

LICENSING ACT 2003 HEARING THURSDAY 26TH JULY 2018 @0930HRS

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

1. Premises:
Local Food and Wine 441 Basingstoke Road Reading RG2 0JF

2. Applicant:
Jasnoor Singh Vadwah

3. <u>Premises Licence</u> : A licence is currently in force at the premises and is held by a Mr Gurmit Singh Gurwara. This licence was revoked by the licensing sub committee on 29 th March 2018 due to the employment of an illegal worker; breach of conditions and historical issues with illicit alcohol and tobacco. This decision was appealed by the applicant to the Magistrates Court meaning the licence is still in force. The application in front of the sub committee is for a new licence for Mr Jasnoor Singh Vadwah.
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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 0700hrs until 2300hrs <u>Opening Hours</u> Monday to Sunday from 0700hrs 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: 7 th June 2018
A copy of the application form is attached at <u>Appendix RF-1</u>

7. Date of closure of period for representations: 5 th July 2018

8. Representations received:

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

Reading Borough Council Licensing (attached at appendix RF-2)
Thames Valley Police (attached at appendix RF-3)

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.

The Council's Licensing Policy Statement:

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.

Licensed premises in residential areas

11.4.1 In general the Authority will deal with the issue of licensing hours on the individual merits of each application. However, when issuing a licence, stricter conditions are likely to be imposed with regard to noise control in

the case of premises that are situated in largely residential areas. In general, public houses located in and catering for residential areas wishing to open beyond 11pm will need to demonstrate clearly that public nuisance will not result from later operation.

Amended Guidance issued under section 182 of the Licensing Act 2003
April 2018

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:

8.41 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

8.42 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants' proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate

the impact; and why they consider the application should be an exception to the policy.

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

8.45 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.

8.46 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

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

8.48 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.

8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.

The role of responsible authorities

9.11 Responsible authorities under the 2003 Act are automatically notified of all new applications. While all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.

9.12 Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, 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 usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities 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.

Integrating strategies

14.63 It is recommended that statements of licensing policy should provide clear indications of how the licensing authority will secure the proper integration of its licensing policy with local crime prevention, planning, transport, tourism, equality schemes, cultural strategies and any other plans introduced for the management of town centres and the night-time economy. Many of these strategies are not directly related to the promotion of the licensing objectives, but, indirectly, impact upon them. Co-ordination and integration of such policies, strategies and initiatives are therefore important.

Planning and building control

14.64 The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly

separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa. However, as set out in chapter 9, licensing committees and officers should consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.

14.65 There are circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.

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.

Case Law

East Lindsey DC v Abu Hanif (2016) case law underpins the principles widely acknowledged within the Licensing Act 2003 that the licensing objectives are prospective, and that the prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence.

Similarly the case law of British Beer and Pub Association v Canterbury City Council (2005) underpins the value of the Council's licensing policy. Mr Justice Richards stated: "The council is entitled to indicate in the policy its own expectations with regard to the promotion of the licensing objectives; and I do not think that an applicant can legitimately complain if a failure to take account of those expectations gives rise to representations...An applicant who does not tailor his application to the policy therefore faces an uphill struggle."



Reading
Application for a premises licence
Licensing Act 2003

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

* required information

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

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on behalf of the applicant? <input checked="" type="radio"/> Yes <input type="radio"/> No		Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

You must enter a valid e-mail address

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

- ☐ Applying as a business or organisation, including as a sole trader
- ☒ Applying as an individual

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



Continued from previous page...

Address

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

Agent Details

* First name	<input type="text" value="MANPREET SINGH"/>
* Family name	<input type="text" value="KAPOOR"/>
* E-mail	<input type="text" value="info@personalllicencecourses.com"/>
Main telephone number	<input type="text" value="02086060558"/>
Other telephone number	<input type="text"/>

Include country code.

