

LICENSING ACT 2003 HEARING THURSDAY 6TH JULY 2017 @ 0930HRS

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

1. Premises:
Whitley Store (Off Licence) 7 Whitley Street Reading RG2 0EG
2. Applicant:
Mr Binod Purja and Mrs Samita Purja
3. <u>Premises Licence:</u>
There is currently no premises licence in force at the premises. A premises licence was formally in force at the address under the name Himalayan Store but was revoked in July 2015.
4. Proposed licensable activities and hours:
The application is for the grant of a premises licence for the following activities: <u>Sale of Alcohol (off the premises)</u> Monday to Sunday from 0800hrs until 2300hrs <u>Opening Hours</u> Monday to Sunday from 0800hrs until 2300hrs
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: 10th May 2017
A copy of the application form is attached <u>as Appendix RF-1</u>
7. <u>Date of closure of period for representations:</u>
9 th June 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)

Reading Borough Council Trading Standards (attached at appendix RF-2b)
Thames Valley Police (attached at appendix RF-2c)

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 area⁵. 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:

11.3 Hours of Sales in Off Licences

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

READING BOROUGH COUNCIL

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mr Binod PURJA and Mrs Samita PURJA

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Whitely Store 7 Whitely Street Reading Berkshire RG2 0EG			
Post town	Reading	Postcode	RG2 0EG
Telephone number at premises (if any)	n/a		
Non-domestic rateable value of premises	£9,100		

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)



- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a


statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname PURJA		First names Binod		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes
Current postal address if different from premises address		[REDACTED]		
Post town	Winchester	Postcode	SO23 8BL	
Daytime contact telephone number				
E-mail address (optional)				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname PURJA			First names Samita		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town	Winchester			Postcode	SO23 8BL
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	8	062017

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The Store is located in a parade of shops and restaurants in Whitely Street and trades on the ground floor only.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue				Please give further details here (please read guidance note 3)	
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>		
Day	Start	Finish		Outdoors	<input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>		
Tue							
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)			
Thur							
Fri					Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat							
Sun							

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3) Occasional live music					
Mon								
Tue								
Wed						State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3) Mainly background music with occasional DJ compared sets		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4) None		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Traditional Bavarian Dancers or similar		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

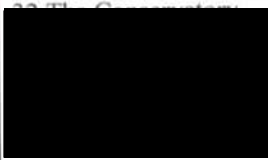
I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) None		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	08:00	23:00			
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:00			
Fri	08:00	23:00			
Sat	08:00	23:00			
Sun	08:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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

Name Mr Binod PURJA	
	
Postcode	SO23 8BL
Personal licence number (if known) No: 1613	
Issuing licensing authority (if known)	
Winchester City Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	23:00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p>
Tue	08:00	23:00	
Wed	08:00	23:00	
Thur	08:00	23:00	
Fri	08:00	23:00	
Sat	08:00	23:00	
Sun	08:00	23:00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

The Premises Licence holder shall regularly review the effect that the policy and procedures are having on the four licensing objectives at least annually or more often if required.

All staff shall be trained to at least the BII level 1 award in Responsible Alcohol Retailing (ARAR), or HABC level 2 Award in Under Age Sales Prevention, or any similarly nationally recognised course within twelve weeks of employment.

b) The prevention of crime and disorder

1.0 CCTV

1.1 A full CCTV system has been installed.

1.2 CCTV recordings shall be kept for a minimum of Twenty-Eight days

1.3 The CCTV system shall operate at all times the premises are open to the general public

1.4 The CCTV footage shall be available to view on request from a police officer immediately presented on a USB stick or DVD

1.5 There will be a trained operative who can download the CCTV footage on request from a Police Officer at all times the premises are open and trading to the public.

2.0 Intoxication and Conflict management

2.1 All staff working in the public area shall be trained in recognising the signs of intoxication and shall be instructed to report persons who appear intoxicated to the Duty Manager and security personnel in order that appropriate action may be taken.

2.2 Any intoxicated person shall be refused service and required to vacate the premises.

2.3 All staff shall receive training on conflict management before they commence their first shift serving the patrons.

3.0 Off Sales

3.1 All 'off sales' shall be made in sealed containers for consumption off the premises

[Empty rectangular box]

c) Public safety

[Empty rectangular box]

d) The prevention of public nuisance

4.0 Noise Pollution

4.1 A notice shall be placed by the exit to remind patrons to leave the premises quietly

e) The protection of children from harm

10.0 Challenge25

10.1 Challenge 25 shall be in use

10.2 All staff shall be trained in the procedures for checking proof of age ID. Passport, National ID card, Driving Licence and PASS card with the date of birth and a hologram image only, shall be accepted forms proof of ID.

