

LICENSING APPLICATIONS SUB-COMMITTEE 1 MINUTES - 10 APRIL 2018

Present: Councillors Livingston (Chair) and Dennis.

31. MINUTES

The Minutes of the meeting of Licensing Applications Sub-Committee 2 held on 8 March 2018 were confirmed as correct records and signed by the Chair.

32. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - SUPERSAVE, NORTHUMBERLAND AVENUE, READING

The Head of Planning, Development and Regulatory Services submitted a report on an application by Mr Pritesh Raghubhai Patel for the grant of a Premises Licence in respect of Supersave, 234 Northumberland Avenue, Reading, RG2 7QA.

The report stated that there was already a licence in force at this premises which was held by Supersave (UK) Ltd. This licence had been revoked by the Licensing Sub-Committee 2 on 14 December 2017 (Minute 24 refers). Supersave (UK) Ltd had appealed that decision and was continuing to trade pending determination of the appeal by the court.

The report stated that the application was for the grant of a premises licence to permit the following licensable activities:

Hours for the Sale by Retail of Alcohol (off the premises)

Monday to Sunday 0530 hours until 2300 hours

Opening Hours

Monday to Sunday 0530 hours until 2300 hours

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

The report stated that representations had been received from Reading Borough Council Licensing Team, Reading Borough Council Trading Standards and Thames Valley Police, which were attached to the report at Appendix 2, 3 and 4.

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

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

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

The report (pages 5-8) set out paragraphs 1.5, 8.38 to 8.46, 9.12 and 9.13 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2017.

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Peter Narancic, Senior Licensing & Enforcement Officer, Reading Borough Council, was present at the meeting and introduced his report on the application.

Jean Champeau, Senior Licensing Officer, Reading Borough Council, PC Simon Wheeler, Thames Valley Police, and Ian Savill, Principal Trading Standards Officer, Reading Borough Council, addressed the Sub-Committee on their representations regarding the application.

The applicant, Mr Pritesh Raghubhai Patel, was present and was represented by Mr Surendra Panchal, Licensing Consultant, both of whom addressed the Sub-Committee on the application and responded to questions.

Resolved -

That, in order to promote the four licensing objectives and having regard to the oral and written representations made, the Secretary of State's guidance issued under section 182 of the Licensing Act 2003 (in particular paragraphs 8.38 to 8.46, 9.12 and 9.13), paragraphs 7.15.1 and 11.3.1 of the Council's Statement of Licensing Policy, and the case of East Lindsey District Council v Abu Hanif, the licence be granted to permit:

The Sale by Retail of Alcohol (off the premises)

Monday to Sunday 0530 hours until 2300 hours

Opening hours

Monday to Sunday 0530 hours until 2300 hours;

and that the following conditions shall apply:

Staff Training

1. Staff employed to sell alcohol shall undergo training upon induction before they are allowed to sell alcohol. This shall include, but not be limited to:-
 - The premises age verification policy
 - Dealing with refusal of sales
 - Proxy purchasing
 - Recognising valid identity documents not in the English language
 - Identifying attempts by intoxicated persons to purchase alcohol
 - Identifying signs of intoxication
 - Conflict management
 - How to identify and safeguard vulnerable persons who attend and leave the premises.

Such training sessions are to be documented and refreshed every six months. All training sessions are to be documented in English. Records of training shall be kept for a minimum of one year and be made available to an authorised officer of Thames Valley Police and Reading Borough Council upon request;

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Challenge 25

2. 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. Military ID Cards can also be accepted;

CCTV

3. The premises licence holder shall ensure the premises' digitally recorded CCTV system cameras shall continually record whilst the premises are open to the public and recordings shall be kept for a minimum of 28 days with time and date stamping. The entire licensable area shall be covered by the CCTV. Data recordings shall be made immediately available to an authorised officer of Thames Valley Police or Reading Borough Council together with facilities for viewing upon request, subject to the provisions of the Data Protection Act. Recorded images shall be of such quality as to be able to identify the recorded person in any light. At least one member of staff on the premises at any time during operating hours shall be trained to access and download material from the CCTV system;

Immigration (Right to work) Documents

4. The premises licence holder or nominated representative shall keep and maintain all right to work documents for all staff members. Right to work documents shall be kept at the premises and produced to authorised officers of Reading Borough Council and Thames Valley Police upon request;

Alcohol Wholesale Registration Scheme

5. The Premises Licence Holder shall have available on the premises, for inspection by an authorised officer of Reading Borough Council or Thames Valley Police at any reasonable time, true copies of invoices, receipts or other records of transactions for all tobacco and alcohol products purchased in the preceding three months. All alcohol products shall only be purchased from outlets registered with HMRC's Alcohol Wholesale Registration Scheme;

Refusal Book

6. A refusal register - whether written or electronic - shall be used, kept and maintained at the premises. The refusal register shall record the time and date of the refusal; which age restricted product was refused, details of the staff member refusing service and a description of the person refused. The refusal log shall be produced to authorised officers of Reading Borough Council and Thames Valley Police upon request;

Other

7. All staff involved in the sale of alcohol must attend and pass the BII Level 1 Award in Responsible Alcohol Retailing within 28 days of employment. All staff shall be trained on the law relating to underage sales and how to question and refuse sales

