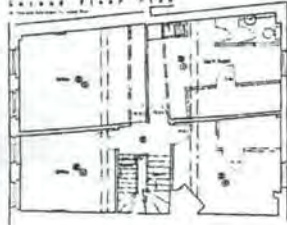
GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN



Issue	Revision	Date
<b>alan brown design</b>		
TEL: 0765 62582 E-MAIL: alan@albd.com		
Project: Purple Centre 25 & 26 Street, Reading		
Title: PROPOSED FLOOR		
Client: Property Box Rental Ltd		
Date: Dec 20	Scale: 1:100 at A3	Drawn By:
Drawing No: 229	Rev:	47

<b>Name of Officer</b>	Peter Narancic						
<b>Type of Application</b>	Grant of Premises Licence - Licensing Act 2003						
<b>Name of Premises</b>	The Purple Turtle						
<b>Address</b>	9 Gun Street						
	Reading						
	RG1 2JR						
<b>Licensable Activities</b>	Provision of Films (indoors and outdoors) /Plays/Indoor Sporting Events/ Performance of Dance/ Live Music/Recorded Music and of anything of a similar description to Live Music, Recorded Music or Performance of Dance from 1100hrs until 0300hrs on Tues, Weds and Thurs, from 1100hrs until 0330hrs on Mon, Fri and Sat, from 1200hrs until 0300hrs on Sundays.						
	Late Night Refreshment from 2300hrs until 0300 on Sun, Tues, Weds and Thursday, from 2300hrs until 0330hrs on Mon, Fri and Sat.						
	Sale of Alcohol from 1100hrs until 0300hrs on Tues, Weds and Thurs, from 1100hrs until 0330hrs on Mon, Fri and Sat from 1200hrs until 0300hrs on Sundays.						
<b>Finish Times</b>	<b>Mon</b>	<b>Tue</b>	<b>Wed</b>	<b>Thu</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
	0330	0300	0300	0300	0330	0330	0300
<b>Content of Application:</b>							
This application is for the grant of a premises licence for 9 Gun Street, Reading for the above licensable activities and times concluding at the above mentioned times.							
Opening Hours are:							
Monday, Friday and Saturday from 1100hrs to 0400hrs, Tuesday, Wednesday and Thursday from 1100hrs to 0330hrs and Sunday 1200hrs to 0330hours							
<b>Licensing Officer's Comments:</b>							
In order to promote the four licensing objectives as per Reading Borough Council's Licensing Policy Statement- notably Section 8 from pages 15-20 relating to the Cumulative Impact Area, I object to this application to operate the premises known as the Purple Turtle, 9 Gun Street, Reading and would ask the Licensing Committee to refuse this application because I believe the applicant has not fully demonstrated within their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. According to our records a similar application was submitted at the end of 2016, but was subsequently withdrawn by the Applicant in February 2017, before it was heard by Licensing Applications committee.							
Reading Borough Council's Licensing Policy statement clearly states that its Vision is "To promote Reading as a safe and healthy environment in which responsible operators provide lawful and responsible facilities for the enjoyment of the Town's residents and visitors".							



The statement of Licensing Policy is underpinned by four core objectives:

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

As you will be aware, the Purple Turtle is currently trading as licensed premises, that was operating before the Cumulative Impact Area was introduced in Reading, however the applicant has chosen to apply for the grant of a premises licence rather than variation of the existing premises licence.

The Applicant has referred to this application as a substitution; however there is no reference to this within the Licensing Act 2013. They also refer to 'volunteered' conditions, which may be more relevant if this was a review rather than a grant application.

Their application outlines that they wish to extend their licensable area to include the basement area under number 10 Gun Street, a property they also occupy, which will result in a increase of total capacity, however this number is not specified (in figures or as an over percentage increase of capacity) in their application.

References to increasing capacities can be found at Section 8.5.1 and imposing safe capacities at Section 13.1.4 of the Council's Licensing Policy statement.

As you will be aware, the premises is located in Gun Street which is part of the Council's Cumulative Impact Area. The applicant has failed to rebut the Council's Cumulative Impact policy. For the Council to grant a licence in the Cumulative Impact Area it must be satisfied that the presumption of refusal has been rebutted and that the granting of the licence would not add to the Cumulative Impact within the area. It is incumbent on the applicant to demonstrate this as outlined in the Council's Licensing Policy Statement. Although the applicant has offered conditions in the operating schedule, no detailed policies such as a dispersal policy, search policy or drugs policy have been submitted nor additional information such as numbers of door staff (the condition offered only refers to keeping of a register of door staff, it does not stipulate door staff will be employed and in what numbers) as they plan to operate with a larger venue as would be expected for a grant application for a premises within a Cumulative Impact Area.

The premises is located on a short section of Gun Street about 85m (280 feet) long shared by several other licensed premises. You will be aware that Gun Street is specifically mentioned in as a problem area in Reading Borough Councils Licensing Policy statement. Section 8.1.4 states concerns do exist about the number of licensed premises in parts of the town centre, particularly in Friar Street, and Gun Street areas, together with the impact that these premises have upon the licensing objectives. The Council recognises the concerns of residents in areas with high proportions of licensed premises and will use best endeavours and all available legislation so as to ensure these premises and the activities associated with them are properly controlled and do not result in unreasonable disturbance for residents.

### The approach of the Licensing Team:

The Responsible Authorities named in the Licensing Act 2003 have to ensure that the licensing objectives are all actively promoted to prevent crime and disorder and public nuisance. However, all four licensing objectives are of equal importance.

Section 1.5 of the Secretary of State's Guidance states that the Licensing Act 2003 also supports a number of other key aims and purposes. These are vitally important and should be the principal aims of everyone involved in licensing work: They include protecting the public and local residents from crime, anti-social behaviour and noise nuisance.

Section 18 (6) of the Licensing Act 2003 states that representations should be about the likely effect of the grant of a licence on the promotion of the licensing objectives. Therefore as outlined in the Court of Appeal Licensing case Hope and Glory v City of Westminster (2011) EWCA Civ31 - *licensing decisions ...involve an evaluation of what is to be regarded as reasonably acceptable in a particular location...(this) is essentially a matter of judgement rather than a matter of pure fact*'.

The Secretary of State's Guidance at paragraphs 8.38 to 8.46 specifically outline what an applicant should do in order to be able to demonstrate that the proposed use of the premises for licensable activities would not undermine the licensing objectives.

Section 8.38 states that applicants are expected to have regard to the Council's Statement of Licensing Policy.

Section 8.39 outlines that applicants are expected to demonstrate that they understand the layout of the local area and proximity to residential premises so as to fully and effectively gauge the risk posed to the local area.

Section 8.40 states that premises for example are in close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective.