10.3 The induction for a new member of staff shall take place before they are engaged in the service and sale of alcohol.

10.4 Refresher training shall be given to all members of staff who are responsible for the service and sale of alcohol every six months.

10.5 The refresher training shall be recorded, kept on file for twelve months, and available for inspection from a Police Constable or a proper Officer from the Reading Borough Council.

10.6 A notice promoting the 'Challenge 25' policy and what forms of ID are accepted shall be displayed in a prominent position.

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Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

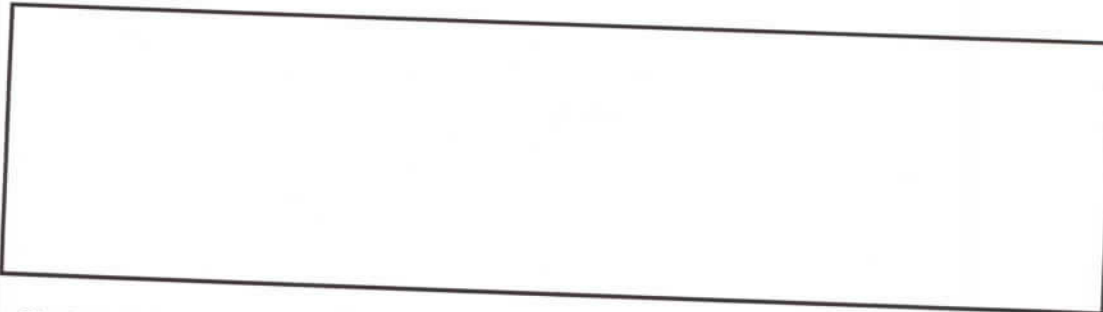
Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	<i>William Donne</i>
Date	10 th May 2017
Capacity	Licensing Agent

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	



Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [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 I 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)
Signature	<i>William Donne</i>
Date	12 th May 2017
Capacity	Licensing Agent

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	<i>William Donne</i>
Date	12 th May 2017
Capacity	Licensing Agent

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)		
Post town		Postcode
Telephone number (if any)		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)		

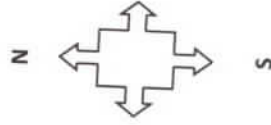
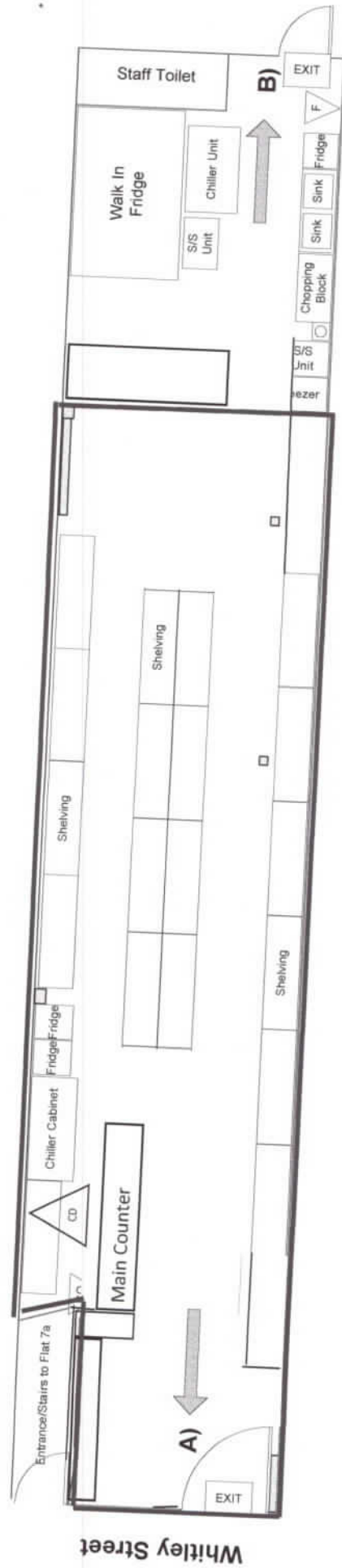
Notes for Guidance

1. Describe 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.
2. In terms of specific regulated entertainments please note that:

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Bill Donne Silver Fox Consultants 61 St Mary's Butts Reading RG1 2LG			
Post town	Reading		Postcode
Telephone number (if any)	0773 873 4586		RG1 2LG
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
billdonne107@hotmail.com			

Notes for Guidance

1. Describe 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please 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 or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



