

To: Councillors D Edwards (Chair), Rowland
and Skeats

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17 July 2019

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NOTICE OF MEETING - LICENSING APPLICATIONS SUB-COMMITTEE 2 - 25 JULY 2019

A meeting of the Licensing Applications Sub-Committee 2 will be held on Thursday, 25 July 2019 at 9.30 am in the Council Chamber, Civic Offices, Bridge Street, Reading, RG1 2LU. The Agenda for the meeting is set out below.

<u>ACTION</u>	<u>WARDS AFFECTED</u>	<u>Page No</u>
1. DECLARATIONS OF INTEREST		
(a) Councillors to declare any disclosable pecuniary interests they may have in relation to the items for consideration;		
(b) Councillors to declare whether they wish to speak on the grounds they:		
(i) Have submitted a relevant representation as an interested party; or		
(ii) Will be speaking on behalf of an interested party.		
2. MINUTES		3 - 24
To confirm the minutes of the meetings of Licensing Applications Sub-Committee 1 held on 18 June 2019 and Licensing Applications Sub-Committee 2 held on 6 June 2019, 27 June 2019 and 4 July 2019 as a correct record.		
3. APPLICATION FOR THE REVIEW OF A CLUB PREMISES CERTIFICATE - READING & DISTRICT IRISH CLUB	ABBEY	25 - 134
To consider an application for the review of a Club Premises Certificate in respect of Reading & District Irish Club, 96 Chatham Street, Reading, RG1 7HT.		
4. ADDITIONAL INFORMATION	ABBEY	135 - 148

CIVIC OFFICES EMERGENCY EVACUATION: If an alarm sounds, leave by the nearest fire exit quickly and calmly and assemble on the corner of Bridge Street and Fobney Street. You will be advised when it is safe to re-enter the building.

Additional information relating to agenda item 3, submitted by Thames Valley Police on 16 July 2019.

Present: Councillors Edwards (Chair) and Grashoff.

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - PAL FOOD & WINE

The Head of Planning, Development and Regulatory Services submitted a report on an application for a review of Premises Licence in respect of Pal Food & Wine, 397 Oxford Road, Reading, RG30 1HA. The application for review had been submitted by the Chief Inspector of Weights and Measures, in its capacity as a named responsible authority, following a combination of criminal activity including the sale of illegal alcohol and tobacco and a number of licence condition breaches uncovered during inspections of the premises.

The application sought for the Premises Licence to be revoked as the only appropriate and proportionate step to promote the licensing objectives and safeguard the public.

A copy of the review application was attached to the report at Appendix I. This set out details of the breaches of condition and criminal activity which had been observed during inspections carried out on 31 March 2014, 3 September 2014, 11 September 2014, 3 November 2014, 1 May 2015, 17 February 2017, 24 July 2017, 1 October 2018, 26 February 2019, 14 March 2019 and 1 April 2019.

The report stated that representations had been received from Thames Valley Police and the Reading Borough Council Licensing Team, which were attached to the report at Appendices II and III respectively.

The report stated that the Premises Licence Holder was Mr Aman Singh Chopra. The current Premises Licence, a copy of which was attached to the report at Appendix IV, permitted the following:

Hours for the Sale by Retail of Alcohol

Monday to Sunday	0600 hours until 2300 hours
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Hours the Premises are Open to the Public

Monday to Sunday	0600 hours until 2300 hours
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A plan showing the location of the premises and surrounding streets was attached to the report at Appendix V.

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

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

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 6 JUNE 2019

The report stated further that in determining the application the Licensing Authority must also have regard to the representations received, the Licensing Authority's statement of licensing policy and any relevant section of the statutory guidance to licensing authorities. Further, in determining the application the Licensing Authority could take such of the following steps as it considered appropriate for the promotion of the licensing objectives:

- Take no further action
- To 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 licence 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 1.5, 1.7, 1.8, 9.12, 9.13, 9.31, 9.38, 9.42, 9.43, 11.1, 11.2, 11.6, 11.10, 11.16 to 11.18 and 11.24 to 11.28 of the Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018). The report also set out paragraphs 1.5, 7.15.1, 10.5.1, 15.1.1 and 15.3.1 of the Council's Statement of Licensing Policy and paragraph 10.7.1 was read out during the hearing.

Mr A S Chopra, the Designated Premises Supervisor and the Premises Licence holder, and his representatives Mr Surendra Panchal and Mr Tom Griffiths, were present at the meeting and addressed the Sub-Committee. Mr Griffiths proposed that the licence be suspended for a period of not more than three months, and that a new Designated Premises Supervisor be appointed, taking over management of the shop floor and the acquisition and sale of alcohol and tobacco products.

Ian Savill, Principal Trading Standards Officer, Jean Champeau, Senior Licensing Enforcement Officer, and Declan Smyth, Thames Valley Police, were present as Responsible Authorities and addressed the Sub-Committee. Peter Narancic, Senior Licensing and Enforcement Officer, presented the report at the meeting.

Resolved -

That having reviewed the Premises Licence in respect of PAL Food and Wine, 397 Oxford Road, Reading and having had regard to the four licensing objectives, the oral and written representations made, the Secretary of State's guidance as set out in the report and the Council's Statement of Licensing Policy as set out in the report, the Sub-Committee concluded that it would be appropriate and proportionate to revoke the Premises Licence due to:

- (a) the alleged offences of having illegal alcohol and tobacco/cigarettes on the premises which was deemed to be so serious a matter by the Sub-Committee so as to warrant the revocation of the Premises Licence;

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 6 JUNE 2019

- (b) It being clear during the hearing that the Premises Licence Holder had not promoted the four licensing objectives, especially in relation to Crime and Disorder objective as he had not adhered to the conditions placed on his Licence;
- (c) Other conditions which had also not been complied with including: Challenge 25; failure to train staff and maintain the required training records; and several test purchase failures. This being the position even when there had been several inspections by Trading Standards, giving the Premises Licence Holder the opportunity to make the required improvements;
- (d) that mentioned by the Premises Licence Holder at the hearing. As he had a bag full of invoices suggesting that these would account for the illegal alcohol, tobacco/cigarettes found on the premises, but neither the invoices or the explanation given by the Premises Licence Holder appeared credible;
- (e) The Premises Licence Holder's representative had proposed a suspension of the licence and a new Designated Premises Supervisor, but the Sub-Committee was not satisfied that this proposal would serve to promote the four Licensing Objectives as the Premises Licence Holder had had ample time to correct the situation and to date had done nothing different to seek to promote the Objectives.

3. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - FARMHOUSE PIZZA

The Head of Planning, Development and Regulatory Services submitted a report on an application by SAN INT Trading Ltd for the grant of a Premises Licence in respect of Farmhouse Pizza, 435 Oxford Road, Reading, RG30 1HD. The report explained that in April 2019 the Licensing Team had discovered that the previous Premises Licence, Farmhouse Pizza Reading 1 Limited, had been dissolved on 30 October 2018. The premises had therefore been operating illegally since then due to the failure to transfer the licence to another person within the stipulated 28 days.

A copy of the application form was attached to the report at Appendix PN-1. As stated in the report, the application was seeking the following:

Late Night Refreshment (Indoors)

Monday to Thursday from 2300hrs until 0200hrs
Friday to Sunday from 2300hrs until 0300hrs

Hours Open to the Public

Monday to Thursday from 0900hrs until 0200hrs
Friday to Sunday from 0900hrs until 0300hrs

The report stated that, during the 28-day consultation process for the application, representations had been received from the Reading Borough Council Licensing Team, Thames Valley Police, Reading Borough Council Planning and Environmental Protection Teams, which were attached to the report at Appendices PN-2, PN-3, PN-4 and PN-5 respectively.

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 6 JUNE 2019

A plan showing the location of the premises and surrounding streets was attached to the report at Appendix PN-6.

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

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

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

The report set out paragraphs 1.5, 8.41-8.49, 9.4, 9.8-9.9, 9.11-9.13, and 14.63-14.64 from the Secretary of State's guidance issued under Section 182 of the Licensing Act 2003 (April 2018) and paragraphs 2.1-2.7, 3.2-3.4, 6.1-6.2, 6.19-6.23, 7.1-7.7, 7.12, 7.16-7.17, 8.16, 9.1-9.3, 9.6-9.7 from the Council's Statement of Licensing Policy (October 2018).

Mr Sohail Anwar on behalf of the Applicant SAN INT Trading Ltd and his representative, Mr Colin Alborough, attended the meeting and addressed the Sub-Committee on the application and responded to questions.

Jean Champeau, Senior Enforcement Licensing Officer, Rebecca Moon, Senior Environmental Health Officer and Elizabeth Senyah, Environmental Health Officer, Reading Borough Council and Declan Smyth, Licensing Officer, Thames Valley Police, were present as Responsible Authorities and addressed the Sub-Committee on their representations regarding the application as stated in the report. Peter Narancic Senior Licensing and Enforcement Officer was also present to present the report.

At the hearing Declan Smyth reported that Thames Valley Police had proposed amended opening hours to 0100hrs Monday to Sunday, with amended conditions, including the granting of appropriate planning consent, and that if the applicant agreed to these, Thames Valley Police would be prepared to withdraw their representations. Peter Narancic provided made copies of the amended conditions available at the meeting.

Resolved:

- (1) That, in order to promote the four licensing objectives and having regard to the oral and written representations made, the Secretary of State's guidance and the Council's Statement of Licensing Policy, the application in respect of Farmhouse Pizza, 435 Oxford Road, be granted, subject to the appropriate Planning Consent being granted and the amended opening hours and conditions agreed at the hearing.
- (2) The Sub-Committee had arrived at this condition as the Sub-Committee was confident that the applicant would take all measures to secure planning consent prior to opening until 0100hrs as failure to do so would be a breach of this licence.

4. EXCLUSION OF PRESS AND PUBLIC

Resolved: “That, pursuant to Section 100A of the Local Government Act 1972 (as amended) members of the press and public be excluded during consideration of Item 5 below, as it was likely that there would be disclosure of exempt information as defined in paragraphs 3 and 6B of Part 1 of Schedule 12A of that Act.

5. APPEAL DECISION REVIEW

The Executive Director of Economic Growth and Neighbourhood Services submitted a report which presented the history of the premises known as Miah’s Garden of Gulab, 130-134 Wokingham Road, Reading, RG6 1JL detailing the review and revocation of the premises licence by the Licensing Applications Committee and appeal in the Magistrates’ Court and the proposed settlement offer.

Resolved:

- (1) That the history of this premises licence and proposed offer of settlement from the premises licence holder be noted;
- (2) That the Council continue to defend the decision to revoke the Premises Licence;
- (2) That the Principal Licensing and Enforcement Officer be authorised to respond in writing confirming the Council’s decision to continue with the Appeal proceedings.

(The meeting started at 9.30am and finished at 12.47pm)

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LICENSING APPLICATIONS SUB-COMMITTEE 1 MINUTES - 18 JUNE 2019

Present: Councillors Edwards (Chair), Carnell and Woodward.

1. MINUTES

The Minutes of the meetings of Licensing Applications Sub-Committee 2 held on 18 April 2019 and 9 May 2019 were confirmed as correct records and signed by the Chair.

2. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - AFTER DARK NITE CLUB

The Assistant Director Planning, Transport and Regulatory Services submitted a report on an application by Reading Borough Council's Environmental Protection and Nuisance Team for the review of the Premises Licence in respect After Dark Nite Club, 112 London Street, Reading, RG1 4SJ.

The report stated that the Environmental Protection and Nuisance Team had submitted the review of the Premises Licence due to the licence holder failing to uphold the licensing objective of the prevention of public nuisance, due to continued music noise at unacceptable levels and beyond the licensed hours, despite the serving of a Noise Abatement Notice on 10 November 2017. The report also detailed a lack of licensing compliance, as the premises licence holder had failed to provide a noise report within the requested timescale, had not demonstrated use of best practice procedures and no evidence that the licensing objectives had been actively promoted.

The application sought for either:

- (a) the Premises Licence to be revoked; or
- (b) No live or recorded music to be permitted at the premises

A copy of the review application was attached to the report at Appendix PN1.

The report stated that representations in support of the review of the licence had been received from Reading Borough Council Licensing Team, Thames Valley Police and an interested party, which were attached to the report at Appendices PN2, PN3 and PN4 respectively.

The Premises Licence was attached to the report at Appendix PN5. The Premises Licence had permitted the following:

Hours for the Performance of Live Music

Monday to Sunday	1100 hours until 0200 hours
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Hours for the Playing of Live Music

Monday to Sunday	1100 hours until 0200 hours
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Hours for the Performance of Dance

Monday to Saturday	1100 hours until 0200 hours
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Hours for anything similar to Live Music, Recorded Music and the Performance of Dance

Monday to Sunday	1100 hours until 0200 hours
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LICENSING APPLICATIONS SUB-COMMITTEE 1 MINUTES - 18 JUNE 2019

Hours for the Provision of Late Night Refreshment

Monday to Sunday 2300 hours until 0200 hours

Hours for the Sale by Retail of Alcohol (On and Off the Premises)

Monday to Sunday 1100 hours until 0200 hours

Hours for the Premises is Open to the Public

Monday to Sunday 1100 hours until 0230 hours

Additional and late paperwork was presented to the Sub-Committee. The Sub-Committee decided to take the following items into account when it considered the application for Review:

- Appendices 1-5 for the Police representations set out at PN3;
- Acoustic report on the After Dark Nite Club commissioned by Mr Zahid Khan: and
- The Environmental Protection and Nuisance team's response to the Acoustic report.

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

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

The report stated further that in determining the application the Licensing Authority must also have regard to the representations received, the Licensing Authority's statement of licensing policy and any relevant section of the statutory guidance to licensing authorities. Further, in determining the application the Licensing Authority could take such of the following steps as it considered appropriate and proportionate for the promotion of the licensing objectives:

- Take no further action;
- To 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 licence 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 1.2 to 1.5, 1.7 to 1.8, 9.11 to 9.13, 9.31, 9.38 to 9.39, 9.42 to 9.43, 11.1 to 11.2 and 11.16 to 11.18 of the Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018). The report also set out paragraphs 1.5 to 1.6, 2.19, 3.2, 3.7, 4.15, 7.1 to 7.2, 7.4 to 7.12, 9.12 to 9.13, 9.16, 9.18, 9.20 and

LICENSING APPLICATIONS SUB-COMMITTEE 1 MINUTES - 18 JUNE 2019

9.21 of the Council's Statement of Licensing Policy. The report also referenced the relevant case law of East Lindsey District Council v Abu Hanif (2016).

Mr Zahid Khan, the premises Licence Holder, John Berry, Mrs Khan's solicitor and Mr Abdul Halim Khan, the premises landlord, were present at the meeting and addressed the Sub-Committee.

Rebecca Moon, Senior Environmental Health Officer, Clyde Masson, Principal Licensing Officer and Declan Smyth and Simon Wheeler, Thames Valley Police, were present at the meeting and addressed the Sub-Committee. Peter Narancic, Senior Licensing Enforcement officer, also attended the meeting

Resolved -

That having reviewed the Premises Licence in respect of the After Dark Nite Club, 112 London Street, Reading and having had regard to the four licensing objectives, the oral and written representations made, the Secretary of State's guidance as set out in the report and the Council's Statement of Licensing Policy as set out in the report, the Sub-Committee concluded that it would be appropriate and proportionate to revoke the Premises Licence due to:

- (a) Three breaches of the Noise Abatement Notice served on 10 November 2017 and complaints of noise reported to the Council;
- (b) Breaches of the conditions placed on the Licence including failure to maintain proper records, failure to install a noise limiter and operation outside the licensed hours;
- (c) The incidents of violence within the premises and disorder outside the premises;
- (d) The Sub-Committee had no confidence that the premises could be operated and compliant with the four licensing objectives in the future;
- (e) The Sub-Committee believed that revocation of the Premises Licence was the only guaranteed way available to it to safeguard members of the public.

3. APPLICATION FOR THE GRANT OF A TEMPORARY EVENT NOTICE - AFTER DARK NITE CLUB

This application was withdrawn by the applicant at the meeting and not considered.

(The meeting started at 5.00pm and finished at 7.55pm)

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Present: Councillors Edwards (Chair), Grashoff and Woodward

6. DECLARATIONS OF INTEREST

There were no declarations of interest.

7. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - BEST ONE

The Head of Planning, Development and Regulatory Services submitted a report on an application for a review of Premises Licence in respect of Best One, 1a Nire Road, Caversham, Reading, RG4 5LT. The application for review had been submitted by the Chief Inspector of Weights and Measures, in its capacity as a named responsible authority, following a combination of underage alcohol sales and licensing condition breaches.

The application sought for the Premises Licence to be revoked as the only appropriate and proportionate step to promote the licensing objectives and safeguard the public.

A copy of the review application was attached to the report at Appendix PN-1. This set out details of the breaches of condition and underage alcohol sales which had been observed during inspections carried out on 25 October 2018, 18 February 2019 and 20 March 2019.