Section 8.41 outlines that applicants are expected to make it clear why the steps being proposed in the operating schedule are appropriate for the premises. There does not seem to be any explanation within the operating schedule as to why the included steps are appropriate for the premises.

Section 8.44 advises applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. **Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.**

### Cumulative Impact: The approach of Reading Borough Council

The Cumulative Impact Policy and designated area were introduced due to a high concentration of licensed premises within the town centre and the impact these premises were having on the promotion of the Licensing objectives. The policy, detailed within Section 8 of the Council's Statement of Licensing Policy, details the rationale of this approach. It also creates a

rebuttable assumption that applications for the grant or variation of a premises licence or club premises certificate within the Cumulative Impact Area will be refused or limited - if relevant representations are received - unless the applicant is able to demonstrate within their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. This is detailed within Sections 8.1.9 to 8.1.11 and is entirely consistent with Section 14.20 of the Secretary of State's Guidance to the Licensing Act 2003. Section 8.5.1 of the Council's Statement of Licensing Policy states that it will apply to all applications for premises licences and club premises certificates as well as material variations within the Reading Central CIP Area. Material variations include increases in hours, increases in capacity (licensable area) and any other variation that are likely to add to the overall cumulative impact in the area.

One further point to make on Cumulative Impact is with reference to the stated case of R (on the application of Portsmouth City Council) v 3D Entertainment Group (CRC) Ltd [2011] EWHC 507 (Admin). The Learned Judge Supperstone within paragraph 11 of the judgement stated that Magistrates had erred in law by incorrectly applying Portsmouth's Cumulative Impact Policy in a way that required the Council and Police to abduce evidence that there would be a negative cumulative impact. He went on to state in paragraph 18 of the judgement that the burden was entirely on 3D Entertainment Group to persuade the Licensing Authority that the operating schedule was such that there would be no cumulative impact. In short therefore, the onus is on the applicant to rebut the Council's Cumulative Impact Policy if applying for a grant or variation within the cumulative impact area and this should primarily be done through the operating schedule of the submitted application form.

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

Additionally Section 8.6.8 of the Council's Licensing Policy statement states under Bars/Clubs/music and dancing venues: - Subject to the rebuttable presumption as outlined at paragraph 8.1.9 above, the policy is to refuse applications for such premises. Experience has shown that venues which serve alcohol, often at low prices; provide limited seating for customers; provide facilities for music and dancing; and which are alcohol rather than food-led, have the strongest potential to have a negative impact on the licensing objectives and to add to cumulative impact. Applicants seeking to operate in the CIP area will need to demonstrate that detailed measures proposed in the operating schedule will result in no increase in crime and disorder.

The attached appendices IX and X to this representation clearly indicates the levels of crime and disorder in Gun Street and the rest of the Cumulative Impact Area between 0200hrs and 0559hrs and are of great concern which could have a significant impact on crime and disorder and therefore police resources. As stated previously, I believe the applicant has not demonstrated within their application how they will operate and disperse in potential increase of customers attending the premises - particularly at closing time (03.30 and 0400hours). As a result this may lead to an increase in crime and disorder as intoxicated customers congregate in Gun Street and surrounding area.

I would also like to draw to the attention of the Licensing Committee to Section 9.12 of the Licensing Act guidance. This states that the police should be the Licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing

objective. Given that Thames Valley Police are supportive of the Council's Cumulative Impact Policy, police this area for the safety and protection of the residents of Reading and are also objecting to this application should indicate the seriousness of potentially granting a licence which will likely result in increased capacity in an area already under stress.

Section 13.1.4 of Council's Licensing Policy statement states "Safe Capacities" should only be imposed where appropriate for the promotion of public safety or the prevention of crime and disorder. If a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. However if no safe capacity has been imposed the authority may consider it appropriate for a new capacity to be attached when licensable activities are taking place.

Therefore an increased number of customers could leave the premises at the same time and add to the significant issues in Gun Street as well to the Cumulative Impact within the town centre. The pressures this places on Responsible Authorities - notably Thames Valley Police - are huge and will place an additional burden on the policing and safety levels within the Cumulative Impact Area.

For this reason I believe the applicant has failed to rebut this presumption meaning the licence applied for should be refused.

Attached Appendices

Appendix A - Street Drinking Zone

Appendix B - Cumulative Impact Zone

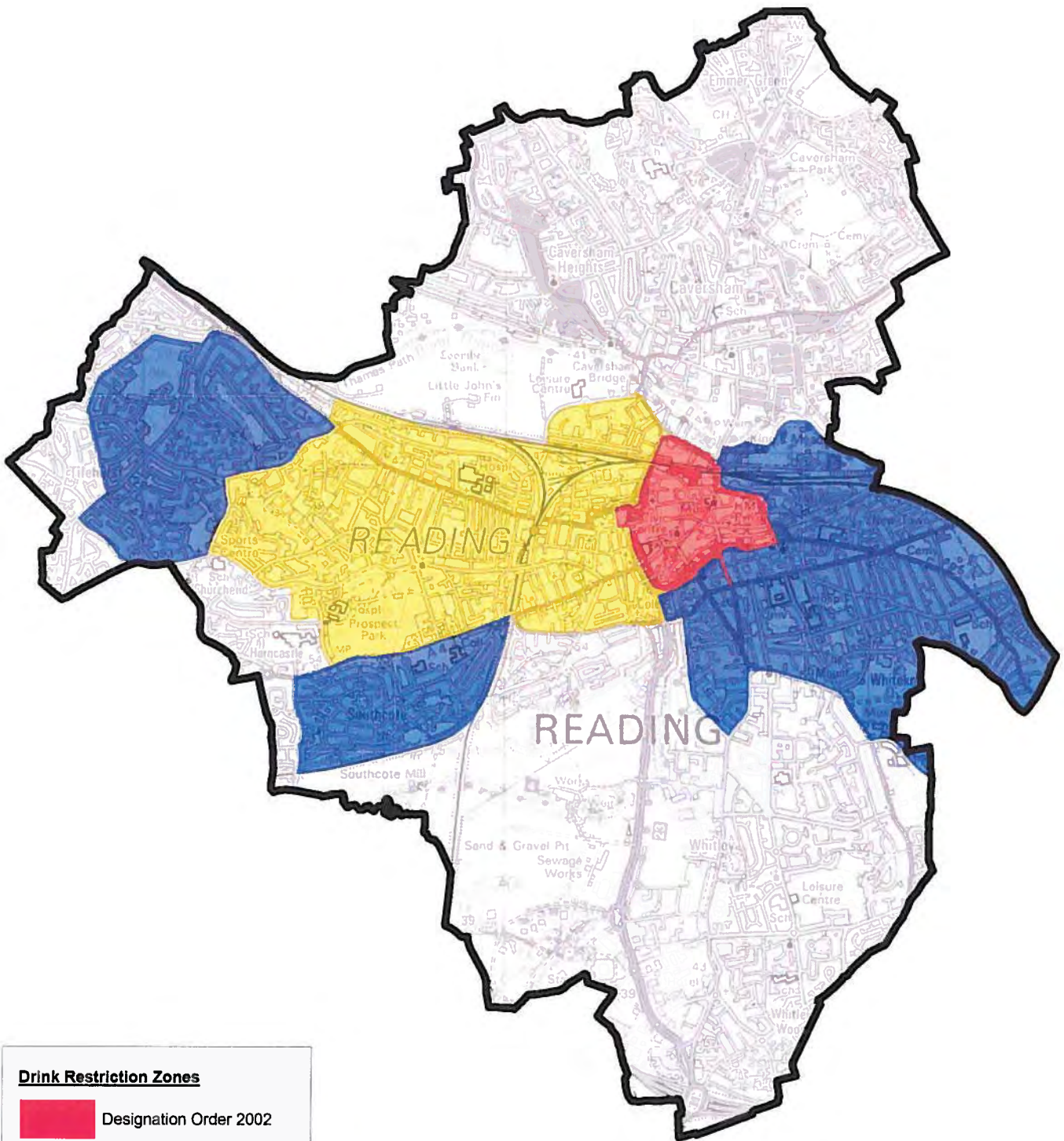
Appendix C - Suggested measures within CIP