LEGEND

<p>Silver Fox Consultants 61 St Mary's Butts Reading RG1 2LG</p> <p>Client Premises Address: Whitley Store 7 Whitley Street Reading Berkshire RG2 0EG</p> <p>SCALE: 1:100</p> <p>Planner: G Keeble</p> <p>Drawing No: WS/01</p>	<p>— Sale / Supply of Alcohol</p> <p>CO Carbon Dioxide Extinguisher</p> <p>F Foam Extinguisher</p> <p>EXIT Emergency Exit</p>	<p>↑ Escape Route A) Whitley Street B) Service Alley</p>
--	---	--

Silver Fox Licensing Consultants

Consent of individual to being specified as premises supervisor

I, Mr Binod PURJA



hereby give consent to be specified as the designated premises supervisor in relation to the a Premises Licence

Held By **Mr Binod PURJA and Mrs Samita PURJA**

Relating to a premise licence situate at:

**Whitely Store
7 Whitely Street
Reading
Berkshire
RG2 0EG**

And any premises licence to be granted, or varied, in respect of this application made by **Mr Binod PURJA and Mrs Samita PURJA** concerning the supply of alcohol at:

**Whitely Store
7 Whitely Street
Reading
Berkshire
RG2 0EG**

I also confirm that I am entitled to work in the United Kingdom and I currently hold a personal licence, details of which I set out below:

Personal Licence no.1613 issued by Winchester City Council and my **Date of Birth** is 09/10/1990.

Signed: *Binod //*

Name: **Mr Binod PURJA**

Date: *26/05/2017*

Name of Officer	Peter Narancic Senior Licensing Enforcement Officer						
Type of Application	Grant of Premises Licence - Licensing Act 2003						
Name of Premises	Whitley Store						
Address	7 Whitley Street,						
	Reading						
	RG2 0EG						
	Sale of Alcohol Monday to Sunday from 0800hrs until 2300hrs - Off the premises only.						
Finish Times	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	2300	2300	2300	2300	2300	2300	2300

Content of Application:

This application submitted by Mr William Donne, Licensing Consultant on behalf of Mr Binod Purja and Mrs Samita Purja is for the grant of a premises licence for the Whitley Store, 7 Whitley Street Reading which is located about a mile south of the town centre, for the supply of alcohol off the premises only.

Licensing Officer's Comments:

The Licensing team object to the application to operate the premises known as the Whitley Store, 7 Whitley Street, Reading as we believe the previous licence holder Mr Jhagbir Jugjali is still involved in the day to day running of this business which was previously known as the Himalayan Store when the premises licence for the sale of alcohol was revoked in 2015. It has been confirmed that one of the applicants Mrs Samita Purja, is Mr Jhagbir Jugjali's daughter. I understand neither the Licensing Section, Trading standards or Thames Valley police were approached for advice prior to this application being submitted as would be expected for a premises with previous issues.

As background, in 2015 the Head of Planning, Development and Regulatory Services submitted a report on an application by Reading Borough Council's Chief Inspector of Weights and Measures for the review of the Premises Licence in respect of Himalayan Store, 7 Whitley Street, Reading.

The report stated that a review of the Premises Licence had been requested by Reading Borough Council Trading Standards team. The application detailed that illegal and/or smuggled tobacco had been found on the premises during Operation Henry on 11 September 2014, which had contravened paragraph 11.27 of the Secretary of State's Guidance which stated that the sale or storage of illegal tobacco and/or alcohol on a licensed premise was considered a serious criminal offence. On 22 October 2014, the premises had failed a test purchase for the sale of alcohol to an 18 year old volunteer, therefore breaching the Challenge 25 age policy stated on the premises licence.

In addition, the report stated that counterfeit or duty diverted alcohol had been found on the premises on 14 April 2015. Over 40 bottles had been seized and identified by the manufacturers as being counterfeit or duty diverted. The premise license holder had not been able to account for where the stock came from. Due to the seriousness of the undermining of the licensing objectives, the Licensing Committee revoked the premises licence. I produce a copy of the resolve letter and meeting minutes sent to Mr Jugjali as Appendix 1. Mr Jugjali did not appeal the Committee's decision.

Additionally in 2014 Immigration Enforcement Officers raided these premises and arrested two Nepalese men who had entered the country illegally. The premises were served with a civil penalty of up to £20000 for each person. I do not have any further information at this time.

Reading Borough Council's Licensing Policy Statement:

Section 1.3 - The Statement of Licensing Policy aims to promote the licensing objectives whilst facilitating a sustainable entertainment and cultural industry. In adopting the licensing policy the council recognises both the needs of residents for a safe and healthy environment in which to live and work together with the importance of safe and well run entertainment premises, all of which promote the local economy and vibrancy of the borough.