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

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
☐ A private individual acting as an agent

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

Agent Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

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

Registration number	<input type="text" value="10291684"/>
Business name	<input type="text" value="PERSONAL LICENCE COURSES UK LTD"/>
VAT number	<input type="text" value="-"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="EMPLOYEE"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

Building number or name	INFOTREE HOUSE
Street	NEWPORT ROAD
District	
City or town	HAYES
County or administrative area	
Postcode	UB4 8JX
Country	United Kingdom

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PREMISES DETAILS

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

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name	LOCAL FOOD & WINE
Street	441 BASINGSTOKE ROAD
District	
City or town	READING
County or administrative area	
Postcode	RG2 0JF
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	8,300

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

☒ Yes ☐ No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

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

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

You must enter a valid email address

E-mail	<input type="text" value="NONE"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/>
	dd mm yyyy
* Nationality	<input type="text" value="AFGHANI"/>

Documents that demonstrate entitlement to work in the UK

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start?

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
dd		mm		yyyy

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

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
dd		mm		yyyy

Provide a general description of the premises

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

Continued from previous page...

OFF LICENCE AND CONVENIENCE STORE

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

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes ☒ No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes ☒ No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes ☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes ☒ No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes ☒ No

Continued from previous page...

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes

☒ No

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

See guidance on regulated entertainment

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

☐ Yes

☒ No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

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

Continued from previous page...

SATURDAY

Start 07:00

End 23:00

Start

End

SUNDAY

Start 07:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises ☒ Off the premises ☐ Both

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

State any seasonal variations

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

NONE

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

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

NONE

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

Name

First name

JASNOOR SINGH

Family name

VADWAH

Date of birth

dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text" value="FERNDALE AVENUE"/>
District	<input type="text"/>
City or town	<input type="text" value="HOUNSLOW"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="H05223"/>
Issuing licensing authority (if known)	<input type="text" value="LONDON BOROUGH OF HOUNSLOW"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

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ADULT ENTERTAINMENT

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

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

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start 07:00

End 23:00

Start

End

WEDNESDAY

Start 07:00

End 23:00

Start

End

THURSDAY

Start 07:00

End 23:00

Start

End

FRIDAY

Start 07:00

End 23:00

Start

End

SATURDAY

Start 07:00

End 23:00

Start

End

SUNDAY

Start 07:00

End 23:00

Start

End

State any seasonal variations

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

NONE

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

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

NONE

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LICENSING OBJECTIVES

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

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

Continued from previous page...

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

1. Strict implementation of challenge 25 policy
2. CCTV to be installed and 28 days recoding system
3. All staff to be trained in responsible alcohol retailing
4. Training manual will be available at the premises

b) The prevention of crime and disorder

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.
2. 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.

CCTV

1. 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 31 days with time and date stamping. The entire licensable area shall be covered by the CCTV.
2. 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.
3. Recorded images shall be of such quality as to be able to identify the recorded person in any light.
4. 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.
5. A sign advising customers that CCTV is in use shall be positioned in a prominent position.

Immigration (Right to work) Documents

1. The premises licence holder or nominated representative shall keep and maintain all right to work documents for all staff members.
2. 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

1. 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.
2. All alcohol products shall only be purchased from outlets registered with HMRC's Alcohol Wholesale Registration Scheme.

Additional Conditions:

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

Continued from previous page...

how to question and refuse sales 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.

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. The log shall be signed off by the Designated Premises Supervisor or nominated representative at the end of each trading sessions. A weekly review of the incident register shall also be carried out by the Designated Premises Supervisor.

c) Public safety

1. Installation of appropriate safety equipment
2. Fire exit signs displayed
3. To comply with all current, fire, health and safety laws
4. CCTV working at all times

d) The prevention of public nuisance

1. Notice displayed asking customers to leave quietly from premises also customers will be told in person to leave quietly and not to disturb the local neighborhood
2. Strict policy in place to tell all staff not to serve alcohol to drunks at all
3. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV

e) The protection of children from harm

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 without having first provided identification.
2. 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.
3. Notices advertising the Challenge 25 and proof of age verification policies shall be displayed in a prominent positions on the premises.

Refusal Book

All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusal log/book.

1. A refusal register whether written or electronic – shall be used, kept and maintained at the premises.
2. 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.
3. The refusal log shall be produced to authorised officers of Reading Borough Council and Thames Valley Police upon request.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

The fee payable will be based on the rateable value of the property. Band A - 0 - 4300 - Fee Payable - 100 Band B - 4301 - 33,000 - Fee Payable - 190 Band C - 33,001 - 87,000 - Fee Payable - 315 Band D - 87,001 - 125,000 - Fee payable - 450 Band E - 125,001 and over - Fee payable - 635 Additional fees apply to outdoor events.