Appendix IX - Crime figures within CIP 0200hrs to 0359hrs



Appendix X - Crime figures within CIP 0400hrs to 0559hrs

Date Received	19/07/2017	Date Due	16/08/2017
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Date	26	07	2017
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**Drink Restriction Zones**

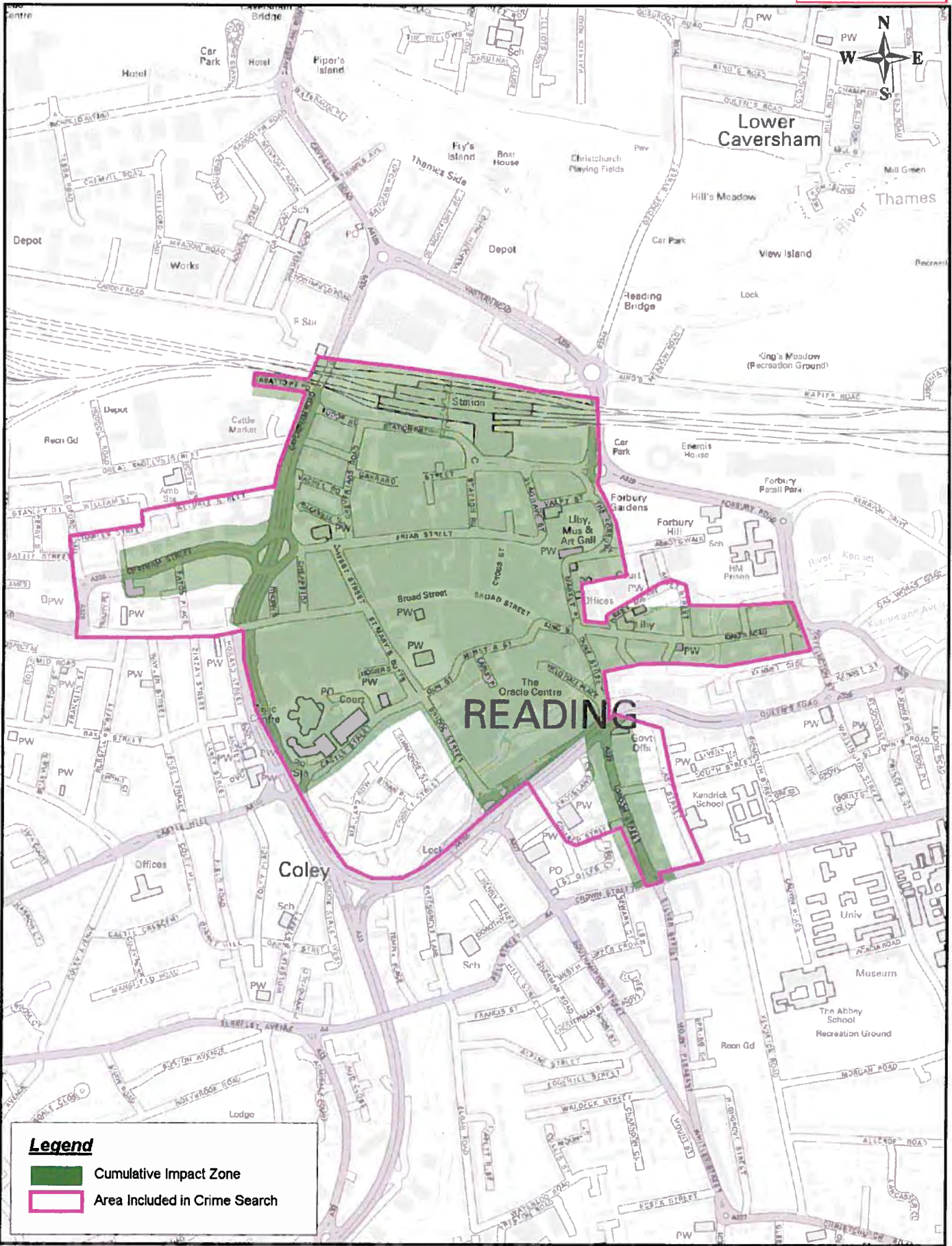
-  Designation Order 2002
-  Designation Order 2006
-  Additional Areas

**Title: Street Drinking Restriction Areas**

Drg.No.:  
Produced by GIS & Mapping Services

Date: 29/10/2008      Scale at A4: 1:47000  
Ref. 35075\





Title: Cumulative Impact Zone Alternative  
(64.42 Hectares)

Drg.No.:  
Produced by GIS & Mapping Services

Date: 15/02/2010 Scale at A4: 1:10000  
Ref: 35075\Cumulative Impact Zone 4.wor



## Appendix C

### Measures that should normally be included in an operating schedules for applications to grant or vary in the CIP.

- the adoption of a “Challenge 25” policy with acceptable proof of id as per existing Statement of Licensing Policy.
- all off sales to be made in sealed containers for consumption away from the premises.
- a smoking policy which includes an assessment of noise and litter created by premises users.
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours
- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property
- use of a refusals book for registering attempts to buy alcohol by under-age persons or refusals to those intoxicated
- the installation of a digital CCTV system by liaison with, and to a standard approved by Thames valley Police.
- policies for dispersal of customers which may include signage regarding taxi services’ telephone numbers and advice to respect neighbours and minimize noise
- systems to ensure any SIA doorstaff display appropriate badges when on duty and record all incidents of crime and disorder.