Section 4.1- In exercising their functions under the Licensing Act 2003, Licensing Authorities must have regard to the Licensing Objectives as set out in section 4 of the Act. The licensing objectives are:

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

7.15 Crime & Disorder Act 1998

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

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. 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, giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;

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 outlines applicants are expected to include positive proposals in their application on how they will manage any potential risks.

Section 8.42 states the majority of information which applicants will require should be available in the licensing policy statement in the area. Other publicly available sources which may be of use to applicants include:

- the Crime Mapping website;
- Neighbourhood Statistics websites;
- websites or publications by local responsible authorities;
- websites or publications by local voluntary schemes and initiatives; and
- on-line mapping tools.

Section 8.44 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.

In conclusion, we believe Mr Jugjali is attempting to obtain a new premises licence to sell alcohol to the local community 'through the back door' and if granted we believe the licensing objectives of prevention of crime and disorder, prevention of harm to children and public safety will be undermined. Therefore we submit that these applicants should not be granted a premises licence for the Whitley Store, 7 Whitley Street, Reading.

Date Received	10/05/2017	Date Due	09/06/2017
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Date	07	06	2017
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Alison Bell
Director of Environment and
Neighbourhood Services
Reading Borough Council, Civic Offices,
Bridge St, Reading, RG1 2LU

┌ Jhagbir Jugjali ┐
Himalayan Store
7 Whitley Street
Reading
RG2 0EG
└ And via email to Bill Donne ┘

☎ 0118 937 3787
Our Ref: 098024
Direct: ☎ 0118 9373 762
e-mail: richard.french@reading.gov.uk
Date: 8 July 2015

Your contact is: Richard French - Licensing

Dear Sirs

Application for the Review of a premises licence
Licensing Act 2003, Himalayan Store, 7 Whitley Street, Reading.

On 3rd July 2015, Reading Borough Council's Licensing Sub-Committee heard the application for the Review of a Premises Licence for the above mentioned premises.

Copies of the minutes from the meeting are attached to this letter. These minutes set out the decision that was reached, any conditions that were attached and the reason given for making this decision.

As you are no doubt aware, you have a right of appeal against the decision and/or against conditions attached to the licence. If you wish to lodge an appeal you must do so within 21 days of receipt of this letter (allowing for first class delivery of 2 days, your appeal period will be from 11th July 2015 to 31st July 2015). Should you wish to lodge an appeal please contact Reading Magistrates Court.

If you are considering appealing against the decision we strongly recommend that you seek legal advice.

If you have any further queries regarding this letter please don't hesitate to contact me.

Yours sincerely

Richard French
Licensing Enforcement Officer

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 3 JULY 2015

Present: Councillors Livingston (Chair) and D Edwards (for items 2 and 3).

2. MINUTES

The Minutes of the meeting of Licensing Applications Sub-Committee 2 held on 15 May 2015 were confirmed as a correct record and signed by the Chair.

3. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - HIMALAYAN STORE

The Head of Planning, Development and Regulatory Services submitted a report on an application by Reading Borough Council's Chief Inspector of Weights and Measures for the review of the Premises Licence in respect of Himalayan Store, 7 Whitley Street, Reading.

The report stated that a review of the Premises Licence had been requested by Reading Borough Council Trading Standards team. The application detailed that illegal and/or smuggled tobacco had been found on the premises during Operation Henry on 11 September 2014, which had contravened paragraph 11.27 of the Secretary of State's Guidance which stated that the sale or storage of illegal tobacco and/or alcohol on a licensed premise was considered a serious criminal offence. On 22 October 2014, the premises had failed a test purchase for the sale of alcohol to an 18 year old volunteer, therefore breaching the Challenge 25 age policy stated on the premises licence.

In addition, the report stated that counterfeit or duty diverted alcohol had been found on the premises on 14 April 2015. Over 40 bottles had been seized and identified by the manufacturers as being counterfeit or duty diverted. The premise license holder had not been able to account for where the stock came from. Due to the seriousness of the undermining of the licensing objectives, the review application sought revocation of the premises licence.

A copy of the review application was attached to the report at Appendix I. This gave further details of the grounds for the application, including a copy of a letter to the premise licence holder, a copy of the minutes of the Licensed Premises Management Review meeting of 9 October 2014 and copies of emails between Matthew Knight, Community Alcohol Partnership Officer, and manufacturers to verify the validity of the seized stock. Thames Valley Police representation was attached to the report at Appendix II, although it was noted that some of this report should be disregarded as it also made reference to Warwara, which was not relevant to this application.

The representation of Reading Borough Council Licencing team was attached to the report at Appendix III and a plan showing the location of the premises and surrounding streets was attached to the report at Appendix IV.