The report stated that representations had been received from Thames Valley Police and the Reading Borough Council Licensing Team, which were attached to the report at Appendices PN-2 and PN-3 respectively. Information provided by the Premises Licence Holder was attached at Appendix PN-4 and letters of support from local residents were attached at Appendix PN-5

The report stated that Mr Tajender Singh Parmar was the Premises Licence Holder and the Designated Premises Supervisor. The current Premises Licence, a copy of which was attached to the report at Appendix PN-6, permitted the following:

Hours for the Sale by Retail of Alcohol

Monday to Saturday	0800 hours until 2300 hours
Sunday	0800 hours until 2230 hours
Good Friday	0800 hours until 2230 hours
Christmas Day	1200 hours until 1500 hours, and 1900 hours until 2230 hours.

A plan showing the location of the premises and surrounding streets was attached to the report at Appendix PN-7.

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

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

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 27 JUNE 2019

- The prevention of public nuisance;
- The protection of children from harm.

The report stated further that in determining the application the Licensing Authority must also have regard to the representations received, the Licensing Authority's statement of licensing policy and any relevant section of the statutory guidance to licensing authorities. Further, in determining the application the Licensing Authority could take such of the following steps as it considered appropriate for the promotion of the licensing objectives:

- Take no further action;
- To 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 licence 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 1.2 to 1.5, 1.7 to 1.12, 5.3 to 5.4, 9.11 to 9.13, 9.31, 9.38, 9.42, 9.43, 10.26 to 10.35, 11.1, 11.2, 11.6, 11.10, 11.16 to 11.18 and 11.24 to 11.26 of the Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018). The report also set out paragraphs 1.2 to 1.6, 3.2, 8.17, 8.18, 9.1 to 9.13, 9.15, 9.16, and 9.18 to 9.21 of the Council's Statement of Licensing Policy.

Mr T S Parmar, the Designated Premises Supervisor and the Premises Licence holder and his representative Mr Surendra Panchal were present at the meeting and addressed the Sub-Committee.

Matthew Golledge, the Trading Standards and Coroners Manager, Tessa Brunsden, Community Alcohol Partnership Officer and Jean Champeau, Senior Licensing Enforcement Officer were present as Responsible Authorities and addressed the Sub-Committee. Peter Narancic, Senior Licensing and Enforcement Officer, presented the report at the meeting.

Resolved -

- (1) That having reviewed the Premises Licence in respect of Best One, 1a Nire Road, Caversham, Reading and having had regard to the four licensing objectives, the oral and written representations made, the Secretary of State's guidance as set out in the report and the Council's Statement of Licensing Policy as set out in the report, the Sub-Committee concluded that it would be appropriate and proportionate to suspend the Premises Licence for a period of one

month and to attach conditions to the Premises Licence. The suspension was to allow the Premises Licence Holder time to implement the practices and procedures in order to uphold the licensing objectives;

- (2) That the following additional conditions be attached to the Premises Licence:

CCTV

- (a) 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. There shall be at least one camera positioned at each entry and exit point to monitor any external areas to the premises. This includes any areas designated for tables and chairs and/or a designated smoking area. 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. Recorded images shall be of such quality as to be able to identify the recorded person in any light. At least one member of staff on the premises at any time during operating hours shall be trained to access and download material from the CCTV system.
- (b) Signs shall be placed in prominent positions on the premises notifying customers that CCTV is in operation.

INCIDENT REGISTER

All incidents which impact on any of the four licensing objectives shall be recorded in a register kept at the premises for this purpose. The names of the person recording the incident and those members of staff who deal with any incident shall also be recorded. Where known, any offenders name shall also be recorded;

- (a) This record shall be available for inspection by a Police Officer or an authorised officer of Reading Borough Council upon request and shall be retained for one year. The record shall be signed off by the DPS or nominated representative at the end of each trading session;
- (b) A weekly review of the incident register shall also be carried out by the DPS.

STAFF TRAINING

Staff employed to sell alcohol shall undergo training upon induction. This shall include, but not be limited to:

- The premises age verification policy
- The law relating to underage sales
- 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
- Identifying signs of drug usage and prevention
- The four licensing objectives

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.

STAFF TRAINING

- a) The Premises Licence Holder shall ensure that all staff employed in the sale of alcohol shall be trained in their responsibilities and a record of their training shall be maintained. Such training shall include, but not be limited to, how to retail alcohol in accordance with the premises age verification policy; how and when to refuse service of alcohol and identifying signs of intoxication and proxy purchasing. Refresher training shall be carried out every six months and documented. These records shall be made available to an authorised officer of Thames Valley Police or an authorised officer of Reading Borough Council.
- b) Staff authorised to sell alcohol shall be accredited to BII Level 1 Award in Responsible Alcohol Retailing (ARAR) or any other similarly nationally recognized approved accreditation curriculum within four weeks for existing and subsequent employees.

AGE VERIFICATION

- a) The premises shall at all times operate an age verification policy of at least Challenge 25 to prevent any customers who appear to staff members to be under the age of 25 years from purchasing alcohol without having first provided identification. Only a valid driver's licence showing a photograph of the person, a valid passport, national identity card or proof of age card showing the "PASS" hologram are to be accepted as identification. Notices advertising the Challenge 25 and proof of age policies shall be displayed in prominent positions on the premises.
- b) The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.

REFUSAL BOOK

All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). The log shall contain:

- Details of the time and date the refusal was made;
- The identity of the staff member refusing the sale;
- Any detail or description of the person refused and the reason why

This book /register will be available for inspection by a Police Officer or authorised officer of Reading Borough Council upon request.

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Present: Councillors Edwards (Chair), Grashoff and Rowland

8. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - AVENUE FOOD & WINE

The Assistant Director Planning, Transport and Regulatory Services submitted a report on an application by Ilmeet Kaur Chopra for the grant of a Premises Licence in respect of Avenue Food & Wine, 92 Northcourt Avenue, Reading, RG2 7HQ.

A copy of the application form and location plan was attached to the report at Appendix JC1.

The report stated that during the 28-day consultation period, representations and a petition had been received from local residents, which were attached to the report at Appendix JC2 and JC3 respectively.

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

Hours for the Sale of Alcohol (off the premises)

Monday to Sunday 0700 hours until 2400 hours

Opening Hours

Monday to Sunday 0700 hours until 2400 hours.

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

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

The report also stated that any conditions placed on the premises licence should be appropriate and proportionate with a view to promoting the licensing objectives and that the Licensing Authority could grant (subject to appropriate conditions to promote the licensing objectives), amend, alter or refuse an application should it be deemed appropriate for the promotion of the licensing objectives. The Council's Licensing Policy also placed an onus on applicants who wished to open past 2300hrs to demonstrate how they would mitigate the issues of crime and disorder and potential public nuisance.

The report set out paragraphs 2.11, 2.13, 7.6 and 7.13. of the Council's Statement of Licensing Policy. The report also set out paragraphs 9.42 to 9.43, 10.4 to 10.5, 10.15, 10.27 to 10.28 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2018.

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 4 JULY 2019

Ms Ilmeet Kaur Chopra, the applicant and her representative Mr Surendra Panchal were present at the meeting and addressed the Sub-Committee. Mr Panchal explained that the applicant wished to amend the licensed hours to the following:

Hours for the Sale of Alcohol (off the premises)

Monday to Sunday 0800 hours until 2200 hours

Opening Hours

Monday to Sunday 0800 hours until 2200 hours.

Simone Illger, Bob Castledijn and Pamela Brain were present and addressed the Sub-Committee on their representations regarding the application as stated in the report.

Jean Champeau, Senior Licensing Enforcement Officer, presented the report at the meeting.

Resolved -

That, in order to promote the four licensing objectives and having regard to the oral and written representations made, the Secretary of State's guidance issued under section 182 of the Licensing Act 2003 (April 2018), the Council's Statement of Licensing Policy, the application for the grant to a Premises Licence in respect of Avenue Food & Wine, 92 Northcourt Avenue, Reading, RG2 7HQ, be granted to permit:

Hours for the Sale of Alcohol (off the premises)

Monday to Sunday 0800 hours until 2200 hours

Opening Hours

Monday to Sunday 0800 hours until 2200 hours

and that the following conditions shall apply:

- (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 CCTV. There shall be at least one camera positioned at each entry and exit point to monitor any external areas to the premises. Data recordings shall be made available to an authorised officer of Thames Valley Police or Reading Borough Council together with facilities for viewing upon request. Recorded images shall be of such a quality as to be able to identify the recorded person in any light. At least one member of staff on the premises at any time during operating hours shall be trained to access and download material from the CCTV system;

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 4 JULY 2019

- (2) Signage shall be placed in prominent positions on the premises notifying customers that CCTV is in operation;
- (3) The premises shall at all times operate an age verification policy of at least Challenge 25 to prevent any customers who appear to staff members to be under the age of 25 years from purchasing alcohol without having first provided identification. Only a valid driver's licence showing a photograph of the person, a valid passport, national identity card or proof of age card showing the 'Pass' hologram are to be accepted as identification. The age verification policy shall be in written form and displayed in a prominent position;
- (4) Notices advertising the Challenge 25 and proof of age policies shall be displayed in prominent positions on the premises;
- (5)
 - (a) 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 Officers 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 members refusing the sale;
 - Details of the alcohol the person attempted to purchase;

This book/register shall be available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police. A four-weekly review of the refusals 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. the prevention of public nuisance;
 - iv. the protection of children from harm;
- (9) All incidents which impact on any of the four licensing objectives shall be recorded in a register kept at the premises for this purpose. The names of the person recording the incident and those members of staff who deal with any incident shall also be recorded. Where known, any offender's name shall also be recorded;
 - (a) This record shall be available for inspection by a police officer or an authorised officer of Reading Borough Council upon request and shall be retained for one year. This record shall be signed off by the Designated Premises Supervisor or nominated representative at the end of each trading session;
 - (b) A weekly review of the incident register shall also be carried out by the Designated Premises Supervisor;
- (10) The Premises Licence Holder shall implement a policy to actively disperse customers from the premises and the immediate vicinity. The policy must be in written format and made available for inspection to authorised officers of the licensing authority and Police. All members of the staff shall be trained in this policy.
- (11) 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;
- (12)
 - (a) The Premises Licence holder shall not sell super strength beer, lager or cider with an alcohol content of 5.5% 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 microbrewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with an alcohol content of 5.5% ABV or greater;
 - (b) No single cans or bottles of alcopops, beer, lagers or ciders shall be sold; and they should only be sold in multiples of four;

- (13) Spirits (with the exception of spirit mixers and pre-mixed spirit drinks) shall be located behind the counter;
- (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 Licence holder shall actively participate in initiatives set up by the Police, the licensing authority or local Pubwatch where available, and including initiatives to tackle drunken behaviour and street drinking;
- (16) (a) An adequate number of waste receptacles for use by patrons shall be provided in positions agreed with the licensing authority and it shall be the responsibility of the licensee to empty and dispose of the collected refuse at a frequency to be agreed with the licensing authority;
- (b) The immediate vicinity outside of the premises and in any external areas associated with the premises shall be kept clear of litter;
- (17) 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 alcohol products purchased in the preceding three months. All alcohol products shall only be purchased from outlets registered with HMRC's Alcohol Wholesale Registration Scheme;
- (18) A current written authorisation list shall be displayed in a prominent position on the premises confirming details of all current staff that have been authorised to sell alcohol by a Personal Licence Holder. The authorisation list shall include the name of the staff member authorised and the name and personal licence details of the person authorising them to sell alcohol. The list shall also contain the date and signature of the staff member authorised and be countersigned by the authorising Personal Licence Holder;

- (19) A Section 57 notice shall be displayed in a prominent position detailing the location of the Part A of the premises licence and a list of staff members that have an awareness of its location and content.

LICENSING ACT 2003 HEARING ON THURSDAY 25th July 2019 @ 0930HRS

APPLICATION FOR THE REVIEW OF A CLUB PREMISES CERTIFICATE

1. Premises:

Reading and District Irish Club
96 Chatham Street 112 London Street
Reading

2. Applicants Requesting Review:

Chief Constable of the Thames Valley Police

3. Grounds for Review

The application is for the review of a club premises certificate in respect of the above mentioned premises. The application has been submitted by Thames Valley Police who are a named responsible authority in the Licensing Act 2003 in regard to the Premises Licence holder's failure to prevent illegal sales of alcohol, handling stolen goods and public disorder.

4. Date of receipt of application: 06th June 2019

A copy of the review application received is attached at [Appendix JC-1](#)

5. Date of closure of period for representations: 04 July 2019

6. Representations received:

During the 28 day consultation period, representations were received in regard to this review application from:

Reading Borough Council Licensing Team. Shown at [Appendix JC-2](#)
Letter from The Hibernian Society Shown at [Appendix JC-3](#)

7. Background

This well known premises located on chatham street in the town centre.

The premises currently has the benefit of a club premises certificate for the activities and hours detailed below: A copy of the current licence is attached at [Appendix JC-4](#)

The times the club premises certificate authorises the carrying out of licensable activities

Hours for the supply of alcohol for Members & Guests

Monday to Saturday from 1100hrs until 0200hrs

Sunday 1200hrs until 0100hrs

Hours for the Performance of Live Music

Monday to Saturday from 1100hrs until 0200hrs

Sunday 1200hrs until 0100hrs

Hours for the Playing of Recorded Music

Monday to Saturday from 1100hrs until 0200hrs

Sunday 1200hrs until 0100hrs

Hours for the Performance of Dance

Monday to Saturday from 1100hrs until 0200hrs

Sunday 1200hrs until 0100hrs

Hours for the Provision of facilities for making Music

Monday to Saturday from 1100hrs until 0200hrs

Sunday 1200hrs until 0100hrs

Hours for the Provision of facilities for Dancing

Monday to Saturday from 1100hrs until 0200hrs

Sunday 1200hrs until 0100hrs

8. Licensing Objectives and Reading Borough Council's Licensing Policy Statement

In determining this application 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

In determining this application the Licensing Authority must also have regard to the representations received, the Licensing Authority's statement of licensing policy and any relevant section of the statutory guidance to licensing authorities.

9. Power of Licensing Authority on the determination of a Review

In determining the application the sub-committee can take such of the steps as it considers appropriate for the promotion of the licensing objectives, which are:

1. take no further action
2. to exclude a qualifying club activity from the scope of the certificate
3. modify the conditions on the certificate
4. suspend the certificate for a period not exceeding three months
5. withdraw the certificate

Where the sub-committee takes a step mentioned in 2 or 3 it may provide that the

modification or exclusion is to have effect for a period not exceeding three months or permanently.

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

Licensing objectives and aims

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

1.3 The licensing objectives are:

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

1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

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;

Purpose

1.7 This Guidance is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

1.8 The police remain key enforcers of licensing law. This Guidance does not bind police officers who, within the parameters of their force orders and the law, remain operationally independent. However, this Guidance is provided to support and assist police officers in interpreting and implementing the 2003 Act in the promotion of the four 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.

Determining actions that are appropriate for the promotion of the licensing objectives

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

The Review process

11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.

11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.

Powers of a licensing authority on the determination of a review

11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring

improvement - either orally or in writing - that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.

Reading Borough Council Licensing Policy Statement (2018)

1.5 This licensing policy aims to make Reading's night time economy an economy for all. A diverse range of responsibly run premises are to be encouraged. The licensing authority wishes to discourage drunkenness and a move away from alcohol led vertical drinking establishments. We would expect responsibly run premises to actively promote the licensing objectives through promoting extra seating at their premises; instigating effective dispersal from their premises at the conclusion of licensable activities and engagement with the licensing authority and other responsible authorities in policies, initiatives and strategies that promote Reading as a safe, healthy, diverse and vibrant night time economy suitable for all.

1.6 The predominantly urban nature of Reading as a town means that an appropriate balance needs to be struck between the needs of local business and the needs of local residents. This licensing policy seeks to encourage all stakeholders to engage in the licensing process so that the needs of all can be taken into account and issues dealt with in a spirit of partnership and cooperation.

Crime and Disorder Act 1998

3.2 This Act requires local authorities and other bodies to consider crime and disorder reduction. Section 17 of the Act states that it shall be the duty of each authority, to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that is reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment). This links specifically with the licensing objective of prevention of crime and disorder and the licensing authority will take into account all reasonable measures that actively promote this licensing objective.

Enforcement Approach

9.12 Where offences are found to have been carried out on licensed premises, the Authority has a number of enforcement options available to it. The Authority will work with partner agencies to determine which enforcement option is appropriate for the promotion of the licensing objectives. The seriousness of the offences found will be taken into consideration as well as any previous issues of non-compliance or criminality that have taken place at the licensed premises.