### Items to which positive consideration would be given

- membership of a Crime Reduction Partnership, Pubwatch, Neighbourhood Watch or similar schemes.
- use of ‘townSafe’ radio system or similar accredited scheme
- regular training and reminders for staff in respect of licensing legislation, policies and procedures; records of which should be properly recorded and available for inspection.
- records of regular checks of all parts of the premises in relation to drug use.
- systems in place to ensure details of barred clients are exchanged with other operators.
- giving an agreed minimum notice of special events (screening Of major sports events, birthday parties, adult entertainment, etc.) to relevant authorities and use of appropriate additional measures at such events, Matters that might be recommended for appropriate restrictions -
- entry to premises by under 18s after certain times
- consumption of food and drink in smoking areas
- access to outside seating areas after certain times Areas of best practice in licensing.

**The items listed below are forms of best practice, some of which would be more appropriate to off sales rather than on sales**

- Awareness of the problem of proxy sales
- Signage
- Selling to underage people
- Staff training
- Challenge 25
- Pass scheme
- Voluntary restriction of high strength alcohol
- Lockable refuse bins emptied at appropriate times
- Regular staff training against the four licensing objectives and including conditions on licence
- Trading Standards Business Support
- Risk assessments

#### **Recommended best practice for both on and off premises**

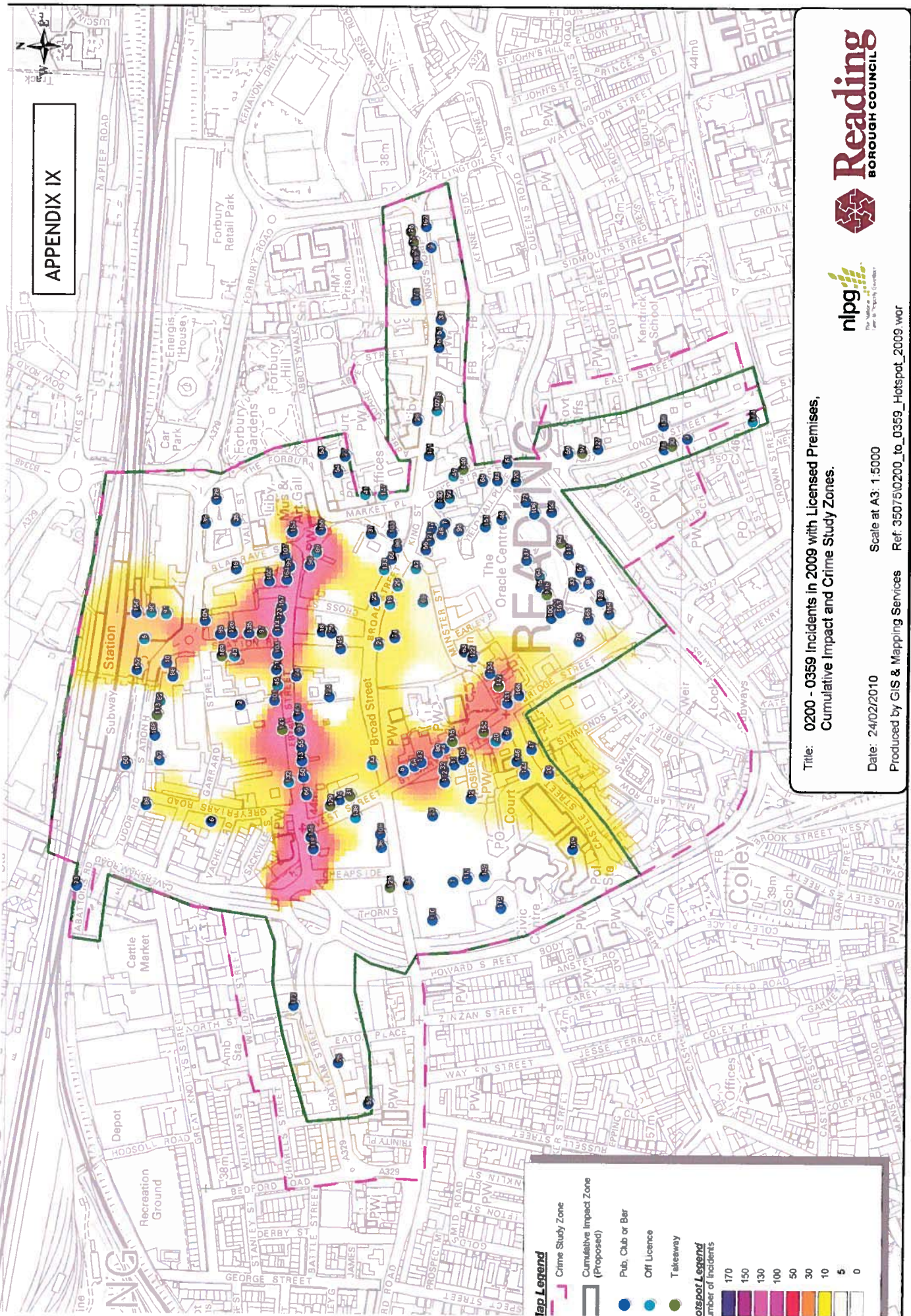
- Staff must be aware of the risk of the problem of proxy sales and offer assistance to responsible authorities to deter offences.
- Signage on premises should set out legal duties.
- Voluntary restriction of high strength alcohol - operating schedules may be used to limit high ABV beers and ciders
- Staff training - in addition to personal licence holders training, staff must be adequately trained for duties.
- Challenge 25 would be the norm, particularly in the off licence Trade.
- Signage - proxy sale - deterrence.

#### **Recommend best practice for late night food outlets**

- Lockable refuse bins emptied at appropriate times
- Regular staff training against the four licensing objectives and including conditions on licence
- the installation of a digital CCTV system by liaison with, and to a standard approved by Thames valley Police.
- policies for dispersal of customers which may include signage regarding taxi services' telephone numbers and advice to respect neighbours and minimize noise
- systems to ensure any SIA doorstaff display appropriate badges when on duty and record all incidents of crime and disorder.



APPENDIX IX



Title: 0200 - 0359 Incidents in 2009 with Licensed Premises, Cumulative Impact and Crime Study Zones.

