

LICENSING APPLICATIONS SUB-COMMITTEE 1 MINUTES - 13 JUNE 2017

Present: Councillors Woodward (Chair) and Skeats.

1. MINUTES

The Minutes of the meetings of Licensing Applications Sub-Committee 2 held on 26 January 2017 and Licensing Applications Sub-Committee 1 held on 7 February 2017 were confirmed as correct records and signed by the Chair.

2. APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - THE VICTORIA PUBLIC HOUSE, NORCOT ROAD, TILEHURST, READING

The Head of Planning, Development and Regulatory Services submitted a report on an application by Punch Taverns PLC for the variation of the Premises Licence in respect of The Victoria Public House, 1 Norcot Road, Tilehurst, Reading, RG30 6BP.

The Premises Licence indicated that the following licensable activities were permitted:

Performance of Live Music and the Performance of Dance

Monday to Saturday	1100 hours until 0000 hours
Sunday	1200 hours until 2330 hours

Recorded Music

Monday to Thursday	1100 hours until 2300 hours
Friday and Saturday	1100 hours until 2330 hours
Sunday	1200 hours until 2230 hours

Anything Similar to Live Music, Recorded Music and the Performance of Dance

Monday to Saturday	1100 hours until 0000 hours
Sunday	1200 hours until 2330 hours

Hours for the Sale by Retail of Alcohol

Monday to Thursday	1100 hours until 2300 hours
Friday and Saturday	1100 hours until 2330 hours
Sunday	1200 hours until 2230 hours

Hours the Premises are Open of the Public

Monday to Thursday	1100 hours until 2330 hours
Friday and Saturday	1100 hours until 0000 hours
Sunday	1100 hours until 2300 hours

The original application was seeking to vary the Premises Licence to extend all licensable activities to be permitted from 1100 hours until 0100 hours every day of the week and for the premises to be open to the public until 0130 hours. The applicant had since amended the application to request an extension of all licensable activities to be permitted from 1100 hours until 0000 hours Sunday to Thursday and until 0100 hours on Fridays and Saturdays, with 30 minute drinking up time thereafter each day.

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The application also sought to remove all the current non-standard timings and to permit the sale of alcohol from the end of the permitted hours on New Year's Eve until the start of the permitted hours on New Year's Day. The application also sought the removal and/or amendments to some of the conditions attached to the current premises licence.

A copy of the application form and the current Premises Licence was attached to the report at Appendix 1.

Representations against the application had been received from Reading Borough Council Environmental Protection and Nuisance Team, which was attached to the report at Appendix 2A, Reading Borough Council Licensing Team, which was attached to the report at Appendix 2B and Thames Valley Police, which was attached to the report at Appendix 2C. A plan showing the location of the premises (identified in black) and surrounding area was attached at Appendix 3.

The applicant had agreed conditions with the Environmental Protection and Nuisance Team, the Licensing Team, subject to an amendment on the condition regarding last permitted entry time and Thames Valley Police, subject to the rewording on the condition regarding CCTV.

The report stated that in considering representations received, 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 set out paragraphs 1.5, 2.15, 2.16, 2.19, 8.38 to 8.46 and 9.12 and 9.13 of the amended guidance issued under Section 182 of the Licensing Act 2003 April 2017, which stated that in their role as a responsible authority, the police were 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 had a key role in managing the night-time economy and should have good working relationships with those operating in their local area. 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 might also be able to make relevant representations with regard to other licensing objectives if they had evidence to support such representations. The licensing authority should accept all reasonable and proportionate representations by the police unless the authority had evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remained incumbent on the police to ensure that their representations could withstand the scrutiny to which they would be subject at a hearing.

The report also stated that paragraph 11.4.1 of the Council's Statement of Licensing Policy, regarding licensing hours for Licensed Premises in Residential Areas, stated that in general the Authority would deal with the issue of licensing hours on the individual merits of each application, but that when issuing a licence, stricter conditions were likely to be imposed with regard to noise control in the case of premises that were situated in largely residential areas. In general, public houses located in and catering for residential areas

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wishing to open beyond 11pm would need to demonstrate clearly that public nuisance would not result from later operation.

Mr Mike King, Thames Valley Police, who had submitted a representation, was present at the meeting and addressed the Sub-Committee on the application. Mr Peter Narancic, Reading Borough Council Licensing, and Ms Leanne Dowsett, Reading Borough Council Environmental Protection and Nuisance Team, who had submitted representations, were present at the meeting and addressed the Sub-Committee on the application.

PC Simon Wheeler, Thames Valley Police, and Mr Anthony Chawama, Reading Borough Council Licensing Team, were both present at the meeting and addressed the Sub-Committee on the inspection they had carried out at the premises on 5 May 2017.

Mr Ian Pearson, Punch Taverns Development Manager and Mr David Kesterton, Designated Premises Supervisor, were present at the meeting and were represented by Mr Piers Warne from TLT LLP, who addressed the Sub-Committee on the application.