9.13 The enforcement options available to the Authority are wide-ranging. The Authority may consider, for example, that a letter detailing the issues found during an inspection followed by a period of time to rectify them is sufficient to promote the licensing objectives. Similarly, the Authority may consider that the

breaches are sufficiently serious to warrant an immediate performance meeting with a licence holder so that a discussion can take place about the adequacy of the processes in place at the premises. This could, for example, lead to recommendations being put to the licence holder to implement much more robust conditions and processes to avoid a repeat of the breaches found. The authority may also decide to prosecute relevant persons for offences being carried out on licensed premises. Licence holders should note that the authority can take one or more of these options available to it at the same time for the same offences should it be deemed appropriate to do so.

9.15 Licensed premises that have a history of non-compliance over a period of months and years and/or incidents of serious crime taking place at that premises, will likely find that the Authority will initiate a review with a view to asking for the licence to be considered for revocation.

9.16 When considering what enforcement action to take, the Authority will always consider what is the most appropriate and proportionate step to promote the licensing objectives. The Authority is not required to wait for offences to occur before deciding it needs to take appropriate action. Case law - notably *East Lindsey District Council v Abu Hanif* - states that the promotion of the licensing objectives requires a prospective consideration of what is warranted in the public interest having regard to the twin considerations of prevention and deterrence. Similarly, the Secretary of State's Guidance to the Licensing Act makes clear that there is no requirement for the Authority to wait for the outcome of any criminal proceedings before it initiates any enforcement action. This is the approach that the Authority will take when considering what, if any, action should be taken when condition breaches and other criminal activity is found at licensed premises.

9.18 Any responsible authority or person defined as 'any other person' within the Act can initiate a review of any premises licence or club premises certificate. When another responsible authority or other person initiates a review, the Authority will deal with it as the Licensing Authority and may also wish to make representation in support of the review within its role as a responsible authority if it has relevant information.

9.20 The Authority shall endeavour to work with licence holders and applicants where it is believed that steps can be taken to rectify issues identified at licensed premises. However it can not merely continue that approach if it has previously failed or the licence holder is unresponsive. It is the responsibility of all licence holders and responsible authorities to ensure that licensed premises are not undermining the promotion of the licensing objectives and that licensable activity is carried out lawfully. The Authority will work with partners to determine what action is appropriate for each premises where issues are discovered. Each premises and the action required for each will be assessed on its own individual merits.

9.21 The Council, in determining a review application can take the following steps in order to promote the licensing objectives:

- modify the conditions on the licence
- 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 premises licence

Relevant Case law for consideration

(R) on the application of Hope and Glory Public House v Westminster City Council (2011) EWCA Civ31

East Lindsey District Council v Abu Hanif (2016)

Classification: OFFICIAL

Reading Borough Council

Application for the review of a premises licence or club premises certificate 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 PC 5787 Simon Wheeler on behalf of The Chief Constable of the Thames Valley Police
(Insert name of applicant)

apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Reading District Irish Association 96 Chatham Street	
Post town Reading	Post code (if known)
Name of premises licence holder or club holding club premises certificate (if known)	
Reading District Irish Association	
Number of premises licence or club premises certificate (if known)	
LP4000016	

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates (please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

☐

Mrs

☐

Miss

☐

Ms

☐

Other title

(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address PC 5787 Wheeler on behalf of the Chief Constable of Thames Valley Police Reading Police Station Castle Street Reading Berkshire RG1 7TH
Telephone number (if any) 101
E-mail address (optional) Simon.wheeler@thamesvalley.pnn.police.uk

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

Thames Valley Police (TVP) as a responsible authority under the Licensing Act 2003 and under the objectives of prevention of crime and disorder, public safety, protection of children from harm and public nuisance make application for the review of Club Premises Certificate LP4000016 relating to Reading District Irish Association.

On 5th June 2019 Thames Valley Police carried out an inspection of the club premises certificate having entered under Section 180 of the Licensing Act 2003 after discovering the club premises entrance to be open to the public and raising the belief that the club was not operating on a private basis catering only for members and guests.

On entry no membership or guest register for signing in members was visible or appeared in operation and fifty percent of the persons consuming alcohol within the club were discovered to be members of the public and not members or guests of members.

During the consequent inspection a number of serious concerns were identified that the club premises was failing to support the licensing objectives, and the sale of alcohol to members of the public continued to take place even when the Chairman had been made aware of the offences that the club had been found committing by selling alcohol to non-members who were not guests of members.

This has been compounded by a number of incidents of disorder at the club over the past three years, intelligence suggesting the handling of stolen goods may be taking place within the club premises and a history of reluctance to provide details of incidents or support police proceedings when disorders have occurred.

Please provide as much information as possible to support the application (please read guidance note 3)

Reading District Irish Association is situated at 96 Chatham Street, Reading and benefits from a Club Premises Certificate including a number of qualifying club activities from 1100 hours till 0200 hours 7 days per week and the supply of alcohol for members & guests from 1100 until 0200 on Monday to Saturday and 1200 till 0100 on Sunday.

Thames Valley Police are applying for the review of this Club Premises Certificate in order to ensure that the licensing objectives are not undermined. The Committee have been found to be failing to comply with the requirements of the Licensing Act 2003 and offences have been committed whereby the sale of alcohol was found to be taking place to persons other than members or guests of members.

Furthermore, the Chairman Seamus McCadden and Brendon Healey both admitted that the sale of alcohol to non-members or guests had been taking place for a number of years and no guest records or member signing in records were being kept.

Mr McCadden was advised by Police Officers and a licensing enforcement officer from Reading Borough council that offences were actively being committed and that a voluntary closure to ensure that unlicensable sale of alcohol does not continue.

Unfortunately Mr McCadden refused the advice and allowed non-members and non-guests to remain within the club premises; refused to close the club and ensured that members of the public were able to purchase alcohol. Members of the public were seen by Officers to actively purchase and be sold alcohol after the advice had been given.

A number of other incidents over recent years have also taken place at the Club which cast doubt over the processes being undertaken at this location which provide serious concern with regards to the ability of the Committee to ensure that the licensing objectives are upheld.

Below is a chronology to provide a history of issues at the club many of which we believe fully support the concerns of Thames Valley Police and requirement for this review, and all of which have taken place under the auspices of the current committee.

19th March 2013 – A letter was sent to a member of the committee by Jean Champeau from Reading Borough Council warning that there were already concerns that the club were operating as a premise open to the general public and outlining the restrictions placed upon them to comply with the requirements of a club certificate.

Interestingly the exact concerns spelt out within this letter were clearly not addressed as during the visit on 5th June 2019 the self-same issues were evidenced; in effect the club was operating as a premises open to the general public and clearly had been for a number of years. (SEE APPENDIX TVP 16A)

29th April 2016 00:26 hours– A large disorder took place within the club involving 40-50 persons, leading to four persons with injuries; one of who, received a broken jaw. Officers note smashed bottles and glass were observed within the club and they believed that there had been insufficient door supervisors employed to deal with the numbers of people and an incident of this nature. (SEE APPENDIX TVP 1 & 2)

15th October 2016 22:15 hours – Large disorder involving 30 persons fighting dressed in fancy dress who had been in attendance at the Irish club who ended up fighting in the street and throwing glass bottles. (SEE APPENDIX TVP 3)

12th November 2016 00:57 hours – Police received a report of 10-15 persons fighting within the club. On arrival staff were mopping blood from the floor and officers record that they believed the

staff were knowingly withholding information from them with regards to the incident. Again bottles being used as weapons was noted. (SEE APPENDIX TVP 4 & 5)

27th February 2017 20:51 hours – Police receive a complaint that vehicles outside of the Reading Irish Centre are blocking the pavement, causing a nuisance and obstruction by forcing pedestrians to have to walk in the road. The caller says that they witnessed a person being hit by a car as they had to step off of the pavement. (SEE APPENDIX TVP 6)

9th June 2017 20:05 hours – Further call making a complaint about parking spillover and nuisance from the Irish club and detailing that their complaint had been “laughed off” by persons at the club. (SEE APPENDIX TVP 7)

24th June 2017 14:19 hours – A male was assaulted within the club having been punched in the face by “another regular”. The victim received a broken jaw. (SEE APPENDIX TVP 8 & 9)

15th July 2017 23:28 hours – Police were called to the club for a report of travellers throwing around tables and fighting during an incident which started at the bar. On arrival the fighting parties had left the club. (SEE APPENDIX TVP 10)

17th March 2018 23:26 hours – Police received a call informing of 10 travellers fighting and throwing glasses at each other, also refusing to leave and that police were needed to attend. When asked to remove the group the staff then let them all back inside (SEE APPENDIX TVP 11 & 12)

10th April 2018 – Police received an unconfirmed report that a named member of staff at the club was receiving and handling stolen goods and potentially a person of 17 years of age was working and selling alcohol on behalf of the club. (SEE APPENDIX TVP 13)

4th December 2018 – A performance meeting was held at Reading Police Station between Brendan Healy the club premises bar manager and Declan Smyth (TVP Licensing officer) detailing serious further concerns that police had with the receiving and purchasing of stolen goods within the club premises. A letter was generated detailing the contents of the meeting with recommendations for further good practice regarding townsafe radio, Pubwatch attendance, refusals logs, incidents logs and toilet checks. (SEE APPENDIX TVP 16)

9th February 2019 – Police received a further unconfirmed report that persons were entering the club and selling various items of stolen goods. (SEE APPENDIX TVP 15)

25th February 2019 00:13 hours – Police received a call reporting that a large group of 40 persons were fighting in the street and drunk getting into vehicles having been linked to the Reading Irish Club (SEE APPENDIX 14).

5th June 2019 15:15 hours – Thames Valley Police attended the Reading & District Irish Centre initially to investigate an allegation of the handling of stolen goods at the premises. On arrival at the club premises the main entrance door was wide open to the general public and there was clearly no delineated area for the signing in of members and or guests.

Officers entered into the insecure premises in the belief that the sale of alcohol was likely taking place to non-members/ general public and that therefore offences under the licensing act 2003 were taking place. Inside the club officers observed six males consuming alcohol. Three were sat at the bar and the other three in the pool table area.

Officers quickly established that two of the males were able to prove their membership, one was a member who did not have his card but the further three males were neither members nor official bona fide guests. Equally there was no signing in sheet or book and it was established that no signed daily records of guests or members were kept at the premises.

The bar manager Brendan Healy confirmed that in his eight years that no process was in place to sign in guests or members and that they had always sold alcohol to other general members of the public.

The Committee Chairman Seamus McCadden on arrival stated that he believed that a local lease agreement allowing members of the community to use the facilities superseded the licensing act 2003. In his opinion the existing legislation governing the management of club premises certificates did not take precedence. Therefore he was happy to sell alcohol to non-members and non-guests, and refused to stop the sale of alcohol to the general public. He also refused to close the premises to ensure it remained a private facility, even though it was pointed out by police officers, a licensing officer and a member of the Reading Borough council licensing enforcement team that this was an offence ie selling alcohol to the public. Mr McCadden also stated he had a wedding function booked where the majority of the people attending were not members and stated that the club had followed these processes for approximately thirty years and could see no reason why he had to change their processes. He further stated that he had had these conversations previously with Reading borough council.

A further inspection of the club premises certificate, its conditions and general support for the licensing objectives and due diligence proved wholly unacceptable:

- Part A of the club premises certificate was not available in full and missing the first seven pages.
- Part B summary of the club premises certificate was not available or displayed.
- CCTV was not available to be viewed on request or produced in a reasonable timescale.
- There were no training records for any person involved in the supply or sale of alcohol.
- There was no age verification policy.
- No training regarding an age verification process or signage displayed.
- There was no members list available on site.
- A gambling certificate was unable to be produced for the three machines on site.
- Members of the public were seen to be sold alcohol and continue to consume and be sold further alcohol even when committee members had been informed this was an offence by police and council.

To confirm, officers left the club having been told that the club premises and the committee via Mr McCadden and Mr Healey would continue to sell alcohol to members of the public even though this had been categorically pointed out as an offence.

Due to the blatant disregard that the committee showed for the licensing act and failure to comply with the requests to stop the un-licensable sale of alcohol to persons whom were not guests of members or members of the club Thames Valley Police have taken this most serious step of applying for the review of the club premises certificate immediately and without a performance process.

Clearly from the evidence above there are inherent issues in relation to non-compliance with the Licensing Act 2003 and its requirements for the operation of a club premises certificate

We have serious concerns surrounding the failure to ensure the club is maintained as private and for the supply of alcohol to members and sale to their bona fide guests only, including the committees failure to rectify this situation even when pointed out by officers. Instead deciding to knowingly continue with the committal of offences.

Also it has been discovered that there are no processes of due diligence taking place within the club, there is no training, no age verification, no members list was available and the club premises certificate Part A and summary were either not displayed or not complete. All persons identified with any responsibility within the committee/ club membership had no knowledge of the conditions on the club certificate or the four licensing objectives.

When coupling together the failure to comply with legislation, the failure to show any due diligence, the suspicions of handling stolen goods issues by staff, the number of previous serious incidents of large disorders and assaults and the disregard for the law by continuing to commit offences even when this had been detailed in a straight forward manner, Thames Valley Police respectfully ask the Licensing Sub – Committee to consider the immediate revocation of the club premises certificate relating to Reading and District Irish Association as the only proportionate and necessary step available to prevent the undermining of the four licensing objectives.

Thames Valley Police would also like to highlight the current secretary of state's Section 182 guidance in relation to guests:

6.8 *There is no mandatory requirement under the 2003 Act for guests to be signed in by a member of the club. However, a point may be reached where a club is providing commercial services to the general public in a way that is contrary to its qualifying club status. It is at this point that the club would no longer be conducted in "good faith" and would no longer meet "general condition 3" for qualifying clubs in section 62 of the 2003 Act. Under the 2003 Act, the licensing authority must decide when a club has ceased to operate in "good faith" and give the club a notice withdrawing the club premises certificate. The club is entitled to appeal against such a decision to a magistrates' court. Unless the appeal is successful, the club would need to apply for a premises licence to authorise licensable activities taking place there.*

We can confirm that having spoken to persons within the club "commercial services" were taking place and this was categorically not a situation where persons were bona fide guests that had not signed in. They were general members of the public who had entered the club which was publically open for the sale of alcohol to them.

Furthermore the Reading borough council statement of licensing policy states:

9.16 *When considering what enforcement action to take, the Authority will always consider what is the most appropriate and proportionate step to promote the licensing objectives. The Authority is not required to wait for offences to occur before deciding it needs to take appropriate action. Case law – notably East Lindsey District Council v Abu Hanif – states that the promotion of the licensing objectives requires a prospective consideration of what is warranted in the public interest having regard to the twin considerations of prevention and deterrence. Similarly, the Secretary of State's Guidance to the Licensing Act makes clear that there is no requirement for the Authority to wait for the outcome of any criminal proceedings before it initiates any enforcement action. This is the approach that the Authority will take when considering what, if any, action should be taken when condition breaches and other criminal activity is found at licensed premises*

A copy of the case law above has been provided for your information (SEE APPENDIX TVP 18)

Appendices:

Appendix TVP 1 – Gen 40 relating to incident on 29/04/2012 (PC Pottinger)

Appendix TVP 2 – Occurrence EA4039818/12

Appendix TVP 3 – URN 1613 relating to disorder on 15/10/2016

Appendix TVP 4 – Gen 40 relating to incident on 12/11/2016 (PC Lake)

Appendix TVP 5 – URN 70 relating to disorder on 12/11/2016

Appendix TVP 6 – URN 1506 relating to parking obstructions on 27/02/2017

Appendix TVP 7 – URN 1686 relating to parking obstructions on 09/06/2017

Appendix TVP 8 – URN 869 relating to GBH incident on 24/06/2017

Appendix TVP 9 – Occurrence 43170196039 relating to GBH on 24/06/2017

Appendix TVP 10 – URN 1823 relating to disorder on 15/07/2017

Appendix TVP 11 – URN 1484 relating to disorder on 17/03/2018

Appendix TVP 12 – Gen 40 relating to above disorder 17-18/03/2018 (PC 1728 Selby)

Appendix TVP 13 – URN 626 relating to report of staff receiving stolen goods.

Appendix TVP 14 – URN 12 relating to disorder on 25/02/2019

Appendix TVP 15 – URN 50 relating to report of persons selling stolen goods on 09/02/2019

Appendix TVP 16 – Letter detailing performance meeting held at Reading Police Station on 04/12/2018.

Appendix TVP 16A – Letter from Reading Borough Council outlining concerns the club was open to the general public and had served alcohol to a child dated 19/03/2013.

Appendix TVP 18 – East Lindsey District Council V Abu Hanif (T/A Zaras Restaurant)

Appendix TVP 19 – Reading District Irish association club rules as supplied by Reading Borough Council.