The report stated that the Premises Licence Holders were Mr Jhagbir Jugjali and Mr Bisal Pun and that the Designated Premises Supervisor was Mr Bisal Pun. The existing Premises Licence, a copy of which was attached to the report at Appendix V, permitted the following:

Hours for the Sale by Retail of Alcohol

Monday to Sunday 0900 hours until 2300 hours

The hours the premises were permitted to open to the public were Monday to Sunday from 0700 hours until 2300 hours.

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 3 JULY 2015

The report stated that in considering 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 stated further that, in determining the application, the Sub-Committee could take the following steps:

- Take no further action;
- Issue formal warnings to the premises supervisor and/or premises licence holder;
- Modify the conditions of the licence (including, but not limited to hours of operation of licensable activities);
- Exclude a licensable activity from the scope of the licence;
- Remove the Designated Premises Supervisor;
- Suspend the licence for a period not exceeding three months;
- Revoke the licence.

(Where the Sub-Committee took a step mentioned in the third and fourth bullet points above it may provide that the modification or exclusion was to have effect for a period not exceeding three months or permanently.)

The report set out paragraphs 11.24 to 11.28 of Secretary of State's Guidance, Section 182 of the Licensing Act 2003 (March 2015), which stated that a number of reviews might arise in connection with crime that were not directly connected with licensable activities. For example, reviews might arise because of drug problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, or the sale of firearms. Licensing authorities did not have the power to judge the criminality or otherwise of any issue. This was a matter for the courts. The licensing authority's role when determining such a review was not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

Reviews were part of the regulatory process introduced by the 2003 Act and they were not part of criminal law and procedure. There was, therefore, no reason why representations giving rise to a review of a premises licence needed to be delayed pending the outcome of any criminal proceedings. Some reviews would arise after the conviction in the criminal courts of a certain individual, but not all. In any case, it was for the licensing authority to determine whether the problems associated with the alleged crimes were taking place on the premises and affecting the promotion of the licensing objectives. Where a review followed a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

Where the licensing authority was conducting a review on the grounds that the premises had been used for criminal purposes, its role was solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It was important to recognise that certain criminal activity or associated problems might be taking place or had taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 3 JULY 2015

the conditions attached to the licence. In such circumstances, the licensing authority was still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty was to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.

Mr William Donne, Silver Fox Licensing Consultants, and Mr Jhagbir Jugjali, Premises Licence Holder, were present at the meeting and addressed the Sub-Committee.

Paul Evans, Senior Trading Standards Officer, and Peter Narancic, Senior Licensing Officer, Reading Borough Council, were present at the meeting and addressed the Sub-Committee on the application. Mr Mike King, Thames Valley Police, was also present at the meeting and addressed the Sub-Committee.

Resolved -

That, having reviewed the Premises Licence in respect of Himalayan Store, 7 Whitley Street, Reading, and having had regard to the four licensing objectives, in particular the prevention of crime and disorder, and the oral and written representations made by all parties, the Secretary of State's guidance, in particular paragraphs 11.17, 11.18, 11.20 and 11.24 to 11.28 and the Council's Statement of Licensing Policy, the Sub-Committee concluded that it was appropriate and proportionate to revoke the Premises Licence for the following reasons:

- (i) the sale, or having in possession for sale, alcohol that was not bought from a reputable source but which was bought from a white van, without sure knowledge that it was genuine;
- (ii) the sale, or having in possession for sale or storage a quantity of tobacco acquired from Belgium with no excise duty having been paid and thereby deemed to be smuggled;
- (iii) the breach of Section 144 of the Licensing Act 2003;
- (iv) the fact that the Licensed Premises Management Review meeting on 9 October 2014 did not deter the Premise Licence Holder from further undermining the licensing objective of crime and disorder;
- (v) the fact that the advice given by the Community Alcohol Partnership Officer on 30 October 2014 did not deter the Premise Licence Holder from further undermining the licensing objective of crime and disorder;
- (vi) the fact that the Sub-Committee was not satisfied that the management of the premises was such as to prevent the licensing objective of crime and disorder being undermined.

(The meeting started at 9.30am and finished at 12.30pm)

Application for the Premises Licence of Whitley Stores, 7 Whitley Street Reading, RG2 0EG.

This relates to an application by Mr and Mrs Purja for a Premises Licence under the Licensing Act 2003 to retail alcohol from the above named premises.