Date: 24/02/2010

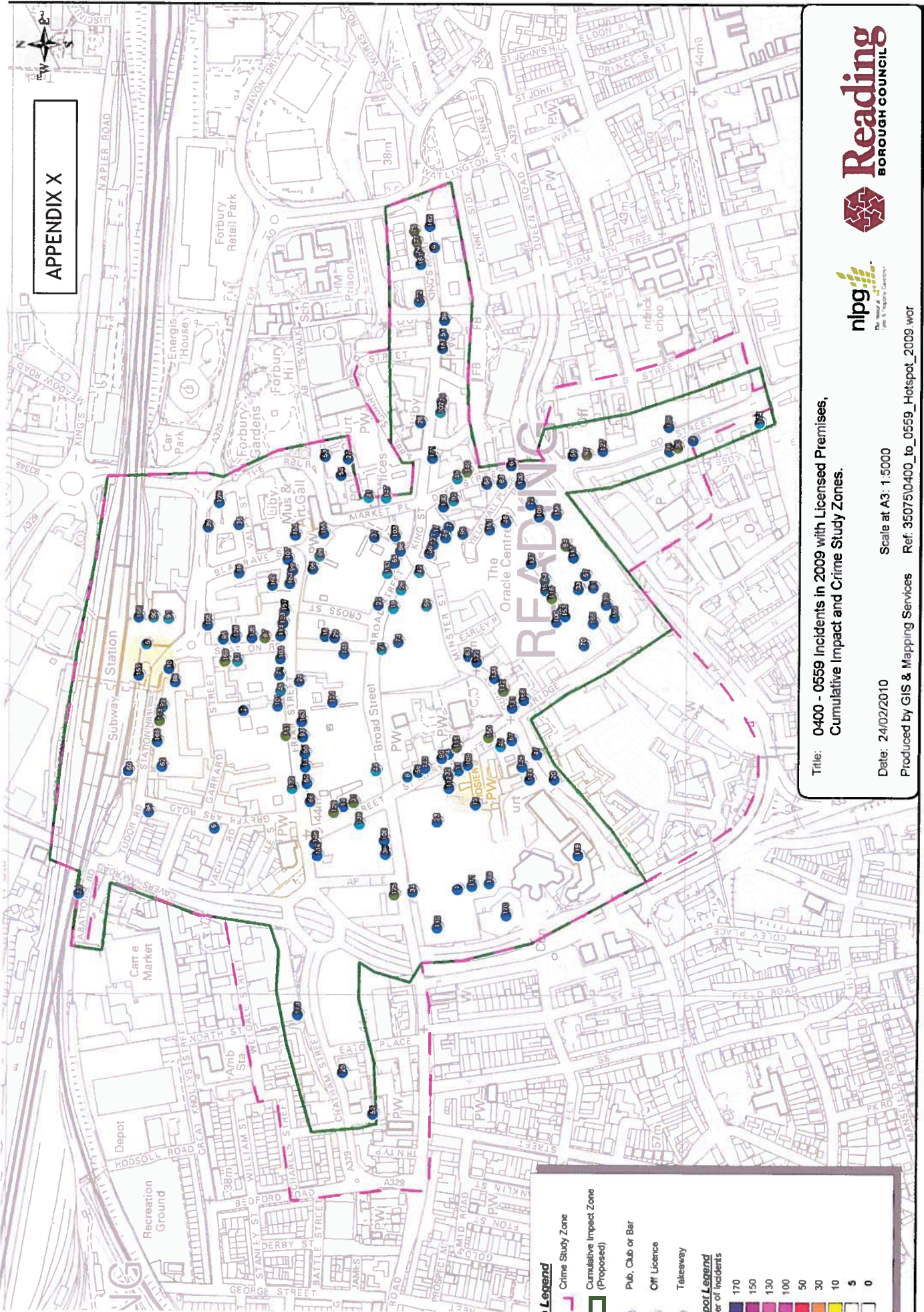
Scale at A3: 1:5000

Produced by GIS & Mapping Services Ref: 3507510200\_to\_0359\_Hotspot\_2009.wor



Map is based upon Ordnance Survey material with the permissions of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings. Reading Borough Council. Account no. 100019672. 2009

APPENDIX X



Title: 0400 - 0559 Incidents in 2009 with Licensed Premises, Cumulative Impact and Crime Study Zones.

Date: 24/02/2010 Scale at A3: 1:5000

Produced by GIS & Mapping Services Ref: 35075\0400\_to\_0559\_Hotspot\_2009 wor



**Mr Mike King**  
**Licensing Officer**  
**Reading & West Berkshire LPAs**  
The Police Station  
Castle Street  
Reading  
RG1 7TH

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

14 August 2017

Mr R Smalley  
Licensing Team  
Reading Borough council  
Bridge Street  
Reading  
RG1 2LU

Dear Mr Smalley

**Licensing Act 2003**  
**Premise Licence Application – Purple Turtle**

Please find attached the Police response to the application in respect of the Purple Turtle, 9 Gun Street, Reading RG1 2JR

If you require any further information or assistance then please do not hesitate to contact me where every assistance will be given.

Yours sincerely

A handwritten signature in black ink, appearing to read "Mike King".

Mike King  
I Licensing Officer I Thames Valley Police I Reading and West Berkshire LPAs I  
I Reading Police Station, Castle Street, Reading, RG1 7TH I internal 3516353 I External 01189  
536353 I Mobile 07800 703310

# Neighborhood Policing and Partnerships

(NP&P)

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On 19<sup>th</sup> July 2017 Thames Valley Police (TVP) received an application for a Premises Licence for the Purple Turtle, 9 Gun Street, Reading, RG1 2JR.

Having investigated the prevailing crime in the Night Time Economy TVP have concluded that the venue is responsible for a large percentage of serious crime during this period.

Also the proposal for the connection of the basements between numbers 9 and 10 has raised some concerns for us as there will be a substantial increase in the capacity. The capacity for the combined basements at number 9 and number 10 will be a further 240 persons (37%).

In addition, TVP has some concerns for the proposed conditions.

TVP will be submitting evidence of the contribution the venue makes to the night time crime figures in due course.

TVP wish to object to the application in support of the Licensing Objectives.