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if necessary. Records of the training and reminders given shall be retained and be readily made available to authorised officers of Reading Borough Council and the Police on request;

8. All incidents which impact on any of the four licensing objectives shall be recorded on a register kept at the premises for this purpose. In the case of refusals for under age sales, the date, time, person refusing, the reason for refusal and a brief description of the customer shall be recorded. The register must be made available to an authorised officer of the Licensing Authority and the Police on request;
9. Signs shall be placed at all exits asking customers to respect the needs of local residents and to leave the premises quietly;
10. No cans of super strength beer and cider above 6.5% ABV shall be sold on the premises at any time except for products identified as premium craft beers;
11. The licence holder shall actively participate in initiatives set up by Thames Valley Police, Reading Borough Council or Reading Pubwatch including initiatives to tackle drunken behaviour and street drinking, such as 'Reducing the Strength'.

(The meeting started at 5.00pm and finished at 5.58pm)

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 19 APRIL 2018

Present: Councillors Woodward (Chair) and Livingston.

33. MINUTES

The Minutes of the meeting of Licensing Applications Sub-Committee 2 held on 29 March 2018 were confirmed as a correct record and signed by the Chair.

34. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - TODAY'S LOCAL

The Head of Planning, Development and Regulatory Services submitted a report on an application by Reading Borough Council Licensing Team for the grant of a Premises Licence in respect of Today's Local, 2 - 4 Park Lane, Tilehurst, Reading, RG31 5DL.

The Sub-Committee decided that it was in the public interest to adjourn the hearing due to the additional documentation submitted by the applicant just prior to the hearing and to allow time for discussion between the applicant and those who had submitted representations.

(The meeting started at 9.30am and finished at 10.32am)

LICENSING APPLICATIONS SUB-COMMITTEE 1 MINUTES - 24 APRIL 2018

Present: Councillors Woodward (Chair), D Edwards and Livingston.

35. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - GRAND PALACE, OXFORD ROAD, READING

The Head of Planning, Development and Regulatory Services submitted a report on an application by Oxford Delight Limited for the grant of a Premises Licence in respect of Grand Palace, 43-45 Oxford Road, Reading, RG1 5BJ.

The report stated that there was currently no premises licence in place. The previous licence for China Palace had been revoked by the Licensing Applications Sub-Committee 1 on 14 November 2017 (Minute 15 refers). The Premises Licence Holder had not appealed the decision and the licence had lapsed on 18 December 2017.

The report stated that the application was for the grant of a premises licence to permit the following licensable activities:

Hours for the Sale by Retail of Alcohol (on the premises)

Monday to Sunday 1200 hours until 0300 hours

Late Night Refreshment (on the premises)

Monday to Sunday 2300 hours until 0300 hours

Provision of Live Music, Provision of Recorded Music

Monday to Sunday 2300 hours until 0300 hours

Provision of Films

Monday to Sunday 1200 hours until 0300 hours

Opening Hours

Monday to Sunday 1200 hours until 0330 hours

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

The report stated that representations had been received from Reading Borough Council Licensing Team, Reading Borough Council Environmental Health Team, Thames Valley Police and Home Office Immigration Enforcement, which were attached to the report at Appendix 2, 3, 4 and 5.

At the hearing the applicant confirmed that they were now proposing a reduction in hours and for all activities to cease at 2300 hours.

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

- The prevention of crime and disorder
- public safety
- The prevention of public nuisance

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- The protection of children from harm

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

The report set out paragraphs 1.5, 8.38 to 8.46, 9.11 to 9.13 and 9.25 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2017. The report also set out paragraphs 7.15.1, 8.1.1 to 8.1.4, 8.1.6 to 8.1.11, 8.2.1 to 8.2.5, 8.3 and 8.4.1 and 8.4.2, 8.5.1 to 8.5.3, 8.6.1 and 8.6.8 of the Council's Statement of Licensing Policy.

Jean Champeau, Senior Licensing Officer, Reading Borough Council, PC Simon Wheeler, Thames Valley Police, Matthew Wilkinson, Immigration Enforcement and Lisa Richard, Licensing, Food and Safety Manager, Reading Borough Council, addressed the Sub-Committee on their representations regarding the application.

The applicant, Mr Mingzhong Shi, was present and addressed the Sub-Committee on the application and responded to questions. Dr Silang Luo translated for Mr Shi.

Resolved -

That, in order to promote the four licensing objectives, in particular the prevention of crime and disorder and public safety, and the oral and written representations made, the Secretary of State's guidance and the Council's Statement of Licensing Policy as detailed in the report, the application for the grant of a premises licence in respect of Grand Palace, 43-45 Oxford Road, be refused. The Sub-Committee had concerns regarding the suitability of the applicant due to:

- a. the lack of knowledge and understanding of the licensing objectives by the applicant;
- b. the objections made by Reading Borough Council Licensing Team, Thames Valley Police, Immigration Enforcement and Reading Borough Council Environmental Health Team raised serious and legitimate concerns which the applicant had not rebutted to the Sub-Committee's satisfaction;
- c. to grant the application would undermine the licensing objectives.

(The meeting started at 5.00pm and finished at 7.00pm)