The Trading Standards Service as a responsible authority under the Licensing Act 2003 make representations against the application based on the following concerns:

- The premises were subject to a licence review in May 2015 in a Licence Review application made by Trading Standards.
- The licence was revoked by the Sub Committee, based on evidence that the illegal tobacco and duty diverted alcohol were found on the premises and a Challenge 25 test purchase had been failed.
- The previous Premises Licence Holder, Mr Jhagbir Jugjali, was in control of the premises at the time of the revocation. It is believed, based on reliable intelligence that Mr Jugjali is ostensibly still responsible for the premises and the Trading Standards Service remains of the view that Mr Jugjali is unsuitable for retailing alcohol.
- The licence application, in Part M, describes steps that the premises will take to promote the licensing objectives. In section b, the prevention of crime and disorder, the CCTV footage can be requested by a Police Officer. The Trading Standards Service requests that Officers of Reading Borough Council is also included.
- The proposals around Intoxication and Conflict Management, also in section b, appear to be more applicable to an “on licence” premises. It is requested by Trading Standards that these more accurately reflect the “off licence” environment.
- The proposals in section e appear to be poorly drafted.
- The Trading Standards Service believes that the licence would benefit from conditions such as the following:

1) 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 passport or a nationally approved proof of age card showing the ‘Pass’ hologram (or any other similarly nationally recognised scheme) are to be accepted as identification.

2) Notices advertising the Challenge 25 policy shall be displayed in prominent positions on the premises;

3) All cashiers shall be trained to record refusals of sales of alcohol in a refusals book /register. 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 purchase.

The register shall be signed off by the designated premises supervisor or nominated representative. A weekly review of the register shall also be carried out by the designated premises supervisor. This book /register will be available for inspection by a Police Officer or other authorised officer of Reading Borough Council upon request.

4) An incident book/register shall be maintained to record all incidents of crime and disorder occurring at the premises. Details of occasions when the police and/or other authorised officer of Reading Borough Council visit the premises shall be recorded. This book /register will be available for inspection by a police officer or other authorised officer of Reading Borough Council upon request and shall be retained for six months. All incidents that are recorded in the incident register shall be signed off by the designated premises supervisor or nominated representative. A weekly review of the incident register shall also be carried out by the Designated Premises Supervisor.

5) Staff employed to sell alcohol shall undergo training upon induction in relation to the four licensing objectives contained within the Licensing Act 2003 and 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 two years and be made available to an authorised officer of Thames Valley Police and Reading Borough Council.

6) A copy of your age verification policy shall be displayed in a prominent position on the premises;

7) Alcohol shall only be purchased from supplier businesses registered on HMRC's Alcohol Wholesaler Registration Scheme with a verifiable Registration Number.

8) The Premises Licence Holder shall have available on the premises, for inspection by an authorised officer of Reading Borough Council at any reasonable time, true copies of invoices, receipts or other records of transactions for all tobacco products purchased in the preceding six months.

END



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

09 June 2017

Licensing Department
Reading Borough Council
Civic Offices
Bridge Street
Reading
RG1 2LU

Dear Sir

Licensing Act 2003
Whitley Store, Whitley Street, Reading

Please find attached the formal Representation from Thames Valley Police against the application from for a Premises Licence at the above mentioned venue

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', with a pinkish-red scribble underneath.

Mike King
| Licensing Officer | Thames Valley Police | Telephone 101 | Internal 7516353 |
Fax 01189 536353 | Reading Police Station, Castle Street, Reading, RG12 7TH

Neighbourhood Policing and Partnerships (NP&P)

Thames valley Police (TVP) have received an application for the grant of a premises licence for the Whitley Store, 7 Whitley Street, Reading.

We have been made aware that a member of staff at the premises is one Mr Jhagbir who was previously the premises licence holder, for the Himalayan Store, 7 Whitley Street, Reading is related to one of the applicants.

TVP have concerns regarding this and have paraphrased incidents brought to light in the recent past.

During visits by the Council's Trading Standards Department on 11th September 2014 they found illicit tobacco despite his assurance that there was none on the premises;

On 9th October 2014 Mr Jhagbir after a meeting with TVP and Reading Borough Council (RBC) he accepted a range of conditions one of them being Challenge 25.

Despite this assurance to the adherence to this condition on 26th October 2014 whilst he was involved at the premises it failed a Test Purchase for alcohol;

On 9th April 2015 a further check for illicit tobacco was conducted where the conclusion was drawn there was no tobacco on the premises but that the an amount of alcohol was found and that it had been smuggled in and mixed with legitimate stock.;

On 24th April 2015 a visit was made to the store by HMIC where they inspected the stock and found that the stamp duty labels had been removed.

These actions on behalf of Mr Jhagbir not only put children at risk but also other members of the public by selling smuggled alcohol but distributing illicit tobacco mixed with legitimate stock.

Therefore, TVP **object** to the application in support of the representations by other Council Departments, the presence of an individual that gives TVP concerns over the previous failings and in support of the Licensable Objectives.