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--	--	--

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

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.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature  5787

Date **06th June 2019**

Capacity **Advanced Practitioner for Licensing/ Neighbourhood Supervisor on behalf of the Chief Constable of Thames Valley Police.**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

LICENSED PREMISES INCIDENT REPORT

Division READING

Station: READING

Name of Premises: READING AND DISTRICT IRISH CENTRE, IRISH CLUB, 94 104 CHATHAM STREET,
READING

Time and Date of Incident: 00:26 29/04/12

Sources of Information (i.e. Discovered by Police on supervisory visit, Complaint by member of public/licensee - name of officer or name and address of complainant to be included)

DOORMAN FROM IRISH CLUB - [REDACTED]

Nature of Incident:

Police attended a report of a fight in progress between 40-50 people at a party in the Irish Club. Police arrived and saw a number of males running away from the club and were pursued. Other officers entered the club and saw smashed bottles and glasses on the floor. There were 4 males badly injured in the corner of the room with facial injuries. Officers established that there was a girls 18th birthday party who had invited friends from READING and TOTTENHAM. We were informed that there was an incident on the dance floor which resulted in a mass fight between the boys from READING and TOTTENHAM. No one would assist police in identifying suspects or more information on how the incident started. Officers attended the RBH to speak to the victims and found them to be uncooperative. One of the victims suffered a broken jaw and was taken to OXFORD for facial surgery. There were up to 90 people in the club with only 2 door staff who were completely out numbered and unable to deal.

Details of Person(s) arrested or reported and offences:

Suspect not identified. CCTV checked unable to confirm injured parties were victims or suspects
No arrests made. No complaints from anyone

Action taken in all other cases:

Crime report EA4039818/12 - affray

Other Information:

FURTHER CALL FROM MOTHER OF PERSON WHO'S PARTY IT WAS, WANTED IT NOTING THAT THE FIRE ESCAPE WAS LOCKED AND STAFF HAD NO MEANS OF OPENING IT SO EVERYONE WAS FORCED OUT ONE EXIT TOGETHER.
Cctv to be seized

GEN 40 endorsed:

CCTV Seized? **N** if 'Y' Property Number? _____

Date: 29/04/12

Officer Reporting: PC POTTINGER 7152

Occurrence details

Version 02c73eac5d8b930cee91268d30c9f3798ded7321 (2018/09/08)

Thames Valley Police

Printed: 05/06/2019 18:07 by P5787

Occurrence: EA4039818/12

Occurrence details:

Report no.: EA4039818/12

Occurrence Type: Affray [66.1]

Occurrence time: 29/04/2012 00:26 - 29/04/2012 00:26

Reported time: 29/04/2012 03:53

Occurrence address: READING AND DISTRICT IRISH CENTRE, 96 104 CHATHAM STREET,
READING, BERKSHIRE RG1 7HT (County: BERKSHIRE, Neighbourhood: EA
ABBEY / BATTLE, LPA: Reading) (CEDAR Beat Code - EA54 COA Reference -
X1024 CEDAR RV Count - 86)

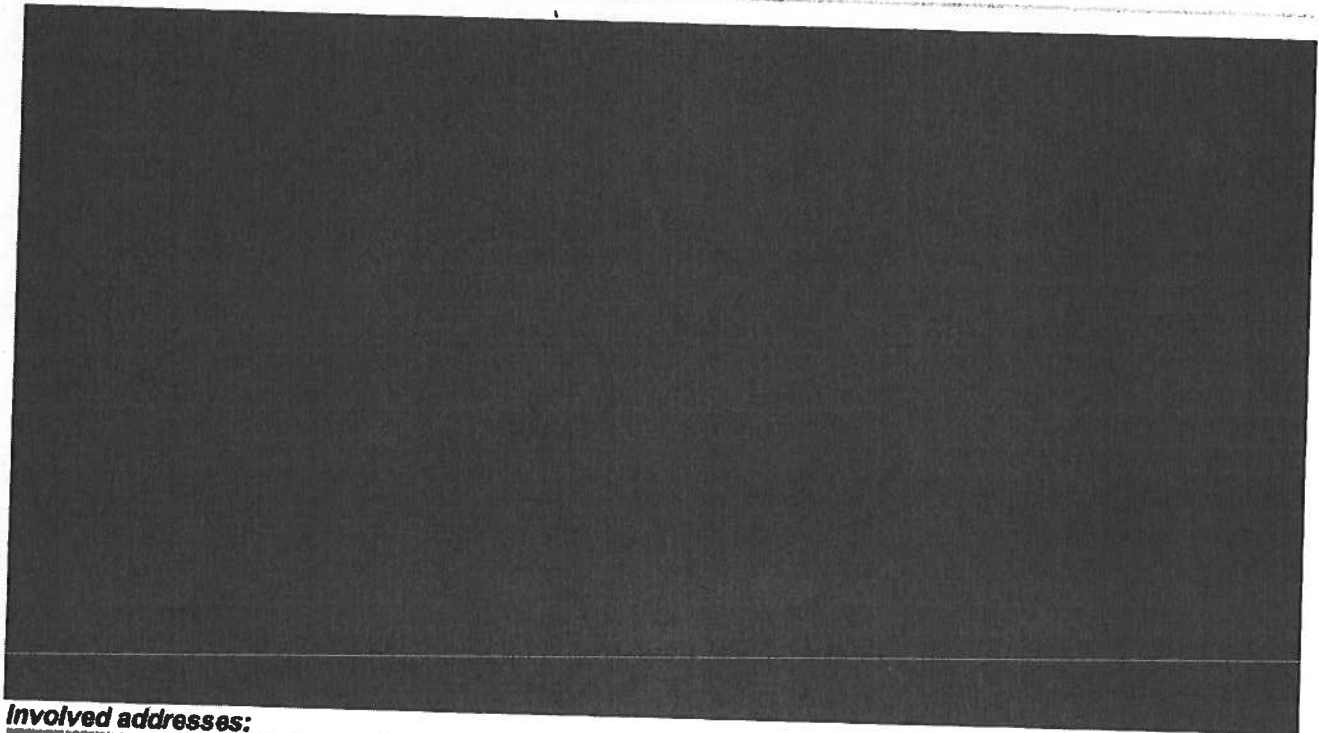
Clearance status: Filed

Concluded: Yes

Concluded date: 07/05/2012

Summary:

Remarks:

Associated occurrences:**Involved persons:****Involved addresses:**

- READING AND DISTRICT IRISH CENTRE 96 104 CHATHAM STREET / Occurrence address / READING RG1 7HT (County: BERKSHIRE, Neighbourhood: EA ABBEY / BATTLE, LPA: Reading)

Involved comm addresses:

Official

Printed by: P5787 Date: 05/06/2019 18:07 Computer: W0610299 Page 1 of 3

Involved vehicles:**Involved officers:**

- Reporting officer / 9 / BRC-STAFF MEMBER NOT FOUND. CHECK REMARKS / #Z0001 / LIVE / Police other / 29/04/2012 / 20120429 --:--:--
- Officer in case / 9 / BRC-STAFF MEMBER NOT FOUND. CHECK REMARKS / #Z0001 / LIVE / Police other / 29/04/2012 / 20120429 --:--:--

Involved property:**Modus operandi:**

- Location: Leisure/Amusement arcade.

Author:

Report time:

Entered by:

Entered time:

Reports:**Occurrence enquiry log:**

Type	Entry time	Event time	Author	Link	Task
Notes	29/04/2012 03:53		#C0204 WASHINGTON, A.	No	
Log entry:	CEDAR USER: C0204 AMT A LARGE SCALE DISORDER WAS REPORTED AT SIG LOGN. ONCE OFFICERS ARRIVED ON SCENE OFFENDERS HAVE MADE OFF. INSIDE SIG 4 INJURED PARTIES HAVE BEEN IDENTIFIED AND ADMITTED TO BE INVOLVED IN DISORDER AND HAVE SUSTAINED INJURIES. NO ONE WILLING TO CONFIRM WHAT HAPPENED AT LOCATOON OR MAKE COMPLAINT TO POLICE. PNB'S OBTAINED TO THAT EFFECT.				
Notes	29/04/2012 04:39		#XP1743 JACOBS, P.	No	
Log entry:	CEDAR USER: P1743 THIS IS A REPORT OF A FIGHT INVOLVING 40 TO 50 PEOPLE. DURING THIS PUBLIC ORDER OFFENCE FOUR PEOPLE WERE INJURED, ONE OF WHICH HAS A BROKEN JAW, NONE OF THE INJURED PARTIES WERE FORTHCOMING WITH INFORMATION OR WOULD ASSIST POLICE IN THE INVESTIGATION. PNB'S WERE OBTAINED TO THIS EFFECT. ALL ACCOUNTS OBTAINED DESCRIBE THE INCIDENT AS A "FIGHT" AND INTIAL VIEWING OF CCTV INDICATES THAT THIS IS INDEED A LARGE SCALE FIGHT INVOLVING NUMEROUS PEOPLE, ALTHOUGH THE CCTV IS NOT OF A QUALITY WHERE THE INDIVIDUAL ACTIONS BY EACH PERSON COULD BE ESTABLISHED, A COPY OF THE CCTV HAS BEEN REQUESTED AND ON RECEIPT IT WILL BE CLOSELY EXAMINED TO SEE IF THE EXACT INVOLVEMENT OF EACH PARTY CAN BE ESTABLISHED. AT THIS POINT ALTHOUGH PEOPLE HAVE BEEN INJURED, NO ASSAULT ALLEGATIONS HAVE BEEN MADE AND THE ACCOUNTS FROM THE INJURED PARTIES ARE THAT A FIGHT BROKE OUT DURING WHICH THEY SUSTAINED INJURIES.				
Notes	29/04/2012 12:38		#C1937 HADLAND, N.	No	
Log entry:	CEDAR USER: C1937 FURTHER CALL FROM MOTHER OF PERSON WHO'S PARTY IT WAS, WANTED IT NOTING THAT THE FIRE ESCAPE WAS LOCKED AND STAFF HAD NO MEANS OF OPENING IT SO EVERYONE WAS FORCED OUT ONE EXIT TOGETHER.				
Notes	29/04/2012 17:25		#C1383 O'NEILL, K.	No	
Log entry:	CEDAR USER: C1383 CALL FROM IRISH CENTER ASKING IF ANYONE WAS COMING OUT TODAY AS THEY WERE ADVISED DURING INCIDENT SOMEONE WOULD BE OUT LATER TODAY. NOTHING IN THE URN OR CEDAR TO SUGGEST THIS WAS HAPPENING. OIC NOT ON DUTY TO CONFIRM AND NO SOCO HAD BEEN FLAGGED. CALLER ADVISED THAT THEY HAVE FUNCTIONS TO RUN TOMORROW SO WILL HAVE TO CLEAN UP ANY DAMAGE/BLOOD ETC.				
Notes	30/04/2012 10:54		#C8803 JONES, K.	No	
Log entry:	CEDAR USER: C8803 SCRUTINEER(KJ) CLASSIFICATION APPEARS APPROPRIATE FROM CURRENTLY AVAILABLE CEDAR INFORMATION. CEDAR COMPLETE FLAG SET.				
Notes	30/04/2012 20:50		#C0697 SIMMONS, A.	No	
Log entry:	CEDAR USER: C0697 CALL FROM <MOTHER> STATING THAT SHE HAS SPOKEN WITH THE MANAGER AT OFFLOC REGARDING PERSONAL ITEMS THAT WERE LEFT AT OFFLOC. THE MANAGER AT OFFLOC STATES THAT NO ITEMS WERE LEFT. <MOTHER> DISPUTES THIS. THERE ARE AT LEAST 2 OR 3 WATCHES PERSONAL MOBILES AND OTHER ITEMS THAT WERE LEFT AT THE SCENE WHEN EVERYONE WAS RUSHED OFF TO HOSPITAL. UNCLEAR ATT WHETHER OIC HAS RECOVERED THESE ITEMS. <MOTHER> IS ALSO KEEN TO PRESS CHARGES AND WANTS OIC TO CONTACT HER. EMAIL SENT TO OIC.				
Notes	22/05/2012 18:33		#XC1579 PARSONS, P.	No	
Log entry:	CEDAR USER: C1579 CALL FROM <MOTHER>. HAS BEEN TOLD BY OFFLOC OWNER THAT POLICE HAVE TOLD HIM THAT NO ONE WISHES TO PRESS CHARGES. <MOTHER> AND THE INJURED MALE IN THIS CERTAINLY WISH TO PRESS CHARGES. THEY ARE NOT HAPPY THAT OFFICERS HAVE NOT RETURNED THEIR CALLS. EMAIL SENT TO OIC				

Official

Official

Ext. doc. occ report [PDF, 57.43 KB]:

Occurrence: EA4039818/12 Affray [66.1] @29/04/2012 03:53 (READING AND DISTRICT IRISH CENTRE, 96 104 CHATHAM STREET, READING, BERKSHIRE RG1 7HT (County: BERKSHIRE, Neighbourhood: EA ABBEY / BATTLE, LPA: Reading) (CEDAR Beat Code - EA54 COA Reference - X1024 CEDAR

Task:

Author: BRC AUTHOR, Id #:1326491

Report time: 21/11/2014 14:34

Entered by: BRC AUTHOR, Id #:1326491

Entered time: 21/11/2014 14:34

Person:

Address:

Vehicle:

Officer:

Remarks:

Official

Printed by: P5787 Date: 05/06/2019 18:07 Computer: W0610299 Page 3 of 3

APPENDIX TVP 3

ID: 16161246 Tape Number: 311

READING AND DISTRICT IRISH CENTRE
IRISH CLUB, 94 104, CHATHAM STREET, READING, RG1 7HT

URN: 1613 Date: 15/10/2016 Time: 22:15 Location Reference: 70/3/26
 Beat Code: EA44
 Caller: [REDACTED]
 Classification: MISCELLANEOUS : DISORDER/DISTURBANCE/DISPUTE
 Response: IMMEDIATE
 Result: ENQUIRY COMPLETED
 Closing Type L2: SUS CIRCUMSTANCE/INSEC PREM/VEH
 Closing Type L3: NO QUALIFIER
 Brief Details:

03317/151016:HUGE FIGHT KICKING OFF IN ROAD - 30 PEOPLE

Force ID:	Res Type:	RD:	AS:	LS:	RC:	AI:	DW:	CI:
291	YQ	22:21	22:36	22:36				
1466	AP	22:18	22:23	22:28				
6549	AP	22:18	22:23	22:28				
5645	AP	22:17	22:22	22:29				
1423	AP	22:17	22:22	22:29				
1403	AP	22:17	22:21	22:36				
7063	AP	22:17	22:21	22:36				
1341	AP	22:17			22:33			
7244	AP	22:17			22:33			

Details from incident log

22:15	15/10/2016	C6423	THEY ARE ALL IN FANCY DRESS - ARABS MONKEYS
22:16	15/10/2016	C6423	THE FIGHT IS NOW GOING TOWARDS THE SWIMMING POOL
22:16	15/10/2016	C6423	2 GROUPS OF PEOPLE FIGHTING EACH OTHER
22:16	15/10/2016	C6423	
22:16	15/10/2016	C6423	THEY ARE GOING TOWARDS AMBROSE PLACE
22:16	15/10/2016	C3367	PREVIOUS AT SIG BUT NONE REFER TO ANY DISORDERS
22:16	15/10/2016	C6423	
22:16	15/10/2016	C6423	BEEN GOING ON FOR ABOUT 5 MINS
22:16	15/10/2016	C6423	
22:16	15/10/2016	C6423	THEY ARE SPILLING OUT ONTO THE DUAL CARRIAGEWAY
22:17	15/10/2016	C2949	ET - NO COVERAGE DOORMEN CLAIM THERE IS A FIGHT GOING ON
22:17	15/10/2016	C2949	NEAR TO SWIMMING POOL
22:17	15/10/2016	C6423	
22:17	15/10/2016	C6423	HAVEN'T SEEN ANY WEAPONS
22:17	15/10/2016	C6423	NOW 20 PEOPLE FIGHTING EACH OTHER
22:17	15/10/2016	C2949	EP841 - NIGHT SAFE UNITS AWARE
22:18	15/10/2016	C6423	SECURITY FROM THE FACE BAR ARE WATCHING BUT THEY ARE ON
22:18	15/10/2016	C6423	OPPOSITE SIDE OF DUAL CARRIAGEWAY
22:18	15/10/2016	C6423	
22:18	15/10/2016	C2949	ET - DOOR STAFF HAVE BEEN WATCHING IT AND UPDATED US
22:18	15/10/2016	C6423	CALLER RELEASED
22:20	15/10/2016	C449	CALELR FROM MATCHED URN STATES THEY ARE NOW ON DERBY
22:20	15/10/2016	C449	STREET
22:20	15/10/2016	C449	
22:20	15/10/2016	C449	THEY ARE ALL DRESS IN HALLOWEEN COSTUMES AND THROWING
22:20	15/10/2016	C449	GLASS BOTTLES
22:20	15/10/2016	C449	
22:21	15/10/2016	C2949	EP121 - CAN UNITS GO TOWARDS SWIMMING POOL. NO MALES LEFT
22:21	15/10/2016	C2949	AT THE PUB
22:21	15/10/2016	C2949	EQ305 - BELIEVE MALES ARE ON GEORGE STREET PARTIALLY
22:21	15/10/2016	C2949	SPLIT UP BUT LARGE NUMBER ON GEORGE STREET
22:22	15/10/2016	C2949	EP151 - SPEAKING TO AGGD ON BATTLE STREET

22:22	15/10/2016	C3367	MATCHED CALL IS 20 PERSONS FIGHTING
22:23	15/10/2016	C2949	EA111 - MAIN GROUP ARE ON CORNER OF BEDFORD ROAD/BATTLE
22:23	15/10/2016	C2949	STREET CANNOT SEE ANYMORE ATT
22:27	15/10/2016	C2949	EA141 - GROUP WALKING BACK ALONG CHATHAM STREET QUITE AN
22:27	15/10/2016	C2949	ARRAY OF FANCY DRESS
22:33	15/10/2016	C2949	EA131 - NOT MUCH HAPPENING HERE

**** NO TEXT IN CLOSED LOG ****

11/11/16



LICENSED PREMISES INCIDENT REPORT

Shoulder No/Name: PC 7693 Lake

Station: Reading

LPA: Reading

Premises Name/Location: Irish Club, Chatham Street, Reading, RG1 7HT

Incident Date: 12/11/2016

Incident Time: 00:57

Command & Control URN: 70 12/11/2016

Crime Report(s): N/A

CCTV Seized? No

Sources of Information: Officers

Police have been called by [REDACTED] reporting that a group of 10-15 people are fighting and that bottles were being used as weapons.