* Fee amount (£)

190.00

DECLARATION

Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if 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)

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

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

* Full name

MANPREET SINGH KAPOOR

* Capacity

DULY AUTHORISED AGENT

* Date

07 / 06 / 2018
dd mm yyyy

Add another signatory

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

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

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

Continued from previous page...

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

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

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next >



Name of Officer	Peter Narancic						
Type of Application	Grant of a Premises Licence - Licensing Act 2003						
Name of Premises	Local Food & Wine						
Address	441 Basingstoke Road						
	Reading						
	RG2 OJF						
Proposed Licensable Activities	Sale by Retail of Alcohol						
Finish Times	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	X	X	X	X	X	X	X

Content of Application

The application seeks to:

1.	Supply of Alcohol (off premises)	Monday - Sunday	0700 to 2300 hours
2.	Hours premises open to public	Monday - Sunday	0700 to 2300 hours

Officer comments

The Licensing team object to the application to operate the premises known as Local Food and Wine (Previously Todays Local Stores) 441 Basingstoke Road, Reading as we believe granting a licence will undermine the promotion of the licensing objectives - notably the prevention of crime and disorder. We have concerns over the applicant and their suitability to run a licensed premises in accordance with legislation and the promotion of the licensing objectives. Section 18 (6) of the Licensing Act 2003 states that representations should relate to the likely effect of granting a licence on the licensing objectives and we believe that the likely effect of granting this licence is that the proposed licence holder will have no day to day control of this business and that he is, in effect, applying for a licence on behalf of someone else - notably the current business owner who has committed serious criminal offences at the premises, which resulted in a review of the premises licence.

On 29 March 2018, the Licensing Sub-Committee revoked the premises licence for the employment of an illegal worker, the failure of the present Premises licence holder to promote the licensing objectives due to breaches of licence conditions found in 2015 and 2017, the Sub-Committee were concerned that the Premises Licence Holder had failed to provide a credible account or reason for illicit alcohol being found on the premises.

The Premises Licence holder has appealed to the Magistrates Court and is awaiting a court date. He is permitted to sell alcohol pending the outcome of the appeal.

Given these circumstances we would have expected the new applicant to have contacted the Licensing team and Police to discuss his application beforehand, given the history of the premises. Additionally he has not provided any documents or any other evidence in relation to the purchase of this business from the present owner, or highlighted what experience or business plans he has to operate this premises lawfully.

Paragraph 8.46 of the Government's Guidance S182 states *"While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise"*.

If this premises licence is granted, the Licensing team believe it risks bringing the licensing regime into disrepute if reckless licence holders can avoid the consequences of their behaviour by simply putting the licence into someone else's name by selling the business when they get caught and so, effectively, get away with it. The deterrent effect of licensing enforcement would be lost and Licensing authorities should take a robust stance against such applications, particularly those which appear to be a ruse..

For these reasons, the Licensing team respectfully submit that this application is refused

Guidance issued under section 182 of the Licensing Act 2003 (April 2018)

Secretary of State's Guidance

8.41 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

8.42 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants' proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding

of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

8.45 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.

8.46 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

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

8.48 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached .

8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.

Reading Borough Council Licensing Policy statement states:

7.21 Crime Prevention

Conditions attached to premises licences and club premises certificates will, so far as possible, reflect local crime prevention strategies.

Where relevant representations are received the Authority may impose conditions, for example, requiring the use of CCTV both inside and outside of licensed premises for the purpose of minimising crime disorder and disturbance. Again, applicants for licences should note that the Authority might only attach conditions to licences if such conditions are consistent with the operating schedule submitted as part of the application process, or if relevant representations are received.

11.3 Hours of Sales in Off Licences

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.

11.4 Licensed Premises in Residential Areas

In general the Authority will deal with the issue of licensing hours on the individual merits of each application. However, when issuing a licence, stricter conditions are likely to be imposed with regard to noise control in the case of premises that are situated in largely residential areas. In general, public houses located in and catering for residential areas wishing to open beyond 11pm will need to demonstrate clearly that public nuisance will not result from later operation.