Narancic, Peter

From: Heera, Balwinder
Sent: 13 June 2017 10:19
To: Narancic, Peter
Subject: RE: Whitley Stores, 7 Whitley Street, Reading [OFFICIAL]

Importance: High

FBO is food business operator, i.e. person who runs the show and has day to day management of the business.

If you look at the inspection report form left with him, at the time of inspection, he himself has signed the form as "operator." This is attached to the inspection entry on flare under actions.

I hope this helps.

Balwinder

From: Narancic, Peter
Sent: 13 June 2017 10:13
To: Heera, Balwinder
Subject: RE: Whitley Stores, 7 Whitley Street, Reading [OFFICIAL]

Thanks Bal

FBO?

We have a hearing in July, as I, Trading standards and police have objected to a new application by his daughter and son in law...they will have to argue Mr J is not involved in new business..

From: Heera, Balwinder
Sent: 13 June 2017 09:50
To: Narancic, Peter
Subject: RE: Whitley Stores, 7 Whitley Street, Reading [OFFICIAL]
Importance: High

Hi Peter

Not sure if I already responded to this but yes according to my last inspection he was still the FBO and I have detailed this on the inspection paperwork associated with the premises. It should be on flare under INU. Lorraine might be able to show you or you could look on 018493 on INU in flare.

Let me know if I may be of further assistance.

Balwinder

From: Narancic, Peter
Sent: 07 June 2017 16:32
To: Heera, Balwinder
Subject: FW: Whitley Stores, 7 Whitley Street, Reading [OFFICIAL]

Hi Bal, can you supply me a further email confirming that you believe Mr Jugjali is still involved in the day to day running of this business?

Regards Peter

From: Licensing
Sent: 23 May 2017 10:48
To: Narancic, Peter
Subject: FW: Whitley Stores, 7 Whitley Street, Reading [OFFICIAL]

From: Richards, Lisa
Sent: 23 May 2017 10:41
To: Licensing
Subject: Whitley Stores, 7 Whitley Street, Reading [OFFICIAL]

Hello

Bal carried out a Food hygiene inspection on 19/5/17. The food business operator was Mr Jhagbir Jugjali who was present at the shop during the inspection. He indicated that he was the food business operator with Samita Purja who was not available. The premises was given a food hygiene rating of 1 which indicates major improvement necessary. The reason for the poor score was the lack of confidence in management as well as unsatisfactory structure and hygiene at the premises.

More specifically this included

1. No food safety management system
2. Leaking water from the ceiling
3. Torn and damaged flooring in the shop
4. Accumulation of waste in the yard
5. Vegetables and raw meat stored together in the walk in chiller.

The above issues can be dealt with under food hygiene legislation but it indicates general poor confidence in management which you will find relevant for the Premises Licence application.

Best Wishes

Lisa

Lisa Richards MCIEH CEnvH
Licensing, Food & Safety Manager
Regulatory Services | Directorate of Environment & Neighbourhood Services

Reading Borough Council
Civic Offices
Bridge Street
Reading
RG1 2LU

Tel:0118 937 2257 (72257 internal extension)

Are you thinking about applying for a new licence or varying your current one? Take advantage of our pre-application consultation:

Licensed Driver: <http://www.reading.gov.uk/taxilicences>

Licensed Premises: <http://www.reading.gov.uk/alcohol-premises-licence>

Legislation covered by Inspection: Food Safety & Hygiene (England) Regulations 2013 Food Safety Act 1990 (as amended) Health & Safety at Work etc. Act 1974 Other legislation.....
Reason for Visit: Proactive Reactive Advisory Sample Taken (detailed below) Revisit

Name of Premises Whitloy Stores Business Type Retail + Butchery
Address 7 Whitloy Street, Reading RG2 0EG
Registered Office Address.....
Email..... Tel/mobile.....
Person Seen Mr Shaqbir Jugral Position.....
Name of Food Business Operator/Dutyholder Samira Jugral + Mr Shaqbir Jugral
Business days & hours 9am - 9pm Areas Checked All

List of Documents checked ✓ = Yes x = Not available \ = not applicable Written FSMS Cleaning Log
FH Training Policy /records Fridge/Freezer Temperature Log Hot Food Temperature Log Pest Control
Health and Safety: Policy Risk Assessments (Details Invoices)

Comments: Matters Arising (L = Legal Requirement + Timescale and R = Recommendation)
(Food Only: CIM=Confidence in Management, FH=Food Hygiene & Safety Practices, S=Structure: H&S: Health & Safety)