On officers arriving there were roughly 5 people stood outside in the car park, one of the males appeared agitated. This group said that the incident had happened inside and they were leaving.

Officers have then entered the venue, immediately customers have began approaching officers saying that nothing had happened.

I have approached a member of bar staff, I asked what had happened and he said that nothing had happened. I told them that we'd had a report of 10-15 people fighting and again they played ignorant.

I have then been approached by a female, she said that it was her who had called for police. The caller said that her daughters had been assaulted and pointed out a female who was sat down, by the far wall from the bar. I have approached this female who was aged in her early 20's and was mixed race. There was a member of staff using a mop and bucket to clean the floor by her which was covered in blood and the female was keeping her left leg raised whilst applying pressure to a cut on the shin.

I have asked this female if she could tell me what had happened, she said "NO COMMENT".

The other officers at the venue had not been able to obtain any further information from the staff at the venue and it was decided that officers would withdraw as there were no complaints of crime forthcoming. An officer was informed that the mixed race female had cut her leg on glass that was on the floor.

There was no door supervision at the club and the staff knowingly withheld details of the incident from officers. There were between 50 and 70 customers present in the venue, a lot of them were heavily intoxicated and staff were still serving them at the bar.

As above

As above

Name

Date of Birth

Role

Action Taken

Ref No.

(e.g. Custody, PND etc)

GEN 40 (01/2015)

ID: 16208280

READING AND DISTRICT IRISH CENTRE
IRISH CLUB, 94 104, CHATHAM STREET, READING, RG1 7HT

URN: 70 Date: 12/11/2016 Time: 00:57 Location Reference: 1:9/3/26
Beat Code: EA44
Caller: [REDACTED]
Classification: MISCELLANEOUS DISORDER/DISTURBANCE/DISPUTE
Response: IMMEDIATE
Result: ENQUIRY COMPLETED
Closing Type L2: COMMUNITY
Closing Type L3: NO QUALIFIER

Brief Details:

00116/121116: LARGE FIGHT - 10-15 PEOPLE GLASS BOTTLES BEING USED

Force ID	Res Type	RD	AS	LS	RC	AF	DW	CL
3004	AP							
7732	CF		01:02	01:34				
996	CF		01:02	01:34				
219	CF		01:02	01:34				
1535	CF		01:02	01:34				
7412	AP	00:57	01:02	01:34				
951	CF	00:57	01:01	01:34				
7693	CF	00:57	01:01	01:34				

Details from incident log:

00:57	12/11/2016	C3440	THIS IS IN THE READING IRISH CENTRE
00:57	12/11/2016	C3440	-
00:57	12/11/2016	C3440	10-15 PEOPLE FIGHTING - INJURIES TO PEOPLE - CALLER
00:57	12/11/2016	C3440	REQUESTED AMBO
00:57	12/11/2016	C3440	-
00:58	12/11/2016	C3440	GLASS BOTTLES HAVE BEEN USED
00:58	12/11/2016	C3440	-
00:58	12/11/2016	C3440	THERE HAS BEEN A BIRTHDAY PARTY TONIGHT
00:58	12/11/2016	C3440	-
00:58	12/11/2016	C3620	SX18 - WILL CALL AMBO
00:58	12/11/2016	C6838	ASKING ET TO VIEW
00:58	12/11/2016	C3440	-
00:58	12/11/2016	C3440	BLOOD EVERYWHERE
00:58	12/11/2016	C3440	-
00:58	12/11/2016	C3440	UNKNOWN EXACTLY WHATEVER WHO IS INJURED
00:58	12/11/2016	C3440	-
00:59	12/11/2016	C3440	THERE IS PEOPLE OUTSIDE - THEY ARE WAITING FROM PEOPLE
00:59	12/11/2016	C3440	THAT ARE INSIDE TO FIGHT AGAIN
00:59	12/11/2016	C3440	-
00:59	12/11/2016	C3440	UNSURE WHY THIS HAS STARTED
00:59	12/11/2016	C3440	-
00:59	12/11/2016	C3440	ALL HAS CALMED DOWN NOW HOWEVER PEOPLE ARE WAITING
00:59	12/11/2016	C3440	OUTSIDE FOR PEOPLE TO COME OUT
00:59	12/11/2016	C3440	-
01:00	12/11/2016	C3440	NO FURTHER DETAILS FROM CALLER AND HAS BEEN RELEASED
01:00	12/11/2016	C3440	-
01:00	12/11/2016	C3440	**** WISHED TO REMAIN ANON ****
01:00	12/11/2016	C3620	-
01:00	12/11/2016	C3620	SCAS 82
01:01	12/11/2016	C6838	WAIT ONE FOR SITREP
01:01	12/11/2016	C6838	EPS42 AWARE
01:01	12/11/2016	C6838	From : EA355
01:01	12/11/2016	C6838	HAPPENED INSIDE SIG FINDING OUT WHATS GOING ON

01:03	12/11/2016	C6838	From : EA345
01:03	12/11/2016	C6838	ALL SEEMS IN ORDER INSIDE
01:03	12/11/2016	C6838	LIASING WITH MANAGMENT
01:03	12/11/2016	C6838	NO FURTHER UNITS REQUIRED
01:07	12/11/2016	C6838	From : EA345
01:07	12/11/2016	C6838	NOBODY APPEARS TO WANT TO TALK TO US CLEARLY SOMETHING
01:07	12/11/2016	C6838	HAS GONE ON. ALTHOUGH SEEMS TO AHVE RESOLVD ITSELF
01:07	12/11/2016	C6838	APPARENTLY A FEMALE CUT IHER FOOT ON THE FLOOR ON SOME
01:07	12/11/2016	C6838	GLASS. FEMALE KEPT SAYING NO COMMENT.
01:08	12/11/2016	C6838	FA355 - CANCEL AMBO
01:09	12/11/2016	C2955	AMB CANCELED
			**** NO TEXT IN CLOSED LOG ****

ID: 16387531 Tape Number: 315

READING AND DISTRICT IRISH CENTRE
IRISH CLUB, 94 104, CHATHAM STREET, READING, RG1 7HT

URN: 1506 Date: 27/02/2017 Time: 20:51 Location Reference: 7/0/1/26

Beat Code: PA14

Caller:

Classification:

Response:

Result:

Closing Type L2:

Closing Type L3:

Brief Details:

03960/270217:PARKING ISSUES O/S SIG

TRAFFIC PARKING/OBSTRUCTION/VEH ETC
BY ARRANGEMENT
FURTHER ENQUIRIES BY OFFICER IN CASE
HIGHWAY DISRUPTION
NO QUALIFIER

Time(mins) from +IC:

Despatch = n/a

At Scene = n/a

Leave Scene = n/a

Force ID:

Res Type:

RD:

AS:

LS:

RC:

AI:

DW:

CE:

No Response Data Found

Details from incident log

20:55	27/02/2017	C3365	CALLER STATES THIS IS AN ONGOING ISSUE O/S SIG AND
20:55	27/02/2017	C3365	REGULARLY AS WITH TONIGHT MEANS THE PAVEMENT CANNOT BE
20:55	27/02/2017	C3365	USED.
20:55	27/02/2017	C3365	
20:55	27/02/2017	C3365	A FEMALE PEDESTRIAN HAS JUST HAD TO WALK INTO THE ROAD
20:55	27/02/2017	C3365	AND WAS ALMOST HIT BY A PASSING VEH CALLER IS AN OFF
20:55	27/02/2017	C3365	DUTY NURSE AND IS VERY CONCERNED ABOUT THE ISSUE.
20:56	27/02/2017	C3365	
20:56	27/02/2017	C3365	THERE ARE NUMEROUS VEHs PARKED 2 ABREAST BLOCKING THE
20:56	27/02/2017	C3365	ENTIRE PAVEMENT.
20:56	27/02/2017	C3365	
20:56	27/02/2017	C3365	SENDING ACROSS IF ANY NHPT IN THE AREA ABLE TO PAY OBS?
20:56	27/02/2017	C3365	THANKS
20:56	27/02/2017	C3365	CALLER IS NO LONGER ON SCENE AND DID NOT GET ANY VEH VRMS
20:56	27/02/2017	C3365	FOR THE VEHs INVOLVED.
20:57	27/02/2017	C3365	
20:57	27/02/2017	C3365	NO FURTHER INFO AT.
20:57	27/02/2017	C3751	SX18 - STRUGGLING TO RESOURCE IMMEDIATES USING ALL
20:57	27/02/2017	C3751	AVAILABLE UNITS AS WELL AS FORCE ROADMANS TO COVER CAN
20:57	27/02/2017	C3751	THIS BE DONE SLOW TIME? THANKS AND APOLS!
20:57	27/02/2017	C3365	I WILL EMAIL NHPT RE THIS ALSO
20:57	27/02/2017	C3365	NOTED UPDATE - ILL PASS AN EMAIL TO NHPT IF NO RESOURCES
20:57	27/02/2017	C3365	ARE AVAILABLE. THANKS
20:59	27/02/2017	C3365	**** TEXT FROM CLOSED LOG ****
			EMAIL SENT TO NHPT RE THIS

ID: 16571882 Tape Number: 319

READING AND DISTRICT IRISH CENTRE
IRISH CLUB, 94 104, CHATHAM STREET, READING, RG1 7HH

URN: Date: Time: Location Reference

1686 09/06/2017 20 05 79/3/26

Beat Code: LA11

Caller:

Classification: TRAFFIC PARKING/OBSTRUCTION/VEL ETC

Response: BY ARRANGEMENT

Result: ENQUIRY COMPLETED

Closing Type L2: COMMUNITY

Closing Type L3: NO QUALIFIER

Brief Details:

03929/090617:PARKING ISSUES AT THE IRISH CLUB. CAUSES ISSUES FOR PAVEMENT PARKING. 6-8 VEHICLES. MOSTLY FRIDAY NIGHTS FROM 1800HRS.

Time(mins) from +IC:

Despatch = n/a

At Scene = n/a

Leave Scene = n/a

Force ID: Res Type:

RD:

AS:

LS:

RC:

AI:

DW:

CI:

No Response Data Found

Details from incident log:

20:05	09/06/2017	C609	APPEARS TO BE OVERFLOW FROM THE IRISH CENTRE
20:07	09/06/2017	C609	
20:07	09/06/2017	C609	[REDACTED] DID NOT WISH TO DISCLOSE HIS ADDRESS
20:08	09/06/2017	C609	CAN SEE FROM VSI THERE HAVE BEEN CALLS FROM OTHER
20:08	09/06/2017	C609	RESIDENTS
20:08	09/06/2017	C609	
20:08	09/06/2017	C609	[REDACTED] DID TRY TO REASON WITH PERSONS AT THE SIG BUT HE
20:08	09/06/2017	C609	WAS ESSENTIALLY LAUGHED OFF.
20:09	09/06/2017	C609	
20:14	09/06/2017	C609	READING CENTRAL NHPT EMAILED - EXPLAINED TO CALLER THAT
20:14	09/06/2017	C609	READING CURRENTLY VERY BUSY SO RESOURCING THIS MIGHT NOT
20:14	09/06/2017	C609	OCCUR THIS EVENING. [REDACTED] WAS VERY UNDERSTANDING.
**** NO TEXT IN CLOSED LOG ****			

ID: 16619736 Tape Number: 320

READING AND DISTRICT IRISH CENTRE
IRISH CLUB, 94 104, CHATHAM STREET, READING, RG1 7HT

URN: 869 Date: 04/07/2017 Time: 14:19 Location Reference: 7/9/3/26
 Beat Code: LA44
 Caller: [REDACTED]
 Classification: CRIME : ASSAULT/OTHER
 Response: URGENT ATTENDANCE
 Result: FORCE REPORT
 Closing Type L2: VIOLENCE AGAINST THE PERSON
 Closing Type L3: OUT OF FORCE CRIME

Brief Details:
 CALLER AT EASDO REOPORTING HAVING BEEN ASSAULTED CAUSING A BROKEN JAW MORE IN LOG. NICHE 43170196039 - GBH

Time(mins) from +IC:	Despatch = n/a	At Scene = 8	Leave Scene = 23
Force ID:	Res Type	RD:	AS LS RC: AI: DW: CE:
6271	AP		
6879	AP		14:44 15:07
6271	AP	14:27	14:42 14:44 15:07
6879	AP	14:27	14:42

Details from incident log:

14:25 04/07/2017 C1559 DUP NOT RELATED.
 14:25 04/07/2017 C1559 CALLER STATES HE WAS AT SIG ON SATURDAY 24/6/17 WHEN AT
 14:25 04/07/2017 C1559 APPROX 2300 HOURS HE WAS ASSAULTED BY A [REDACTED] WHO
 14:25 04/07/2017 C1559 PUNCHED HIM CAUSING A BROKEN JAW. CALLER HAS ALSO GOT
 14:25 04/07/2017 C1559 REMNANTS OF A GRAZE ON HIS FOREHEAD WHERE HE STATES HE
 14:25 04/07/2017 C1559 HIT HIS HEAD AS HE WENT DOWN
 14:25 04/07/2017 C1559 CALLER STATES HE WAS GOING TO JUST LET IT GO BUT HAS BEEN
 14:25 04/07/2017 C1559 IN PAIN EVER SINCE AND JUST COME FROM HOSPITAL WHO'VE
 14:25 04/07/2017 C1559 PERFORMED X-RAYS AND SCANS AND CONFIRMED THERE IS A
 14:25 04/07/2017 C1559 BREAK. HE HAS A FURTHER APPT TO ATTEND WITH A
 14:25 04/07/2017 C1559 MAXILLO-FACIAL SPECIALIST.
 14:28 04/07/2017 C6831
 14:28 04/07/2017 C6831 READING FORCE CID INFORMED
 14:42 04/07/2017 C6475 EAS53 FOR APPOINTMENT PLS
 14:43 04/07/2017 2671 EAS53 - NOTED THAT THE MALE HAS TURNED UP AT THE SDO
 14:43 04/07/2017 2671 FORCE CID ARE UNABLE TO DEAL WITH THIS. THERE DO NOT
 14:43 04/07/2017 2671 APPEAR TO BE ANY ONGOING ISSUES THAT HAVE BEEN RAISED
 14:43 04/07/2017 2671 REGARDING THIS AND THIS WILL BE SUITABLE FOR AN
 14:43 04/07/2017 2671 APPOINTMENT. PLEASE ARRANGE FOR A CHARM APPOINTMENT TO BE
 14:44 04/07/2017 C6475 MADE AS THIS IS SEVERAL DAYS OLD ALREADY.
 14:44 04/07/2017 C6475 EA143 SPOKEN TO MALE HE IS NOT SURE HE WANTS TO PURSUE A
 14:44 04/07/2017 C6475 COMPLAINT. WILL TAKE DETAILS AND GIVE HIM ADVISE
 15:07 04/07/2017 C609 ACCORDINGLY.
 15:07 04/07/2017 C609 ORC'D FOR P6271 WILSON
 15:07 04/07/2017 C609 NICHE 43170196039 - GRIEVOUS BODILY HARM
 **** NO TEXT IN CLOSED LOG ****

Occurrence details

Version 02c73eec5d8b930cee91258d30c9f3798ded7321 (2018/09/08)

Thames Valley Police

Printed: 05/06/2019 21:27 by P5787

Occurrence: 43170196039

Occurrence details:

Report no.: 43170196039
 Occurrence Type: Grievous Bodily Harm With Intent (Sec 18) [5D]
 Occurrence time: 24/06/2017 23:00 - 24/06/2017 23:00
 Reported time: 04/07/2017 14:57
 Occurrence address: 96-104, CHATHAM STREET, READING, READING UK RG1 7HT (THE IRISH CLUB) (County: BERKSHIRE, Neighbourhood: EA ABBEY / BATTLE, LPA: READING)
 Clearance status: Filed
 Concluded: Yes
 Concluded date: 22/07/2017
 Summary: ORC. GBH. OIC TO DO NOTES
 Remarks:

Associated occurrences:

Involved persons:

Involved addresses:

- 96-104 CHATHAM STREET / Occurrence address / READING, UK RG1 7HT (THE IRISH CLUB) (County: BERKSHIRE, Neighbourhood: EA ABBEY / BATTLE, LPA: READING)

Involved comm addresses:

Involved vehicles:

Involved officers:

- Officer in case / 9 / WILSON, M. / #P6271 / LIVE / Police officer / IPLDP - LEARNING & DEVELOPMENT / #P4587 MORRIS, R. / 04/07/2017 / 20170704 --:--:--

Involved property:

Modus operandi:

Reports:

Occurrence enquiry log:

Type	Entry time	Event time	Author	Link	Task
Enquiry log	04/07/2017 14:58		#P6271 WILSON, M	No	
Log entry:	ORC. GBH. OIC TO DO NOTES.				