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, and the Council's Statement of Licensing Policy the Sub-Committee believed the premises was located within a residential area and thereby varied the premises licence to permit the following:

- (1) The hours be amended as follows:

Recorded Music, Live Music and the Performance of Dance (indoors)

Monday to Sunday 1100 hours until 0000 hours

Anything similar to Recorded Music, Live Music and the Performance of Dance (indoors)

Monday to Sunday 1100 hours until 0000 hours

Hours for the Sale by Retail of Alcohol

Monday to Sunday 1100 hours until 0000 hours

Hours the Premises are Open of the Public

Monday to Sunday 1100 hours until 0030 hours

Non-Standard Timings

The sale of alcohol be permitted from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day

- (2) That the following conditions be attached to the licence:

- (a) Live and recorded music shall be reduced to a background level at 2300 hours Monday to Thursday and Sundays and at 2330 hours on Fridays and Saturdays;

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- (b) The beer garden shall be cleared of patrons from 2300 hours and shall not be used between 2300 hours and 1100 hours;
- (c) The number of smokers permitted outside the premises after 2300 hours shall be limited to 3 at any one time and no drinks shall be permitted outside after this time;
- (d) 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 from making such a purchase without having first provided identification. Only a valid British driver's licence showing a photograph of the person, a valid British passport or proof of age card showing the 'Pass' hologram (or any other nationally accredited scheme) are to be accepted as identification;
- (e) Notices advertising the Challenge 25 policy shall be displayed in prominent positions on the premises;
- (f) Staff employed to sell alcohol shall undergo training upon induction in utilising the Challenge 25 proof of age checking policy. This shall include, but not be limited to, dealing with refusal of sales, proxy purchasing and identifying attempts by intoxicated persons to purchase alcohol. 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 Reading Borough Council or Thames Valley Police upon request;
- (g) An incident log shall be maintained to record all incidents of crime and disorder occurring at the premises. Details of occasions when the police are called to the premises shall be recorded. This log shall be available for inspection by a Police Officer or an authorised officer of Reading Borough Council upon request and shall be retained for one year. The log shall be signed off by the Designated Premises Supervisor (DPS) or nominated representative at the end of each trading session. A weekly review of the incident register shall also be carried out by the Designated Premises Supervisor;
- (h) All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals book/register (whether written or electronic). The book/register shall contain:
 - Details of the time and date the refusal was made
 - The identity of the staff member refusing the sale
 - Details of the alcohol the person attempted to purchaseThe book/register shall be available for inspection by an authorised officer of Reading Borough Council or Thames Valley Police upon request;

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- (i) The Premises Licence Holder/Designated Premises Supervisor 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. The Premises Licence Holder shall prevent customers from leaving the premises with any alcoholic or non-alcoholic drinks from the Premises in open containers (e.g. glasses, opened bottles and cans);
 - (j) Children shall only be permitted on the premises when accompanied by a responsible adult. No children shall be permitted on the premises after 2000 hours;
 - (k) The Premise Licence Holder shall ensure the premises has a digitally recorded CCTV system and that the cameras shall continually record whilst the premises are open to the public and recordings shall be kept for a minimum of 31 days with time and date stamping. Data recordings shall be made available without undue delay and no later than 24 hours from initial request to an authorised officer of Reading Borough Council or Thames Valley Police, together with facilities for viewing upon request. Facilities for viewing shall be provided in the event that a request is made for the purpose of the prevention or detection of crime or the apprehension or prosecution of offenders or to check that the CCTV system complies with the requirement of this condition. Recorded images shall be of such a quality as to be able to identify the recorded person;
 - (l) Clearly legible and suitable notices shall be displayed to advise customers that CCTV is in operation at the premises;
 - (m) The Premise Licence Holder shall implement an active policy, to be agreed with Thames Valley Police, to prevent illegal weapons and drugs being brought onto the premises, including search, detection, confiscation, storage and disposal or drugs procedures. The venue shall also actively partake in drugs initiatives run by Thames Valley Police (including, but not exclusively, drug itemiser, passive drug dogs and spiked drinks campaigns);
 - (n) A policy covering searching of patrons and staff members must be submitted to and approved by Thames Valley Police. The approved policy must be actively operated within the licensed premises;
 - (o) 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 Thames Valley Police shall be informed if anyone is found in possession of illegal drugs or offensive weapons.
- (3) That the following conditions be removed from the licence:
- (a) The maximum occupancy within the premise should be 100 persons;

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- (b) Recognised proof of age schemes and/or photo driving licences must be used at the premises;
 - (c) Children must only be permitted on the premises over the age of 14 to 17 and only when accompanied by an adult.
- (4) That the following condition on the premises licence be amended to read:

Clearly legible and suitable notices shall be displayed at all exits requesting customers to respect the needs of local residents and to leave the premises and area quietly and after 0000 hours, staff shall be available to ensure that customers disperse quietly.

(The meeting started at 5.33pm and finished at 8.05pm)