- | L/R | CIM | FH/S | H&S | Comment | Timescale |
|-----|-----|------|-----|--|-----------|
| L | CIM | | | 1) There was no food safety management system based on HACCP principles. You must implement this. An example is the Safer Food Better Business (SFBB) pack available at www.food.gov.uk | 1 month |
| L | S | | | 2) The following structural defects must be repaired: | |
| L | S | | | - leaking water to the ceiling. | 14 days |
| L | S | | | - Torn & damaged floor in the shop. | 1 month |
| L | S | | | 3) There was an accumulation of waste & clutter in the rear yard. This must be cleared | 7 days |
| R | CIM | | | 4) I recommend that you attend a level 2 food hygiene refresher course. | |
| L | FH | | | 5) Vegetables and raw meat were stored in the same walk-in-chiller. Immediately stop this and store separately. <u>Immediately</u> | |

Action Proposed: Inspection report form left Letter to follow Formal notices(s) Revisit

Food Hygiene Rating Criteria Assessed	Good	SCORE	Poor	Your Premises Rating is
Compliance with food safety procedures	0	5	10	15
Compliance with structural requirements	0	5	10	15
Confidence in management /control procedures	0	5	10	20

Business Reply Expected: Yes No with response to the legal requirements identified above.

Officer Name B. Heera Signature..... Designation Senior LHO
2nd Officer Name..... Signature..... Designation.....
Date & Time 19/05/2017 am/pm Telephone No: 0118 937 2049 Date of Next Visit 19/6/17

As the person seen at the visit, I have taken note and understand all aspects of work discussed with the Inspecting Officer OR I have received this form and I will ensure this inspection report form is passed to the Manager.

Signed..... Name Ingrida Jurek Job Title Officer

Note: This report describes those matters requiring attention. The report only covers the areas inspected at the time of the visit. If you have any queries regarding this report or you do not agree with your food rating, please contact the officer named above in the first instance. If it is not resolved then write to the Licensing, Food & Safety Manager at: Environmental Health (Food & Safety), Reading Borough Council, Civic Offices, Bridge Street, Reading, RG1 2LU or email: consumerprotection@reading.gov.uk

SR 577482

Legislation covered by Inspection: Food Safety & Hygiene (England) Regulations 2013 Food Safety Act 1990 (as amended) Health & Safety at Work etc. Act 1974 Other legislation
Reason for Visit: Proactive Reactive Advisory Sample Taken (detailed below) Revisit

Name of Premises: Umalaya Store Business Type: Butcher / Grocery

Address: Whitby Street

Registered Office Address:

Email: Tel/mobile:

Person Seen: J. Hasbi Jugialu Position: Partner ^{OWNER}

Name of Food Business Operator / Dutyholder: Sold business end of December (Sinita Purja)

Business days & hours: Areas Checked: [REDACTED]

List of Documents checked ✓ = Yes x = Not available \ = not applicable Written FSMS Cleaning Log
FH Training Policy / records Fridge/Freezer Temperature Log Hot Food Temperature Log Pest Control
Health and Safety: Policy Risk Assessments (Details:

Comments: Matters Arising (L = Legal Requirement + Timescale and R = Recommendation)
(Food Only: CIM=Confidence in Management, FH=Food Hygiene & Safety Practices, S=Structure; H&S: Health & Safety)

L/R CIM FH/SI H&S
(A O I F E . G A L L A G H E R @ R E A D I N G . G O V . U K)

The business has now been taken over by the old owner's daughter.

A full refurbishment is taking place at the minute. I am told it will be completed within 1 month.

The butchery area is in very bad repair and is very dirty. Ensure the butcher has had hygiene training. Ensure the handwash basin is restored into use. Ensure very good separation of raw meat and herbs in the fridge.

Forward me the new plans for the shop + a definite date of completion

Action Proposed: Inspection report form left Letter to follow Formal notices(s) Revisit

Food Hygiene Rating Criteria Assessed	Good						SCORE	Poor			Your Premises Rating is
	0	5	10	15	20	25					
Compliance with food safety procedures	0	5	10	15	20	25					
Compliance with structural requirements	0	5	10	15	20	25					
Confidence in management / control procedures	0	5	10	15	20	30					

Business Reply Expected: Yes No with response to the legal requirements identified above.

Officer Name: A O I F E G A L L A G H E R Signature: Designation: Senior EHO

2nd Officer Name: Signature: Designation:

Date & Time: 23/2/17 am/pm. Telephone No: 0118 937 2502 Date of Next Visit: 1 month

As the person seen at the visit, I have taken note and understand all aspects of work discussed with the Inspecting Officer OR I have received this form and I will ensure this inspection report form is passed to the Manager.

Signed: [Signature] Name: J. Hasbi Jugialu Job Title: Manager

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FP1_WD3 v10 Tell your butcher to always use the scales on the scales.