Hist - RESTRICTED

Printed by: P5787 Date: 05/06/2019 21:27 Computer: W0610299 Page 1 of 2

Investigator summary 04/07/2017 15:09

#P6271 WILSON, M. No

The victim came in to Reading Police Station to report a GBH. About a week ago he was assaulted in the Reading Irish Centre, both the suspect and victim are regulars in there and are quite friendly and often drink together and play pool.

The victim says the suspect assaulted him because a woman was trying to get attention from the suspect and was using the victim to get that attention, as a result of this the suspect punched the victim and he fell down. He did not want to do anything about it at first but his jaw carried on hurting so he went to the hospital and has now found out he has a broken jaw.

Log entry:

The victim says he is not sure if he wants to make a complaint because he doesn't want to ruin the suspect's life because of this conviction, he said that nobody has ever known him act like this and he blames the woman who instigated all of this for the assault but is aware she has not committed an offence. I gave him lots of advice, told him exactly what we would do to investigate this and he said he wanted to go away and think about it and will call back if he wants to make a complaint. He has the C&C URN from which this crime report can be looked up.

There may be CCTV and I have made him aware that he would need to tell us soon if we were to get that before it wipes.

There are potentially other witnesses he could name but this would only be necessary if he wants to make a complaint.

Sergeant review

04/07/2017 15:30

#P2871 GREEN, L. No

SR Review The victim in this case has made an allegation of Assault and he has come to the police station to report this some three days later as his injuries have been confirmed as a fractured jaw. The offence has been confirmed as a Grievous Bodily Harm but the victim is unwilling at this time to state who has done this although he wants this recorded as such.

Log entry:

The vic has stated that he will need to contact us back if he is wishing to make any formal complaint. There are no details of witnesses or suspects at this time and although the location of the offence is given it is not clear where he was within the premise for CCTV to be preserved. Swabs have been precluded due to the time passed since the offence took place. Awaits contact back from the victim to see if he willing to make a formal statement. He has been warned that this needs to be soon to prevent loss of CCTV.

Awaits updates from the victim. OIC to make contact I the next few days to chase up what he wants to do.

Investigator action

07/07/2017 08:37

#P6271 WILSON, M. No

Log entry:

I have spoken to the victim. He said that he does not want to pursue this. He has spoken to the suspect and the suspect could not apologise enough and the victim really does not want to ruin his career. The victim thanked me for the advice and confirmed he had the reference numbers and would call us if anything changed.

Investigator action

07/07/2017 08:41

#P6271 WILSON, M. No

Log entry:

The suspect's name of Paul Morgan was mentioned but there are far too many living in Reading to be sure of one to add to NICHE.

Sergeant review

22/07/2017 13:04

22/07/2017 13:04

#P4587 MORRIS, R.

No

T1700554820 For action Closed

Outcomes 11- 21 (general filling)

Offence summary: The victim came in to Reading Police Station to report a GBH. About a week ago he was assaulted in the Reading Irish Centre, both the suspect and victim are regulars in there and are quite friendly and often drink together and play pool.

The victim says the suspect assaulted him because a woman was trying to get attention from the suspect and was using the victim to get that attention, as a result of this the suspect punched the victim and he fell down. He did not want to do anything about it at first but his jaw carried on hurting so he went to the hospital and has now found out he has a broken jaw.

The victim says he is not sure if he wants to make a complaint because he doesn't want to ruin the suspect's life because of this conviction, he said that nobody has ever known him act like this and he blames the woman who instigated all of this for the assault but is aware she has not committed an offence. I gave him lots of advice, told him exactly what we would do to investigate this and he said he wanted to go away and think about it and will call back if he wants to make a complaint. He has the C&C URN from which this crime report can be looked up.

There may be CCTV and I have made him aware that he would need to tell us soon if we were to get that before it wipes.

Log entry:

There are potentially other witnesses he could name but this would only be necessary if he wants to make a complaint. Outcome requested and Final SR: please select appropriate outcome from list below

18 (No suspect) - crime confirmed but no named suspect has been identified

The victim has been informed of outcome: Yes
The suspect has been informed of outcome: No
NFA added to suspect role:na

Task sent to ACR requesting outcome:18
Filing requested: Yes
All tasks completed and closed (except outcome request): Yes
Appropriate force class qualifier applied in finalisation: Yes
All relevant persons added to involved tab: Yes
Dom 5 scanned onto occurrence (where relevant):N/A
Correct OIC attached to police tab: Yes
All property returned/retained as appropriate: N/A

ID: 16642475 Tape Number: 320

READING AND DISTRICT IRISH CENTRE
IRISH CLUB, 94 104, CHATHAM STREET, READING, RG1 7HT

URN: Date: Time: Location Reference:

1823 15/07/2017 23:28 702706

Beat Code: LA34

Caller

Classification: MISCELLANEOUS ALTERCATION IN PROGRESS

Response: IMMEDIATE

Result: ENQUIRY COMPLETED

Closing Type L2: COMMUNITY

Closing Type L3: NO QUALIFIER

Brief Details:

03360/150717:10 OR 12 TRAVELLERS THROWING TABLES AROUND. CALLER IS MANAGER AND WANTS THEM TO LEAVE

Time(mins) from TIC:	Despatch = 30	At Scene = 31	Leave Scene = 32					
Force ID:	Res Type:	RD:	AS:	IS:	RC:	AI:	DW:	CI:
7027	ER		23:59	00:00				
838	YQ	23:58	23:59	00:00				
7784	YQ	23:58	23:59	00:00				
2447	SR	23:57	23:59	00:00				

Details from incident log:

23:28	15/07/2017	C8578	NO WEAPONS
23:29	15/07/2017	C8578	SOME FIGHTING AMONGST THEMSELVES - HAVE BEEN DRINKING
23:30	15/07/2017	C8578	NO OTHER INFO
23:36	15/07/2017	C2955	URN 1756 TAKING PRIORITY
23:44	15/07/2017	C4540	-
23:44	15/07/2017	C4540	FROM MATCHED NO WEAPONS NO INJURIES
23:44	15/07/2017	C4540	-
23:44	15/07/2017	C4540	EVERYONE IS VERY AGGRESSIVE CALLER SAYS
23:44	15/07/2017	C4540	-
23:45	15/07/2017	C4540	STARTED AT THE BAR AND HAS NOW GONE INTO THE STREET
23:45	15/07/2017	C4540	-
23:45	15/07/2017	C4540	6 MALES LEFT FIGHTING
23:45	15/07/2017	C4540	-
23:45	15/07/2017	C4540	4 HAVE WALKED OFF
23:45	15/07/2017	C4540	-
23:45	15/07/2017	C4540	NO MORE INFO FROM MATCHED CALL
23:45	15/07/2017	C4540	-
23:53	15/07/2017	C2955	-
23:55	15/07/2017	C2955	ET NO COVERAGE
23:56	15/07/2017	C2955	EAS52 WILL ATTEND SHORTLY
00:00	16/07/2017	C2833	-
00:00	16/07/2017	C2833	EAS52 - SPOKE TO SECURITY STAFF AT SIG THEY ARE AIO
00:00	16/07/2017	C2833	ALL THE TROUBLE MAKERS HAVE LEFT NOW
			**** NO TEXT IN CLOSED LOG ****

ID: 17052910 Tape Number: 328

READING AND DISTRICT IRISH CENTRE
IRISH CLUB, 94 104, CHATHAM STREET, READING, RG1 7HT

URN: Date: 17/03/2018 Time: 23:26 Location Reference: 7/9/3/26
 Beat Code: 1441
 Caller: [REDACTED]
 Classification: MISCELLANEOUS - ALTERCATION IN PROGRESS
 Response: IMMEDIATE
 Result: ENQUIRY COMPLETED
 Closing Type L2: SUS CIRCUMSTANCE/INSEC PREM/VEN
 Closing Type L3: NO QUALIFIER
 Brief Details:

02975/170318: MALE STATING THAT HE NEEDS POLICE - THE [REDACTED] (TRAVELLERS) ARE FIGHTING AT SIG

Force ID:	Res Type:	RD:	AS:	LS:	RC:	AL:	DW:	CL:
7448	YQ		23:35	23:36				
7673	YQ	23:34			23:36			
5715	YQ		23:31	23:58				
7811	TF	23:28	23:35	23:36				
7314	TF	23:28	23:35	23:36				
5325	BS	23:27	23:31	23:58				

Details from incident log:

23:27 17/03/2018 C4841
 23:27 17/03/2018 C4841 CALLER STATES THAT THERE ARE APPROX 10 OF THEM THEY ARE
 23:27 17/03/2018 C4841 GLASSES AT EACH OTHER
 23:27 17/03/2018 C4841
 23:27 17/03/2018 C4841 THERE IS NOT SECURITY STAFF AS TONIGHT IS ST PATRICKS
 23:27 17/03/2018 C4841 NIGHT AND ACCORD TO CALLER THEY NEVER GOT ANY TROUBLE
 23:27 17/03/2018 C4841
 23:27 17/03/2018 C4841 CALLER STATES THAT HE HAS ASKED THEM TO LEAVE AND THEY
 23:27 17/03/2018 C4841 ARE REFUSING TO LEAVE
 23:27 17/03/2018 C4841
 23:28 17/03/2018 C4841 THE LAWRENCES ARE FIGHTING INSIDE THE PUB
 23:28 17/03/2018 C4841
 23:28 17/03/2018 C2026 WITH VAN AND OFFICERS (5 IN TOTAL)
 23:28 17/03/2018 C4841 NO WEAPONS OTHER THAN GLASSES
 23:28 17/03/2018 C4841
 23:28 17/03/2018 C2026 ET NOTHING GOING ON O/S FRONT
 23:28 17/03/2018 C4841 NO EVIDENT INJURIES NONE CONFIRMED INJURIES
 23:28 17/03/2018 C4841
 23:28 17/03/2018 C4841 CALLER RELEASED HAD NO OTHER INFORMATION
 23:28 17/03/2018 C4841
 23:29 17/03/2018 C4841 CALLER JUST KEPT SAYING THAT HE WANTED POLICE TO GET RID
 23:29 17/03/2018 C4841 OF THEM AND HELP HIM GET THEM OUT
 23:29 17/03/2018 C4841
 23:35 17/03/2018 C3661
 23:35 17/03/2018 C3661 ST16 - SPOKEN TO EPS98 THEY ARE AIO IT IS JUST VERY LOUD.
 23:36 17/03/2018 C2026 EPS8 - CANCEL ANYONE ELSE
 23:36 17/03/2018 C2026 1 PERSON REMOVED
 23:58 17/03/2018 C4333 EQ308 - PERSON REJECTED LOG CAN BE CLOSED
 **** NO TEXT IN CLOSED LOG ****

Submitting Officer		
Shoulder No/Name: P1728	Station: EA	LPA: READING

Incident References			
Premises Name/Location:	READING IRISH CENTRE		
Incident Date:	18/03/18	Incident Time:	0000 HRS - 0100 HOURS
Command & Control URN:	1319 16/03/18	Crime Report(s):	
CCTV Seized?	N/A		
Sources of Information:	Report to police		

Nature of Incident – what happened?
<p>Landlord has called asking for assistance in removing a group of people inside the venue, who have allegedly started fighting and throwing glasses about. Upon attended, LANDLORDS stated they wanted them removed from the premises. Speaking with the individuals who were fighting, they stated they had not been, they had just been messing about and it may have looked like a fight. The LANDLORDS maintained that they wanted them removed, after we spoke to all parties, however when we started to ask the group to leave they abruptly changed their minds and let them back in, and said they no longer required police assistance and there were no complaints.</p>

Premises Response – what part did staff play? How did they react/assist (include good/poor performance)?
<p>The premises initially said they required some assistance in helping break up an alleged altercation with a group of men inside the premises, and when we arrived they identified them and stated that they wanted them removed. Once we made contact with the group of males and got their account the LANDLORDS still asked for assistance in removing them and as soon as we began to remove the males the LANDLORDS then let the group back in stating they required no more assistance and they no longer required the males to leave. From officer P.O.V there was no explanation of the sudden change of heart, especially given the resources used to attend. The LANDLORDS insistence almost lead us to go hands on in order to remove the men from the pub, in an environment where our presence was not welcome and lead the crew into a heightened situation where ultimately the help was not wanted in the end despite the initial request and the communication was unclear.</p>

Police Response – what action was taken? Please identify the main officers who dealt with the incident.
<p>Made on IMMEDIATE in the NIGHTSAFE van to the premises to assist them in breaking up the alleged fight and removing the people from the premises. P1728 SELBY, P3531 RAWLINGS, P2422 JURY, P5715 CARVER, P0787 DAVIES, P7825 NAJAYI, All attended to help assist with the alleged altercation. Upon arriving we got first accounts of what had happened from the LANDLORDS who said that a group of males looked like they were fighting, to the point they had called us. We spoke to the accused group, who said they had been messing about and dancing, and that it wasn't a fight and there were no complaints. The LANDLORDS maintained that they wanted them out of the premises so we attempted to remove them at which point the LANDLORDS changed their minds, let them back in the premises and said they wished to make no further complaint. We then left.</p>

Persons Involved - to add more rows click into the final cell of this table				
Name	Date of Birth	Role	Action Taken	Ref No. (e.g. Custody, PND etc)

When complete, please forward to the Licensing Officer for the area (and anyone else as per local instructions)

ID: 17090912 Tape Number: 329

READING AND DISTRICT IRISH CENTRE
IRISH CLUB, 94 104, CHATHAM STREET, READING, RG1 7HT

URN: 626 Date: 10/04/2018 Time: 13 50 Location Reference: 79/3/26
 Beat Code: EAH
 Caller: [REDACTED]
 Classification: MISCELLANEOUS INTELLIGENCE
 Response: TELEPHONE RESOLUTION
 Result: FORCE REPORT
 Closing Type L2: SUS CIRCUMSTANCE/INSEC PREM/VEH
 Closing Type L3: ALCOHOL
 Brief Details:

01486/100418: CALLER [REDACTED] AND WOULD LIKE TO MAKE POLICE AWARE THE MANAGER BUYS STOLEN ALCOHOL FROM SHOPLIFTERS AND HAVE A 17 YEAR OLD WORKING BEHIND THE BAR. MANAGER - [REDACTED]

Time(mins) from +IC: Despatch - n/a At Scene - n/a Leave Scene - n/a
 Force ID: Res Type: RD: AS: LS: RC: AI: DW: CI:
 No Response Data Found

Details from incident log:

13:51	10/04/2018	C5683	
13:51	10/04/2018	C5683	CALLER DOES NOT KNOW THE NAMES OF THE SHOPLIFTERS BUT
13:51	10/04/2018	C5683	THEY ARE IN MOST DAYS SELLING THE ALCOHOL IN THE KITCHEN
13:51	10/04/2018	C5683	
13:51	10/04/2018	C5683	THIS IS WHERE THE STOLEN GOODS ARE STORED.
13:52	10/04/2018	C5683	
13:52	10/04/2018	C5683	MANAGER - [REDACTED]
13:52	10/04/2018	C5683	
13:52	10/04/2018	C5683	UNDERAGE WORKER - [REDACTED] - WORKS WEEKENDS.
13:52	10/04/2018	C5683	
13:53	10/04/2018	C5683	
13:53	10/04/2018	C5683	CALL ENDED - URN GIVEN - NO MORE INFO
			**** TEXT FROM CLOSED LOG ****
17:24	10/04/2018	C3767	EA FBI NOTED - ISR SUBMITTED.