14. Licence Conditions

General Approach to Licence Conditions

The purpose of the licensing Act is the regulation of licensable activities on licensed premises. All conditions attached to Premises Licences and Club Premises Certificates, will be focused on matters, which are within the control of individual licensees and others in possession of relevant authorisations. Accordingly, matters will centre on the premises being used for licensable activities and the vicinity of these premises.

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour once persons are away from licensed premises, and therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation. However, licensing law will always be part of a holistic approach to the management of the evening and local economy.

Licensing conditions will relate to licensed premises and the impact of those licensable activities on the premises in the vicinity thereof. In this latter regard the Council will primarily focus on the direct impact of any activities taking place on those living, working or otherwise engaged in the area concerned business, which is a relevant representation, or conditions are consistent with the operating schedule submitted by the applicant.

The Authority will, only impose conditions on premises if it is considered necessary and proportionate to do so in order to promote the licensing objectives. The Authority does not propose to implement standard conditions on licences across the board but instead, will draw upon a pool of conditions based upon those issued by the Home office and will attach such other conditions as it considers appropriate, given the circumstances of each individual case.

The model conditions will cover issues surrounding;

crime and disorder
public safety
public nuisance
protection of children from harm

Conditions to be imposed on licences will be tailored to the individual premises and events concerned. None of the matters discussed within this policy which may result in the imposition of conditions will be applicable or suitable for all premises. The Authority will have regard to the size and type of premises when considering imposing conditions upon licences as the result of receiving relevant representations.

Applicants are asked to consider the model conditions and incorporate such of the conditions into their operating schedules as they consider appropriate and necessary in order to promote the licensing objectives. The Authority will impose the model conditions on application when those conditions are consistent with the operating schedule.

If this application proceeds to a Licensing Applications Sub-Committee, and a licence is granted, the Licensing team would like the following conditions to be considered.

General

Closed Circuit Television

1. The Premises Licence holder shall ensure the premises' digitally recorded CCTV system cameras shall continually record whilst the premises are undertaking licensable activities and recordings shall be kept for a minimum of 31 days with time and date stamping. The entire licensable area shall be covered by the CCTV. Data recordings shall be made available to an authorised officer of Reading Borough Council or a Thames Valley Police officer, together with facilities for viewing upon request subject to the provisions of the Data Protection Act. Recorded images shall be of such a quality as to be able to identify the recorded person.

2. Signage advising customers that CCTV is in use shall be positioned in prominent positions

Age Verification Policy

3. 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 proof of age card showing the 'Pass' hologram (or any other nationally accredited scheme as set down within the mandatory conditions) and Military ID Cards are to be accepted as identification.

4. Posters advertising the Challenge 25 scheme shall be displayed in prominent positions on the premises.

Staff Training

5. All staff shall be trained in the requirements of the Licensing Act 2003 in relation to age restricted sales of alcohol before being authorised to sell alcohol.

(b) Staff authorised to sell alcohol shall be accredited to at least the BIIAB Level 1 Award in Responsible Alcohol Retailing (ARAR) or any other similarly recognised nationally approved accreditation curriculum, within four weeks for existing and subsequent new employees.

(c) Records of training, refresher training and proof of the date of the commencement of employment (e.g. signed contract) shall be retained and must be made available to officers of Reading Borough Council or Police Officer on demand.

6. All staff employed in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals book or electronic 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. This book /register will be available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police. A four weekly review of the refusal book/register shall also be carried out and signed off by the Designated Premises Supervisor or their nominated representative.

7. All 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 completed before the employee is permitted to sell alcohol, documented and refreshed every six months. Records of training shall be kept for a minimum of two years and be made available to an authorised officer of Reading Borough Council or a Thames Valley Police officer.

8. The Designated Premises Supervisor shall ensure they and staff who are authorised to sell alcohol, are able to converse with customers and representatives of Statutory Agencies to a level that they are able to satisfactorily meet the four licensing objectives as contained in the Licensing Act 2003.

i. The Prevention of Crime and Disorder.

ii. Public Safety.

iii. Public Nuisance.

iv. The Protection of Children from Harm.