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>	<b>LP9000368</b>
--------------------------------	------------------

**Premises Details**

<b>Trading name of Premises and Address</b>	
Purple Turtle 9 Gun Street Reading Berkshire RG1 2JR	
<b>Telephone Number</b>	<b>0118 959 7196</b>

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

**Licensable Activities**

<b>Licensable Activities authorised by the Licence</b>
Performance of Plays - Indoor Exhibition of Films - Indoor Indoor Sporting Events Performance of Live Music - Indoor & Outdoor Playing of Recorded Music - Indoor & Outdoor Performance of Dance - Indoor & Outdoor Anything similar to Live Music, Recorded Music & Performance of Dance - Indoor Sale of Alcohol by Retail - On & Off the Premises

**Authorised Hours for Licensable Activities**

<b>The times the licence authorises the carrying out of licensable activities</b>	
<b>Hours for the Performance of Plays</b>	
Monday	from 1100hrs until 0400hrs
Tuesday	from 1100hrs until 0400hrs
Wednesday	from 1100hrs until 0400hrs
Thursday	from 1100hrs until 0400hrs
Friday	from 1100hrs until 0400hrs
Saturday	from 1100hrs until 0400hrs
Sunday	from 1200hrs until 0300hrs
<b>Hours for the Exhibition of Films</b>	
Monday	from 1100hrs until 0400hrs

Tuesday from 1100hrs until 0400hrs  
Wednesday from 1100hrs until 0400hrs  
Thursday from 1100hrs until 0400hrs  
Friday from 1100hrs until 0400hrs  
Saturday from 1100hrs until 0400hrs  
Sunday from 1200hrs until 0300hrs

#### **Hours for Indoor Sports**

Monday from 1100hrs until 0400hrs  
Tuesday from 1100hrs until 0400hrs  
Wednesday from 1100hrs until 0400hrs  
Thursday from 1100hrs until 0400hrs  
Friday from 1100hrs until 0400hrs  
Saturday from 1100hrs until 0400hrs  
Sunday from 1200hrs until 0300hrs

#### **Hours for the Performance of Live Music**

Monday from 1100hrs until 0400hrs  
Tuesday from 1100hrs until 0400hrs  
Wednesday from 1100hrs until 0400hrs  
Thursday from 1100hrs until 0400hrs  
Friday from 1100hrs until 0400hrs  
Saturday from 1100hrs until 0400hrs  
Sunday from 1200hrs until 0300hrs

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

Monday from 1100hrs until 0400hrs  
Tuesday from 1100hrs until 0400hrs  
Wednesday from 1100hrs until 0400hrs  
Thursday from 1100hrs until 0400hrs  
Friday from 1100hrs until 0400hrs  
Saturday from 1100hrs until 0400hrs  
Sunday from 1200hrs until 0300hrs

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

Monday from 1100hrs until 0400hrs  
Tuesday from 1100hrs until 0400hrs  
Wednesday from 1100hrs until 0400hrs  
Thursday from 1100hrs until 0400hrs  
Friday from 1100hrs until 0400hrs  
Saturday from 1100hrs until 0400hrs  
Sunday from 1200hrs until 0300hrs

#### **Hours for anything similar to Live Music, Recorded Music & Performance of Dance**

Monday from 1100hrs until 0400hrs  
Tuesday from 1100hrs until 0400hrs  
Wednesday from 1100hrs until 0400hrs  
Thursday from 1100hrs until 0400hrs  
Friday from 1100hrs until 0400hrs

Saturday from 1100hrs until 0400hrs  
Sunday from 1200hrs until 0300hrs

### Hours for the Sale by Retail of Alcohol

Monday from 1100hrs until 0400hrs  
Tuesday from 1100hrs until 0400hrs  
Wednesday from 1100hrs until 0400hrs  
Thursday from 1100hrs until 0400hrs  
Friday from 1100hrs until 0400hrs  
Saturday from 1100hrs until 0400hrs  
Sunday from 1200hrs until 0300hrs

### Opening Hours

#### Hours the Premises is Open to the Public

Monday from 1100hrs until 0430hrs  
Tuesday from 1100hrs until 0430hrs  
Wednesday from 1100hrs until 0430hrs  
Thursday from 1100hrs until 0430hrs  
Friday from 1100hrs until 0430hrs  
Saturday from 1100hrs until 0430hrs  
Sunday from 1200hrs until 0330hrs

### 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: Purple Turtle (Holdings) Limited  
Address: 9 Gun Street, Reading, Berkshire, RG1 2JR

### Additional Details

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

Name: Mr Robert Stuart McNaught  
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: PL 0081  
Issuing Authority: Wokingham Borough Council

This Licence shall continue in force from 03/03/2016 unless previously suspended or revoked.

Dated: 03 March 2016

Head of Environment & Consumer Services

A handwritten signature in black ink, reading "Alison Bell". The signature is written in a cursive style with a long, sweeping underline that extends to the right.



## 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.

1) The responsible person must 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—

(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 in a manner which carries a significant risk of undermining a licensing objective;

(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 in a manner which carries a significant risk of undermining a licensing objective;

(d) 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;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

**Supply of Tap Water (commencement date 01/10/2014)**

1. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

**Age Verification Policy (commencement 01/10/2014)**

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

**Drink Measurements (commencement date 01/10/2014)**

1. The responsible person must 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: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

### Minimum Permitted Pricing (commencement 28th May 2014)

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994

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

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

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

### Children & Young Persons Act - S12

Where the number of children attending the entertainment exceeds 100 the designated premises supervisor shall ensure that the provisions of Section 12 of the Children and Young Persons Act 1933 are complied with.

Conditions Consistent with the Operating Schedule

General

Conditions agreed with Thames Valley Police

1. All incidents which impact on any of the four licensing objectives shall be recorded in a register kept at the premises for this purpose. The names of the person recording the information and those members of staff who deal with the incident shall also be recorded. Where known, any offenders name shall also be recorded.
2. The Premises Licence Holder shall ensure that a system of preventing drinks being taken from the building by customers other than to the beer garden or other enclosed area is adopted and maintained.
3. The Premises Licence holder shall prevent customers from leaving the licensed premise with any alcoholic or non alcoholic drinks from the Premises in open containers (e.g. glasses, opened bottles & cans).
4. The Premises Licence Holder shall ensure that a system is in place, and is used to prevent any customer who attempts to purchase alcohol and who appears to the staff member to be under the age of 25 years (or 16 in the case of the consumption of beer, wine and cider in the company of adults during a table meal), 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.
5. The Premises shall at all times operate a challenge 25 policy to prevent any customers who attempt to purchase alcohol and who appear to the staff member to be under the age of 25 years 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. Accompanied by notices advertising the Challenge 25 AND PROOF OF AGE POLICIES shall be displayed in prominent positions on the premises.
6. The Designated Premises Supervisor shall display in a prominent position a copy of their policy on checking proof of age.
7. The Premises Licence Holder or Designated Premises Licence Holder shall ensure staff receive training on a regular basis, every four months in relation to the Four Licensing Objectives contained within the Licensing Act 2003 for those authorised to sell alcohol. Written proof of training shall be recorded and maintained.
8. The premises shall have installed, a digitally recorded CCTV system. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Data recordings shall be made immediately available to an authorised officer of Reading Borough Council or a Thames Valley Police Officer,

together with facilities for viewing upon request. Recorded images shall be of such a quality as to be able to identify the recorded person.