ID: 17596095

READING AND DISTRICT IRISH CENTRE
IRISH CLUB, 94 104, CHATHAM STREET, READING, RG1 7HT

URN: Date: Time: Location Reference
12 25/02/2019 00:13 750326
Beat Code: EA44
Caller: [REDACTED]
Classification: MISCELLANEOUS ALTERCATION IN PROGRESS
Response: IMMEDIATE
Result: ENQUIRY COMPLETED
Closing Type L2: CONCERN/SAFETY/COLLISION/INJURY/TRAP
Closing Type L3: NO QUALIFIER
Brief Details:

00017/250219: PEOPLE ARE FIGHTING IN THE STREET AND STOPPING TRAFFIC - JUST SAW A CHILD JUMP IN FRONT OF A CAR

Force ID:	Res Type:	RD:	AS:	LS:	RC:	AI:	DW:	CI:
2422	AP		00:19	00:24				
2147	XD	00:16	00:19	00:25				
4798	AP	00:15	00:19	00:24				

Details from incident log:

Time	Date	Ref	Details
00:13	25/02/2019	C2852	
00:13	25/02/2019	C2852	CALLER IS IN BUTLER PUB OPPOSITE
00:13	25/02/2019	C2852	
00:14	25/02/2019	C2852	CALLER STATES THERE ARE OVER 40 TRAVELLERS IN THE STREET
00:14	25/02/2019	C2852	FIGHTING AND GETTING INTO CARS DRUNKS NOW
00:14	25/02/2019	C2852	
00:14	25/02/2019	C2852	ONE LITTLE MALE WAS THROWN ONTO A BONNET OF A CAR AND WAS
00:14	25/02/2019	C2852	TOLD TO FUCK OFF HOME
00:14	25/02/2019	C2852	
00:15	25/02/2019	C2852	ONE CHILD AROUND 8-12YO WAS JUST OUT WEARIN RED T SHIRT
00:15	25/02/2019	C2852	AND OPENED A RANDOM MOP'S CAR AND THEN STOOD IN THEIR
00:15	25/02/2019	C2852	DOORWAY - CAR HAD TO TRY AND PULL AWAY
00:15	25/02/2019	C2852	
00:15	25/02/2019	C2852	CALLER STATES THEY ARE DISPERSING BUT STILL LOTS OF THEM
00:15	25/02/2019	C2852	
00:16	25/02/2019	C2852	NO WEAPONS SEEN
00:16	25/02/2019	C2852	
00:16	25/02/2019	C2852	ON LIFTED SOMEONE BY THE THROAT
00:16	25/02/2019	C2852	
00:16	25/02/2019	C2852	
00:17	25/02/2019	C2852	
00:17	25/02/2019	C2852	CALLER HAS CCTV
00:17	25/02/2019	C2852	
00:18	25/02/2019	C2852	NOT BLOCKING THE ROAD - CAN SEE A LITTLE GROUP WITHIN THE
00:18	25/02/2019	C2852	LARGE GROUP EXCHANGING WORDS OTHERS ARE DISPERSING BUT
00:18	25/02/2019	C2852	STILL ABOUT 40 PEOPLE IN THE STREET
00:19	25/02/2019	C2852	
00:19	25/02/2019	C1873	ET VEIWIN THE SIG LOTS OF VEHICLES NO FIGHTING
00:19	25/02/2019	C1873	FAS72 AWARE
00:19	25/02/2019	C7399	NO FREE UNITS ATT
00:19	25/02/2019	C2852	CALLER HAS NO MORE INFO - STATES THEY ARE STILL SHOUTING
00:19	25/02/2019	C2852	IN THE STREET
00:19	25/02/2019	C2852	
00:19	25/02/2019	C2852	CALLR STATES THAT HE CAN SEE BLUE LIGHTS OUTSIDE -
00:19	25/02/2019	C2852	RELEASED CALLER FROM CALL
00:20	25/02/2019	C1873	LOTS OF TRAFFIC NO FIGHTING
00:21	25/02/2019	C3108	From ST20

00:21	25/02/2019	C3108	APOLS UTR ATT (ARR ATT)
00:24	25/02/2019	C1252	OSCAR 2= APPOLS ONLY JUST PICKED UP I NOTE UNITS NOW ON
00:24	25/02/2019	C1252	SCENE
			**** NO TEXT IN CLOSED LOG ****

ID: 17571469

READING AND DISTRICT IRISH CENTRE
IRISH CLUB, 94 104, CHATHAM STREET, READING, RG1 7HT

URN: 50 Date: 09/02/2019 Time: 00:51 Location Reference: 7/9/3/26
Beat Code: E444
Caller: [REDACTED]
Classification: MISCELLANEOUS INCIDENT
Response: TELEPHONE RESOLUTION
Result: ENQUIRY COMPLETED
Closing Type L2: MESSAGES
Closing Type L3: NO QUALIFIER
Brief Details:

00044/090219:INTEL CALLER REPORTS THAT A MALE CAME INTO THE IRISH CLUB TRYING TO FLOG SHOES HE IS ALSO REPORTING A CHINESE MALE WHO IS STILL SELLING PIRATE VIDEOS HE IS ALSO REPORTING ANOTHER MALE WHO TRAVELLING AROUND TILFURST SELLING STOLEN GOODS

Time(mins) from +IC:		Despatch = n/a		At Scene = n/a		Leave Scene = n/a			
Force ID:	Res Type:	RD:	AS	IS	RC	AL	DW	CT	
No Response Data Found									
Details from incident log:									
00:52	09/02/2019	C7490	--						
00:52	09/02/2019	C7490	CALLER SAYS MALE USED TO LIVE IN A TENT IN THE LOCALITY						
00:52	09/02/2019	C7490	AND THAT HE IS OFFERING STOLEN GOODS SUPERDRY CLOTHING						
00:52	09/02/2019	C7490	WHICH HE IS STEALING IN READING						
00:53	09/02/2019	C7490	FROM PREVIOUS FOR CALLERS H/A CALLER DOES SUFFER FROM						
00:53	09/02/2019	C7490	POOR MENTAL HEALTH AND WAS QUITE VAGUE IN HIS RECALLING						
00:53	09/02/2019	C7490	OF DETAILS						
00:53	09/02/2019	C7490	THE MALE THAT CAME INTO THE IRISH CLUB WHILE CALLER WAS						
00:53	09/02/2019	C7490	SELLING MARKS AND SPENCERS SHOES						
**** NO TEXT IN CLOSED LOG ****									



Brendan Healy
 Reading District Irish Association
 96 Chatham Street
 Reading
 Berkshire
 RG1 7HT

Declan Smyth
 Licensing Officer
 Reading

Police Station
 Castle Street
 Reading
 Berkshire
 RG1 7TH

Tel: 01865 845249
 Fax:
 declan.smyth@thamesvalley.pnn.police.uk
 www.thamesvalley.police.uk

4th December 2018

Licensing Act 2003

Premises Licence Number: LP4000016

Premises: Reading District Irish Association

Premises Address: 96 Chatham Street, Reading, Berkshire, RG1 7HT

On the 4th December 2018 a performance meeting was arranged at The Reading Police station for 14:00. In attendance representing the Reading District Irish Association was Mr Brendan Healy.

During the performance meeting, I informed you of a number of issues that require your attention:

- It has come to the attention of Thames Valley Police that the Reading District Irish Association premises is being used for the trafficking/purchasing of stolen goods. Namely stolen meat and alcohol. This must stop with immediate effect.
- I understand that you cannot be at the premises 24/7. That said you and your staff need to be aware of what's happening in and around the premises and be proactive in preventing this kind of activity. You will need to directly inform your team that this is happening and put a robust action plan together to stop any further criminal activity.
- The management and staff at the premises have to be promoting the four licensing objectives.
 1. The Prevention Of Crime And Disorder
 2. Public Safety
 3. The Prevention Of Public Nuisance
 4. The Protection Of Children From Harm

Advisories

Serving with Pride and Confidence

1) **ECHO TANGO RADIO.** The use of the town safe radio is a major benefit to all premises in the town center to aid in the prevention of crime and disorder. You are advised to make use of this scheme. For information on the benefits, procedures and costs associated with it, please contact george.friel@reading.gov.uk

2) **PUBWATCH.** You are advised to attend the monthly meetings. Information in relation to Pubwatch can be obtained from Thames Valley Police, Reading Borough Council and Mr Rob Kennedy (Pubwatch, Chairman) who is the general manager of Q-Club on Friar Street.

3) **Refusals Log.** Thames Valley Police would recommend that as a minimum the premises management team have documentation to show that the staff are using a log and that the management are using the information to show any trends.

4) **Incidents Log.** Thames Valley Police would recommend that as part of the daily routine that the staff and management document any and all incidents. It would be beneficial to be able to prove a pattern and what action was or is been taken by the site to show prevention of crime and disorder.

5) **Toilet Checks.** Thames Valley Police would recommend that the premises introduce a policy and to document to aid in managing the toilet area. This will aid in the reduction of crime and disorder.

Whilst we are considering what, if any, further actions needs to be taken in relation to the meeting on the 4th December 2018, you are advised to rectify the above as soon as possible. I expect that all the above will be address and actioned with immediate effect.

Yours faithfully

Mr Declan Smyth
Licensing Officer

Serving with Pride and Confidence



Amar Dave

Interim Director of Environment,
Culture and Sport
Civic Offices, Reading, RG1 7AE
☎ 0118 937 3737
SMS TEXT: 81722

To Mr Patrick Power
Reading & District Irish Association
96-104 Chatham Street
Reading
RG1 7HT

Fax: 0118 9372 557
Our Ref: LIC/FCAERE96-1/1

Direct: ☎ 0118 9373 762 Option 3
e-mail:
jean.champeau@reading.gov.uk

19 March 2013

Your contact is: J S Champeau, Licensing and Consumer Protection

Dear Mr Power

Licensing Act 2003
Club Premises Certificate Number: LP4000016
Premises: Reading & District Irish Association
Premises Address: 96-104 Chatham Street Reading

Over the past month you have corresponded with Peter Narancic regarding the use of the club and the concerns regarding access and membership to the club. The concern has been that the club has not operated as a bone fide club but as a premise open to the general public which is contrary to the club premises certificate.

I have today been informed of two incidents by two members of staff who work for Reading Borough council.

1. On Friday night a 17 year old (non member) was permitted on to the premise and served alcohol (3 pints) with his underage friends.
2. On Sunday night a non member visited the club, was served and stayed on the premises for about one hour.

The above are only allegations and have not been verified by officers. However they do raise concerns and require your attention.

The club premises certificate permits your club to operate within limited restrictions, I draw to your attention page 5 and 6 of your club premises certificate paragraphs 62 & 64

62 The general conditions

- (1) The general conditions, which a club must satisfy if it is to be a qualifying club in relation to a qualifying club activity are the following.
- (2) Condition 1 is that under the rules of the club persons may not -

- (a) be admitted to membership, or
- (b) be admitted, as candidates for membership, to any of the privileges of membership,

Without an interval of at least two days between their nomination or application for membership and their admission.

- (3) Condition 2 is that under the rules of the club persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission.
- (4) Condition 3 is that the club is established and conducted in good faith as a club (see section 63).
- (5) Condition 4 is that the club has at least 25 members.
- (6) Condition 5 is that alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club.

64 The additional conditions for the supply of alcohol

- (1) The additional conditions which a club must satisfy if it is to be a qualifying club in relation to the supply of alcohol to members or guests are the following.
- (2) Additional condition 1 is that (so far as not managed by the club in general meeting or otherwise by the general body of members) the purchase of alcohol for the club, and the supply of alcohol by the club, are managed by a committee whose members -
 - (a) are members of the club;
 - (b) have attained the age of 18 years; and
 - (c) are elected by the members of the club.

This subsection is subject to section 65 (which makes special provision for industrial and provident societies, friendly societies etc).

- (3) Additional condition 2 is that no arrangements are, or are intended to be, made for any person to receive at the expense of the club any commission, percentage or similar payment on, or with reference to, purchases of alcohol by the club.
- (4) Additional condition 3 is that no arrangements are, or are intended to be, made for any person directly or indirectly to derive any pecuniary benefit from the supply of alcohol by or on behalf of the club to members or guests, apart from -
 - (a) any benefit accruing to the club as a whole, or

(b) any benefit which a person derives indirectly by reason of the supply giving rise or contributing to a general gain from the carrying on of the club.

and paragraph 11 of your club rules

(a) Visitors and Guests

Visitors and guests may be introduced at the discretion of individual members of the management committee (provided that 24 Hours notice is given)

Given concerns expressed in the past month and the recent allegations, please supply;

A, A copy of the membership list detailing the members names and address, this is to confirm you have more than 25 fully paid up members.

B, A copy of the guest permissions given in the past six months.

C, A copy of the club rules.

D, Names and functions of committee members

Should you wish to discuss the issues, please telephone me on the number above, during office hours.

Yours faithfully

J S Champeau
Senior Licensing & Enforcement Officer



Licensing Team
Reading Borough Council
Bridge Street, RG1 2LU
Tel: 01189 37 37 62
licensing@reading.gov.uk

Licensing Dept
Reading Police Station
Castle Street, RG1 7TH
Tel: 101

PREMISES – RECORD OF INSPECTION DATED:

Licence No:	LP400016
Name:	Reading Fight Association
Address:	96 Emulsion Street. Reading.
Type:	Premises Licence Club Premises Certificate

Licence Inspection	
Summary on Display: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Correct Part A/Conditions held at Premises: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Premises Licence Holder: _____	DPS: LP7002486
DPS as per Licence: <input type="checkbox"/> Yes <input type="checkbox"/> No	DPS Present? <input type="checkbox"/> Yes <input type="checkbox"/> No
If No, Reason: _____	Authorised Person: Brendan Healy

Licensable Activities (Carried On)	
Regulated Entertainment:	Plays Films Indoor Sporting Events Boxing/Wrestling Live Music Recorded Music Performance of Dance Anything Similar
	Are there any gaming machines? If so, how many? <u>Three</u>
	Gaming permit produced and correct? _____
Late Night Refreshment: <input type="checkbox"/> Yes <input type="checkbox"/> No	Sale/Supply of Alcohol: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Location: On Off <u>Both</u>
Does the Licence/Certificate permit activities carried on? <input type="checkbox"/> Yes <input type="checkbox"/> No	

Conditions of Licence/Certificate
<ul style="list-style-type: none"> • CCTV not in full operation. • None members signed in – only 2 members on premises • No members list available.

Summary of Key Points Discussed
<p>Remained selling Alcohol to all members</p> <p>NO age verification policy.</p>

Document Checklist
<input checked="" type="checkbox"/> Age policy operated <input checked="" type="checkbox"/> Section 57 <input checked="" type="checkbox"/> Training Records <input checked="" type="checkbox"/> Authorisation List

Awareness of the Licensing Objectives by Licence Holder/DPS: A – Good | B – Fair | C – Bad (Circle Appropriate)

Inspection Outcome: ☐ Satisfactory ☐ Unsatisfactory

Lead Authority Inspecting Officer(s):

Declan Smyth

Signature of licensee or representative(s):

Date of Inspection:

WED 5 JUNE 2019

Time Started: 15:15 | Time Ended: _____



CONTINUATION SHEET OF ISSUES DISCUSSED:

* CCTV not in operation - RA unable to
operate.

* No up to date policy available.

* No challenge 21 or 25 signs.

* No members covered in door during the
inspection.

* 2 members on premises with valid ID + membership.

* All issues raised in door by 400 the name was
not used. See 402 member.

INSPECTING OFFICER:

D. Sneyd

SIGNATURE OF LICENSEE/REPRESENTATIVE:

[Signature]

DATE OF INSPECTION:

21st June 2014

APPENDIX TVP 19

P U L E

required in that detail by or under these Rules.

ALTERATION TO RULES

These may only be made at the A.G.M. or E.O.M. called specifically for that purpose providing that no alteration or amendment shall be made to the CHARTERS CHARTER OF DISOLUTION CLAUSE

21. BY-LAWS

The Management Committee may from time to time make vary or revoke By-Laws (NOT to be inconsistent with the RULES).

The By-Laws are the regulation of the internal affairs of the Association and the conduct of members.

Until revoked All By-Laws shall be binding on members.

22. DISOLUTION OF THE ASSOCIATION

If for any reason the Association ceases to exist any assets remaining on dissolution - after satisfying outstanding debts and liabilities - will be given to a recognised charity or charities of the Member's choice.

The Association shall hold a membership book in the premises listing members names and addresses

23. NAME

The Association shall be called the Reading and District Irish Association. The address of the Office is 44-46 Chatter Street, Reading.

24. OBJECT

The object of the Association is to preserve the Irish tradition and promote the cultural social and general welfare of its members. In furtherance of this object the Association may employ its money and activities to the community as a whole. The Association shall be non-political.

25. MEMBERSHIP

(a) Membership is open to those of Irish birth or descent their families and their associates

(b) Every candidate for membership must be proposed by one member of the Association and the proposal must be seconded by another member and

the proposer and the seconded must be present at the candidate's interview for membership. The name and address of every candidate proposed for membership together with the names of the proposer and seconder shall for a period of at least ten clear days before such candidate is elected be posted in the Association's premises in the manner prescribed by Rule 1.

(c) The Management Committee retain the right to refuse or revoke membership.

(d) The Secretary shall issue to each member a membership card and a book of names.