Incident Register

9. An incident register shall be used, maintained and kept on the premises to record any incident of crime and disorder or instances when the police have had to attend the premises. The register shall be made available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police upon request.

Public nuisance

10. 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.

Other Initiatives

11. The premises licence holder shall not sell super strength beer, lager or cider with an alcohol content of 6.5% ABV (alcohol by volume) or greater. This restriction shall not apply in respect of the specialist branded, premium priced, products - for example craft ales, local or micro brewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with an alcohol content of 6.5% ABV or greater.

12. Spirits (with the exception of spirit mixers and pre-mixed spirit drinks) shall be located behind the counter.

13. 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.

14. Before any person is employed at the premises sufficient checks will be made of their bona fides to ensure they are legally entitled to employment in the UK. Such checks will include:

- Proof of identity (such as a copy of their passport)
- Nationality
- Current immigration status
- Employment checks will be subject of making copies of any relevant documents produced by an employee, which will be retained on the premises and kept for a minimum period of one year. Employment records as they relate to the checking of a person's right to work will be made available to an authorised officer of Reading Borough Council or Thames Valley Police upon request.

15. The previous premises licence holder, Mr Gurmit Singh Gurwara shall be excluded from the premises and have no direct or indirect involvement with the business.

16. The new owner, Mr Jasnoor Singh Vadwah will provide to Reading Borough Council a copy of the Lease agreement of the premises between him and his landlord before he commences trade in the sale and supply of alcohol by retail.

17. A copy of the VAT registration along with a proof of a Pay As You Earn scheme established in the name of the business operated by Mr Jasnoor Singh Vadwah is to be provided to Reading Borough Council before commencement of trade or the sale or supply of alcohol by retail.

Date Received	07/06/2018	Date Due	05/07/2018
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Date	03	07	2018

THAMES VALLEY POLICE

Division/Station : Reading Police Station Licensing Dept

From : C2107 Declan Smyth

To : Reading Borough Council

Subject :

Ref: Local Food & Wine, 441 Basingstoke Road, Reading, RG2 0JF Date: 5th July 2018

Objection

To whom it may concern

I C2107 Declan Smyth on behalf of the Chief Officer of Thames Valley Police wish to formally object to the proposed application for a Application for a premises licence submitted by Jasnoor Sing Vadwah in relation to Local Food & Wine, 441 Basingstoke Road, Reading, RG2 0JF as it is believed that this application in its current format will undermine the four licensing objectives with specific regard to that of the prevention of crime & disorder.

The proposal before the Sub-Committee is for the Supply of Alcohol (Off Premises), Monday to Sunday 07:00-23:00 and Hours Premises Open To The Public Monday to Sunday 07:00-23:00

The Premises Licence for this site was revoked on 29th March 2018 by the Reading Borough Sub- Committee. On that occasion the premises licence holders were discovered to be employing an illegal worker which was compounded by a number of failures to comply with licensing legislation and breaches of licensing conditions found in 2015 and 2017.

Of course due to the history of this site and nature of the previous incidents leading to that review it is imperative that theses criminal activities and wholesale failures are not repeated. The concern of Thames Valley Police is that this application has been made in an attempt to circumvent the current review process relating to this premises and if granted will likely lead to the continuation of poor practice and a failure to uphold the licensing objectives. We strongly recommend that based on these concerns extreme scrutiny and due diligence be carried out by the licensing sub-committee to insure that this is indeed a “New” application, and not a “rebranded” application that will likely undermine the four licensing objectives.

Prior to this application Thames Valley Police can confirm that no contact has been received from the applicant in relation to this application in order to discuss any concerns which we may have had in relation to this and to determine any information that could have been supplied relating to our advice on local issues.

Paragraph 8.46 of the Secretary of States Guidance issued under Sec 182 Licensing Act 2003 states “While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be take into consideration when making an application.”

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

8.48 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants

propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached .

8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.

In Conclusion Thames Valley Police strongly feel that this application in its current format and without further scrutiny is likely to undermine the licensing objectives, due to its failure to address sufficient conditions within the operating schedule that would provide reassurance that the failings of Today's Local Store are not repeated.