9. The Premises Licence holder shall ensure notices are predominantly displayed at all exit points to advise customers that the area surrounding the premises is an Alcohol Restriction Zone.

10. The Premises Licence holder shall participate, as far is practicable, in the "Local" Town Radio Scheme when the premises are opened for licensable activities.

11. The Premise Licence holder shall keep and maintain a register of door supervisors. The register will show the following details:

a) the name, home address and registration number of all door supervisors working at the premises.

b) SIA registration number.

c) date and time that the door supervisor commenced duty, countersigned by the Designated Premises Supervisor or Duty Manager.

d) Any incident of crime and disorder, or concerning children must be recorded giving names of the door supervisors involved.

e) date and time the door supervisor finished work, countersigned by the Designated Premises Supervisor or Duty Manager.

f) The door supervisor register must be kept at the licensed premises and be available for inspection by Thames Valley Police or an authorised officer from Reading Borough Council and shall be retained for period of six months from the date of the event.

12. The Premises Licence holder shall ensure that all Door Supervisors whilst employed at the premises shall wear 'High Visibility' arm bands to incorporate displaying their SIA badges.

13. The Premise Licence holder shall ensure that at least one female door supervisor shall be employed and available where appropriate (for example, if a female customer is subject to a body search).

#### **Conditions consistent with the Operating Schedule**

14. Children will only be permitted in the Premises until 19:00 daily. After 19:00 the Premises will only be used by those who are over the age of 18.

15. The Premises Licence holder and/or DPS will use their best endeavours to ensure that all members of staff at the premises are provided with a copy of the Induction Pack on commencing work for the first time at the venue. Further the Premises Licence holder and/or DPS will use reasonable endeavours to encourage their staff to operate the premises in accordance with the Induction Pack and Operations Manual relating to the Premises. Both the Induction Pack and Operations Manual are "live" documents and will accordingly change from time to time in accordance with the requirements of the Premises and compliance with legislation.

16. The maximum capacity of the Premises will be 648 (inclusive of staff)

17. The licensee shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which in either case gives rise to undue disturbance to local residents;

### **Conditions agreed with Environmental Protection**

18. All external doors and windows must be kept closed, other than for access and egress, when events involving amplified music or speech are taking place;

19. The placing of refuse - such as bottles - into receptacles outside the premises shall only take place between the hours of 08.00hrs and 21.00hrs;

20. i) Periodic observation of the noise level and the likelihood that it will cause disturbance, shall be undertaken by a member of staff at the boundary at reasonable and regular intervals and logged. This log must be made available for inspection by an Authorised Officer;

ii) The logbook must set out: time and date of observation; observer; observation of noise level i.e. either A: satisfactory level of noise unlikely to cause disturbance, or B: unsatisfactory level of noise, likely to cause disturbance; and if the level of noise is unsatisfactory, the action taken to resolve situation.

21. During operating hours, the licensee or a nominated representative shall be available to receive and respond to nuisance-related complaints. A contact number shall be readily available to residents upon request.

### **Conditions agreed with Environmental Health**

22. In the event of the premises closed for alterations, additions, repairs or decorating they shall not be reopened until the consent of the Council has been obtained.

22a. Except with the prior consent of the Council no work in connection with any alterations, repairs or decorating in areas occupied by the public or performers should be carried out while the public or performers are on the premises. If the Council so require, the premises shall be closed to the public until the work has been completed.

N.B. Any consent given by the Council for licensing purposes does not exempt you from the need to obtain Planning Permission or Building Regulations Approval. Nor does consent given by the Council relieve the Designated Premises Supervisor of the necessity to seek a variation in the terms of the licence e.g. increase in the permitted numbers or variation of hours, and if required by the Council, of advertising that application.

23. The toilets shall be kept in a clean and well maintained condition.

24. All wash hand basins shall be provided with a supply of hot and cold running water, soap, a suitable means of drying hands and, if necessary, waste bins.

25. All parts of the premises, including any external areas, storage areas etc... and external means of escape from the premises shall be kept in a clean condition to the satisfaction of the Council.

26. Registered and trained door supervisors will be required at all public entertainment licensed premises which operate beyond the standard permitted hours

27. The designated premises supervisor must implement an active policy to prevent drugs being brought onto the premises. This should include searching and questioning patrons on entry and affixing discreet notices that the use or supply of drugs on the premises is illegal and any person found so doing will be reported to the police and banned from using the premises in the future.