Case law within the East Lindsey District Council v Abu Hanif establishes:-

“Importantly the prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of the prevention and deterrence”

Therefore in this situation we would state our opinion that the licensing objectives are prospective and can be preventative and would urge the Licensing Sub-Committee to refuse this application for a premises licence in order to prevent the licensing objectives from being undermined.

If the Licensing Sub-Committee were of a mind to grant this application we would strongly recommend the following conditions be added to the operating schedule.

CCTV

1. The Premises Licence Holder shall ensure the premises' digitally recorded CCTV system cameras shall continually record whilst the premises are undertaking licensable activities and recordings shall be kept for a minimum of 31 days with time and date stamping. The entire licensable area shall be covered by the CCTV. Data recordings shall be made available to an authorised officer of Reading Borough Council or a Thames Valley Police officer, 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.

2. Signage advising customers that CCTV is in use shall be positioned in prominent positions;

Age Verification Policy

3. The premises shall at all times operate a Challenge 25 age verification 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 driver's licence showing the 'Pass' hologram (or any other nationally accredited scheme as set down within the mandatory conditions) are to be accepted as identification. The age verification policy shall be in a written form and displayed in a prominent position;

4. Posters advertising the premises' Challenge 25 age verification policy shall be displayed in prominent positions on the premises;

Staff Training

5. All staff shall be trained in the requirements of the Licensing Act 2003 in relation to age restricted sales of alcohol before being authorised to sell alcohol.

(b) Staff authorised to sell alcohol shall be accredited to at least the BIIAB Level 1 Award in Responsible Alcohol Retailing (ARAR) or any other similarly recognised nationally approved accreditation curriculum, within four weeks for existing and subsequent new employees.

(c) Records of training, refresher training and proof of the date of the commencement of employment (e.g. signed contract) shall be retained and must be made available to officers of Reading Borough Council or Police Officer on demand.

6. All staff employed in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals book or electronic 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. This book /register will be available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police. A four weekly review of the refusal book/register shall also be carried out and signed off by the Designated Premises Supervisor or their nominated representative.

7. All 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 completed before the employee is permitted to sell alcohol, documented and refreshed every six months. Records of training shall be kept for a minimum of two years and be made available to an authorised officer of Reading Borough Council or a Thames Valley Police officer.

8. The Designated Premises Supervisor shall ensure they and staff who are authorised to sell alcohol, are able to converse with customers and representatives of Statutory Agencies to a level that they are able to satisfactorily meet the four licensing objectives as contained in the Licensing Act 2003.

i. The Prevention of Crime and Disorder.

ii. Public Safety.

iii. Public Nuisance.

Incident Register

9. An incident register shall be used, maintained and kept on the premises to record any incident of crime and disorder or instances when the police have had to attend the premises. The register shall be made available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police upon request.

Public nuisance

10. 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.

Other Initiatives

11. The premises licence holder shall not sell super strength beer, lager or cider with an alcohol content of 6.5% ABV (alcohol by volume) or greater. This restriction shall not apply in respect of the specialist branded, premium priced, products - for example craft ales, local or micro brewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with an alcohol content of 6.5% ABV or greater.

12. Spirits (with the exception of spirit mixers and pre-mixed spirit drinks) shall be located behind the counter.

13. 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.

14. Before any person is employed at the premises sufficient checks will be made of their bona fides to ensure they are legally entitled to employment in the UK. Such checks will include:

- Proof of identity (such as a copy of their passport)

- Nationality

- Current immigration status

- Employment checks will be subject of making copies of any relevant documents produced by an employee, which will be retained on the premises and kept for a minimum period of one year. Employment records as they relate to the checking of a person's right to work will be made available to an authorised officer of Reading Borough Council or Thames Valley Police upon request.

15. The previous premises licence holder, Mr Gurmit Singh Gurwara shall be excluded from the premises and have no direct or indirect involvement with the business.

16. The new owner, Mr Jasnoor Singh Vadwah will provide to Reading Borough Council a copy of the Lease agreement of the premises between him and his landlord before he commences trade in the sale and supply of alcohol by retail.

17. A copy of the VAT registration along with a proof of a Pay As You Earn scheme established in the name of the business operated by Mr Jasnoor Singh Vadwah is to be provided to Reading Borough Council before commencement of trade or the sale or supply of alcohol by retail.