### **Annex 3**

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

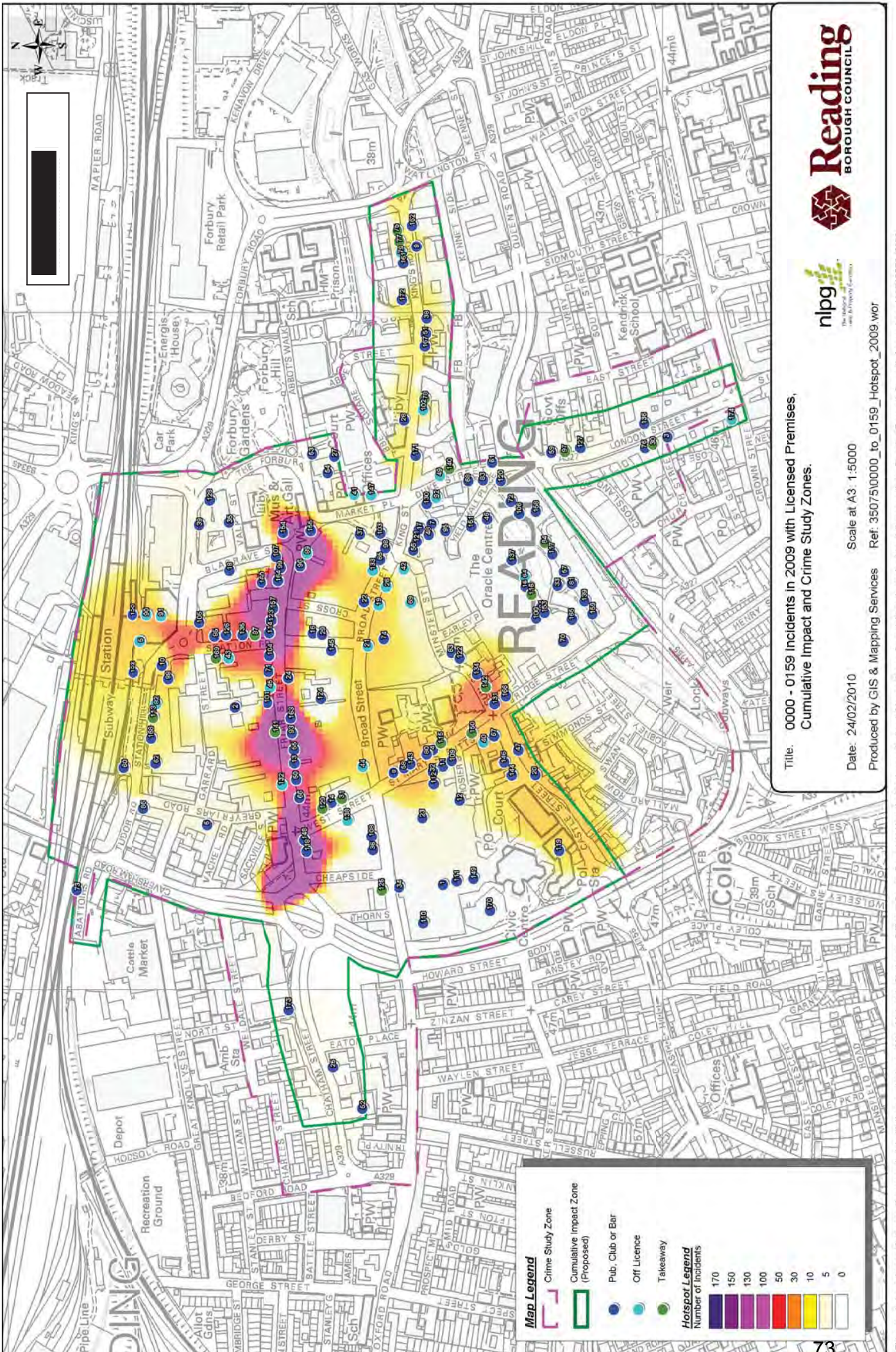
N/A

### **Annex 4**

#### **Plans**

As attached plan no. ABD 1088 02 Rev B





Title: 0000 - 0159 Incidents in 2009 with Licensed Premises, Cumulative Impact and Crime Study Zones.

Date: 24/02/2010 Scale at A3: 1:5000

Produced by GIS & Mapping Services Ref: 35075/0000\_0159\_Hotspot\_2009 wor



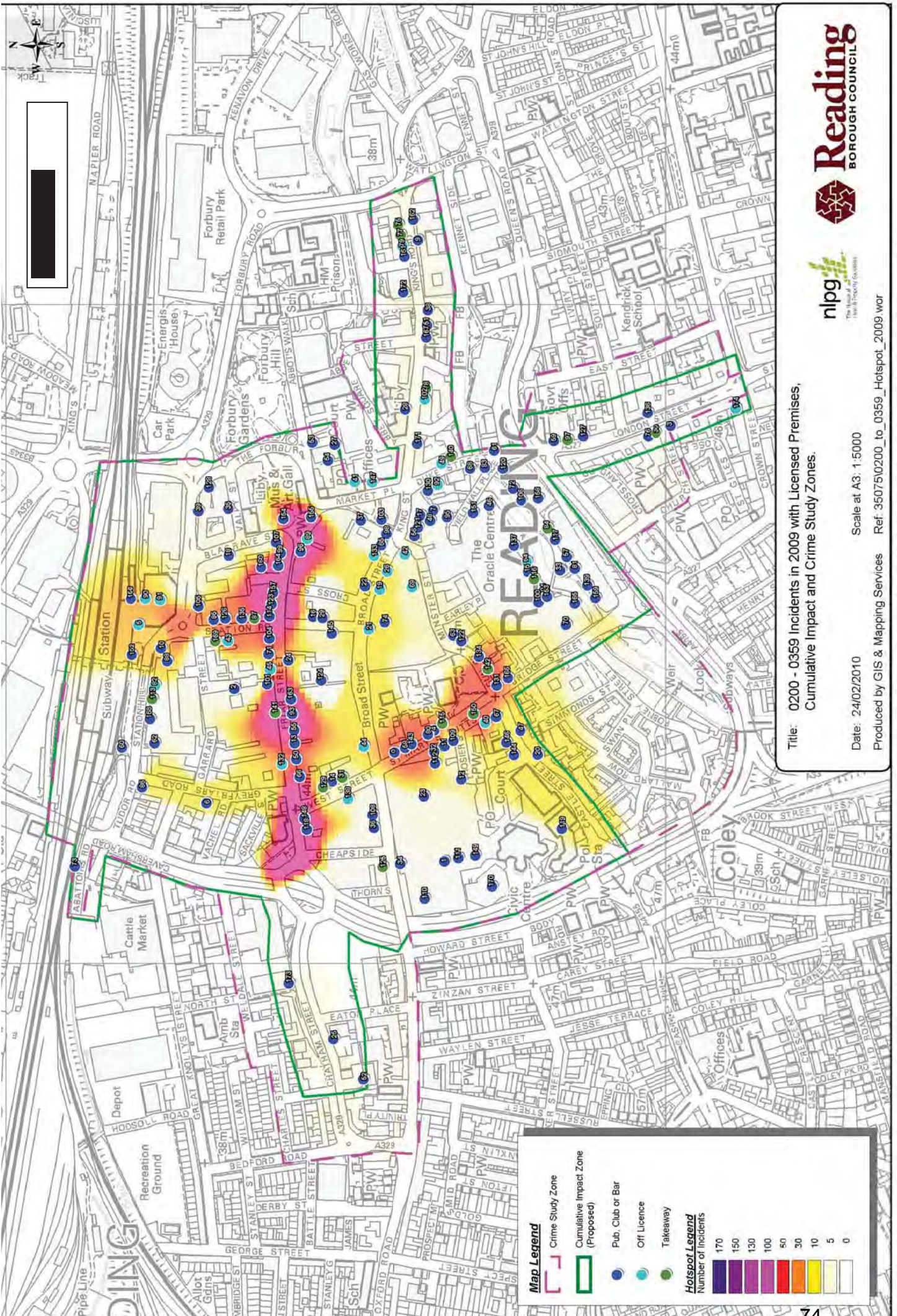
**Map Legend**

- Crime Study Zone
- Cumulative Impact Zone (Proposed)
- Pub, Club or Bar
- Off Licence
- Takeaway

**Hotspot Legend**  
Number of Incidents

170
150
130
100
50
30
10
5
0

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**Map Legend**

- Crime Study Zone
- Cumulative Impact Zone (Proposed)
- Pub, Club or Bar
- Off Licence
- Takeaway

**Hotspot Legend**  
Number of Incidents



Title: 0200 - 0359 Incidents in 2009 with Licensed Premises, Cumulative Impact and Crime Study Zones.

Date: 24/02/2010 Scale at A3: 1:5000  
 Produced by GIS & Mapping Services Ref: 35075/0200\_to\_0359\_Hotspot\_2009\_wor