10. Only fully paid up members may represent the Association in delegations or suits bearing the Association's name.

4. SUBSCRIPTIONS

11. Family to include children up to the age of eighteen years
 12. Individual
 13. Senior Citizen
 14. The annual subscription payable from 1st January for the year ending 31st December shall be such figure as is decided at the A.G.M.
 15. No member shall be entitled to the privileges of membership until his subscription is paid.
 16. Membership will be deemed to have lapsed if not renewed by 1st February.

5. CHANGE OF ADDRESS

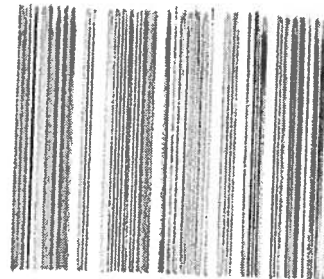
Any member changing his address should inform the Secretary of such in writing. Until such notice is given all communications sent to his last address shall be deemed to have been served on the member.

6. COMMITTEES

- (a) Election of Officers and the other Management Committee Members shall be at the A.G.M.
- (b) The affairs of the Club in all matters not in their power reserved for the Club in General Meeting shall be managed by the General Committee of the Club. The General Committee shall consist of not less than five nor more than eleven members of the Club who shall be elected annually at the Annual General Meeting of the Club. They shall all go out of office in every year and shall be eligible for re-election.
- (c) There shall be 100 Members of the Club. The Chairman, the Secretary, the

According to the Club as a whole.

17. The permitted hours for the supply of intoxicating liquor shall be in accordance with the local Licensing Laws.
18. No person under the age of 18 years is allowed to



19. All members using the premises after 7 p.m. are required to be in a clean and reasonable state of dress.
20. No drunkenness or bad language will be permitted on the premises.
21. FINANCE

- (a) The Financial Year shall be from 1st January to 31st January.
- (b) The Association shall hold a Bank account. All cheques shall be signed by two of any four signatories two of these four signatories to include the Honorary Secretary and the Honorary Treasurer.
- (c) The financial records of the Association shall be made available for inspection to any member or request upon reasonable notice to and in the presence of the Treasurer.
- (d) Independent Auditors will be appointed to audit the accounts of the Association.

22. All notices shall be posted by hand at least at a permanent location on the Club premises at a part of the Club which is frequented by members and it shall be the duty of the Secretaries to ensure that any such notice remains in position throughout any period

The Chairman will exercise his discretion in any case where the votes cast for and against a motion are equal.

31. PROHIBITION

(a) Visitors and guests

Visitors and guests may be introduced at the discretion of the Chairman or the Management Committee provided 24 hours notice is given.

No person who has been expelled or refused admission shall be introduced as a guest.

(b) Any persons invited to take part in any cultural, physical or recreational activity organised by the Association may on the day of such activity be treated as temporary members provided that they conform to the Rules of the Association.

(c) The premises shall be open at the discretion of the Management Committee.

(d) The General Committee shall arrange the supply of intoxicating liquor by the Club to members and to other persons on the Club premises.

(e) No person shall be paid at the expense of the Club any commission percentage or similar payment on or with reference to purchases of intoxicating liquor by the Club nor shall any person directly or indirectly derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Club to members or guests apart from the benefits

Secretary Treasurer, 15. Social Secretary and 17. Public Relations Officer who shall be elected from time to time by the Club in General Meeting from among the ordinary members of the Club and such other officers of the Club as the Club may in General Meeting appoint.

The Officers of the Club shall act in all matters in accordance with the directions of the General Committee of the Club. Subject to any directions given him by the General Committee the Secretary may on behalf of the Club employ domestic staff and other staff and economical running of the Club and shall identify themselves as such employees.

(3) To provide for replacements resulting from resignations or otherwise, the Management Committee is empowered to invite members to the Committee giving due consideration to the wishes of the members as expressed at the last General Meeting.

16. VICE-PRESIDENTS

An unlimited number of Vice-Presidents may be appointed by the Management Committee. They will be an honorary title reserved for those who have distinguished themselves in a position of leadership in the Association.

8. There shall be four trustees of the Club who shall be appointed every five year period as necessary by the Club in General Meeting from among ordinary or honorary members who are willing to be so appointed. A trustee shall hold office during his or her five year period or until he shall resign by notice in writing given to the

10. MEETINGS:

(a) Annual General Meeting.

The A.G.M. shall be held within six weeks of the 1st April. The business of the A.G.M. will be:

- i. To receive a report from the retiring

General Committee or until a resolution removing him from office shall be passed at a General Meeting of the Club by a majority comprising two-thirds of the members present and entitled to vote.

All property of the Club including land and investments shall be held by the Trustees for the time being in their own hands as far as necessary and practicable for the use and benefit of the Club. On the death, resignation or removal from office of a Trustee the General Committee shall take steps to procure the appointment by the Club in General Meeting of a new Trustee in his place and shall as soon as possible thereafter take all legal and practical steps to procure the vesting of all Club property into the names of the Trustees as constituted after the said appointment.

The Trustees shall have the power to mortgauge or pledge any Club property for the purpose of raising or borrowing money for the benefit of the Club with the consent of the General Committee but no purchase, loan or mortgage shall be contracted or entered into unless such consent has been given.

Executive

- ii. To receive a balance sheet and accounts for the previous financial year
- iii. To elect Officers and Committee members
- iv. To consider motions of which 14 days prior notice has been given to the Secretary

(b) Extraordinary General Meeting.

An E.G.M. shall be called by the Secretary or Secretary either by resolution of the Management Committee or on receipt of a requisition signed by not less than one-third of the members entitled to vote.

NOTICE OF GENERAL MEETINGS

At least 21 days notice of any General Meeting shall be given to all members.

(c) Committee Meetings

The Management Committee will meet at intervals for the efficient running of the Association not at less than once per month.

VOTING

Each member of the Association over 18 years of age is entitled to one vote either in a show of hands or by ballot at General Meetings.

Judgments

QBD, ADMINISTRATIVE COURT

Neutral Citation Number: [2016] EWHC 1265 (Admin)

CO/345/2016

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

THE ADMINISTRATIVE COURT

Royal Courts of Justice

Strand

London WC2A 2LL

Thursday, 14 April 2016

Before:

MR JUSTICE JAY

Between:

EAST LINDSEY DISTRICT COUNCIL

Appellant

v

ABU HANIF

(TRADING AS ZARA'S RESTAURANT AND TAKEAWAY)

Respondent

Computer- Aided Transcript of the Stenograph Notes of

WordWave International Limited trading as DTI

165 Fleet Street London EC4A 2DY

Tel No: 020 7404 1400 Fax No: 020 7404 1424

(Official Shorthand Writers to the Court)

Mr P Kolvin QC & Mr D Dadds (instructed by David Dadds LLP) appeared on behalf of the **Appellant**

The **Respondent** did not appear and was not represented

J U D G M E N T

(Approved)

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1. MR JUSTICE JAY: This is an appeal by way of case stated from the decision of the Lincoln Magistrates' Court, District Judge Veits, given on 23 June 2015, whereby he

allowed an appeal from the revocation of a premises licence by the licensing authority.

2. The appellant, the East Lindsey District Council, is the licensing authority. The Magistrates' Court in the usual way is not a party to these proceedings. The respondent, Mr Abu Hanif, trading as Zara's Restaurant and Takeaway, is the licence holder. He through a licensing consultant has submitted correspondence making various limited points, but indicating that he would not be taking any part in these proceedings.
3. The premises in question are Zara's Restaurant and Takeaway situated in North Summercoates on the Lincolnshire coast. They are licensed to sell alcohol ancillary to the supply of food. The restaurant is owned and managed by the licensee, Mr Hanif. On 29 April 2014, the premises were the subject of a joint visit by the police and immigration officers, and it was discovered that Mr Miah was working in the kitchen as a chef. It was common ground that Mr Miah had no current entitlement to remain in the UK, let alone to work. I was told that he arrived here illegally some years ago. Furthermore, it was also accepted by the respondent that he (i) employed Mr Miah without paperwork showing a right to work in the United Kingdom; (ii) paid Mr Miah cash in hand; (iii) paid Mr Miah less than the minimum wage; (iv) did not keep or maintain PAYE records; (v) purported to deduct tax from Mr Miah's salary; and (vi) did not account to HMRC for the tax deducted.
4. The police then applied for a review of the respondent's licence under section 51 of the Licensing Act 2003 and the matter came before the appellant's subcommittee on 30 June 2014. The subcommittee decided to revoke the respondent's licence. Its reasons were as follows:
5. "The subcommittee were satisfied that Mr Hanif did not take the appropriate checks of staff members having knowledge that there were problems previously at the other premises with overstayers, and that he continued to allow staff to work at Zara's restaurant without making appropriate checks.

6. The subcommittee were satisfied that Mr Hanif had not undertaken the relevant checks to ensure the employee concerned was eligible to work in the United Kingdom. Instead of not allowing employees to work if they had not provided the correct documentation he allowed them to work and paid cash in hand. With all this in mind the subcommittee were satisfied that Mr Hanif had knowingly employed person/s unlawfully in the United Kingdom.

7. The subcommittee considered the evidence by Mr Kheng on behalf of Mr Hanif and the Home Office section 182 Guidance to Licensing Authorities. The subcommittee were of the view that the premises licence should be revoked and that revocation

was an appropriate step with a view to promoting the crime prevention licensing objective."

8. The respondent then appealed to the Magistrates' Court. There was a hearing on 27 March 2015, and on 23 June the district judge decided to allow the respondent's appeal. On 1 September 2015, the district judge determined the issue of costs and on 7 January 2016 he stated the case. The appeal to the district judge was de novo, but he accepted that he could only allow the appeal if the subcommittee's decision was "wrong", the burden being on the appellant before him to establish that.
9. Looking now at the stated case, the district judge noted that the respondent had received a civil penalty for employing an illegal worker under section 15 of the Immigration, Asylum and Nationality Act 2006. An immigration officer gave evidence to the effect that although by virtue of section 21 a criminal offence was committed, such proceedings were rarely brought. The district judge also noted that the police and the Council's licensing officer were no longer saying that the respondent was a serial offender, but a redacted report which was placed before the subcommittee still gave the impression that he "was in a much worse position than he actually was". As for the failure to pay the minimum wage, the district judge said this:
 - A. "In his evidence before me Mr Hanif accepted that he had not paid the minimum wage and this in itself can be a criminal offence. I found that this was not the main basis of the subcommittee's decision however and again there was no evidence that he had been reported for that alleged offence. It would appear from their reasons that the subcommittee used the evidence of paying cash in hand as justification for the finding that he knowingly employed Mr Miah. The prosecuting authority however appear to have taken a different view in offering the civil penalty."
10. The district judge's core reasoning was that no crime had been committed. As he put it:
 - A. "It appeared to me that no crime had been committed as a result of the visit to the premises in April of last year. A civil penalty had been imposed rather than prosecution for the section 21 offence and no other crime had been reported in relation to not paying the minimum wage."
11. In the district judge's view, the crime prevention objective was not engaged.
12. The district judge also criticised the subcommittee for adopting an inconsistent approach because in other similar cases only warnings were issued. Finally, he considered that the subcommittee may have been influenced by comments in the police report, leading them to believe that they were dealing with a serial offender.

13. At the conclusion of the stated case, the district judge posed two questions for my determination. I will address these at the end of my judgment.
14. I was taken by Mr Philip Kolvin QC to various provisions of the Licensing Act 2003 as amended. Under section 4(1) and (2) a licensing authority must carry out its licensing functions with a view to promoting the licensing objectives, which include "the prevention of crime and disorder". The provisions dealing with the review application brought by the police are contained in sections 51 and 52. Under section 52(3), the licensing authority (and on appeal the Magistrates' Court):
 - A. "... must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives."
15. The epithet "appropriate" was introduced by amendment in 2011. Previously the test had been stricter. In my judgment, it imports by necessary implication the concepts of proportionality and relevance.
16. Mr Kolvin submitted that the district judge erred in a number of respects. First, he wrongly held that, given that criminal proceedings were never brought, the crime prevention objective (see section 4(2)) was not engaged. The statute is concerned with the prevention rather than the fact of crime. Secondly, and in any event, the interested party had committed criminal offences in relation to tax evasion, the employment of an illegal worker, and employing an individual at remuneration below the minimum wage. As for the employment of an illegal worker, Mr Kolvin accepted that this requires knowledge on the part of the employer, and he also accepted that it is not altogether clear whether the district judge found as a fact that the respondent possessed the requisite knowledge. However, the core question is the promotion of the licensing objectives, not the fact of anterior criminal activity, and in this regard a deterrence approach is appropriate.
17. Thirdly, Mr Kolvin submitted that there was no evidence of an inconsistent approach by the subcommittee in giving warnings in some cases because all cases turn on their own facts. Finally, Mr Kolvin submitted that there was no basis for the district judge's conclusion that the subcommittee may have been influenced by a suggestion that the respondent was a serial offender.
18. I accept Mr Kolvin's submissions. In my view the district judge clearly erred. The question was not whether the respondent had been found guilty of criminal offences before a relevant tribunal, but whether revocation of his licence was appropriate and proportionate in the light of the salient licensing objectives, namely the prevention of crime and disorder.

This requires a much broader approach to the issue than the mere identification of criminal convictions. It is in part retrospective, in as much as antecedent facts will usually impact on

the statutory question, but 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 prevention and deterrence. The district judge's erroneous analysis of the law precluded any proper consideration of that issue. In any event, I agree with Mr Kolvin that criminal convictions are not required.

19. To the extent that the analysis must be retrospective, the issue is whether, in the opinion of the relevant court seized of the appeal, criminal offences have been committed. In the instant case they clearly had been: in relation to tax evasion (see the common law offence of cheating the Revenue and the offence of fraudulent evasion of tax contrary to section 106A of the Taxes and Management Act 1970); and the employment of Mr Miah at remuneration below the minimum wage (see section 31 of the National Minimum Wage Act 1998). Moreover, given the evidence that Mr Miah never provided the relevant paperwork, notwithstanding apparent requests, the obvious inference to be drawn is that the respondent well knew that he could not, and that no tax code and National Insurance number had been issued. The corollary inference in my judgment is that the respondent well knew that Mr Miah could not provide the relevant paperwork because he was here illegally.
20. I also accept Mr Kolvin's submission that each case must turn on its own facts. As a matter of law, unless it could be said that some sort of estoppel or related abuse of process arose in the light of warnings given in other cases, the alleged inconsistent approach led nowhere. In my judgment, it could not be so said.
21. Finally, I agree with Mr Kolvin that there is nothing in the point that the subcommittee could have been misled about the interested party being a serial offender. The point that the subcommittee was making was the fact that the respondent had worked at premises where illegal workers were also employed meant that he should have been vigilant to the issue.
22. Thus the answer to the district judge's two questions are as follows:
 - A. Q. "Was I correct to conclude that the crime prevention objective was not engaged as no crimes had been proceeded with, the appellant only receiving a civil penalty?"
 - B. No.
 - C. Q. "Was I correct in concluding that the respondent had been inconsistent in similar decisions in not revoking the licence [sic]?"
 - D. No.

23. Having identified errors of law in the district judge's decision, the next issue which arises is whether I should remit this case for determination in the light of my ruling or whether I have sufficient material to decide the issue for myself. I should only adopt the latter course if satisfied that the issue is so obvious that no useful purpose would be served by remission. I am so satisfied. Having regard in particular to the twin requirements of prevention and deterrence, there was in my judgment only one answer to this case. The respondent exploited a vulnerable individual from his community by acting in plain, albeit covert, breach of the criminal law. In my view his licence should be revoked. Another way of putting the matter is that the district judge had no proper basis for overturning the subcommittee's assessment of the merits.
24. It follows in my judgment that the only conclusion open to the district judge in the present case was to uphold the revocation of the respondent's licence. This appeal must be allowed and the respondent's licence must be revoked.
25. MR KOLVIN: My Lord, I'm very grateful. Can I deal with the question of costs, both here and below.
26. MR JUSTICE JAY: Yes.
27. MR KOLVIN: Should I start with here.
28. MR JUSTICE JAY: Yes.
29. MR KOLVIN: My Lord, we would ask for the costs before this court. I just want to pray in aid four very brief points. The first is the result. The second is that the district judge's approach was expressly urged on him by the respondent's legal team. Thirdly, that the respondent was expressly urged to concede this appeal to stop costs running, he was given that opportunity at pages 42 and 43 of the bundle. Fourthly, perhaps a little bit tugging at the heart strings, but there's no reason why the Council Tax payers of East Lindsey should bear the cost of establishing what has been established in this court. So we would ask for the costs up here.
30. There is a schedule and the schedule has been served upon Mr Hanif by letter dated 16 March of 2016. I don't know whether the schedule has found its way to my Lord, if not I can hand up a copy.
31. MR JUSTICE JAY: It has.
32. MR KOLVIN: It has. My Lord, I can see that VAT has been added on. It doesn't need to be because of course the Council can retrieve the VAT, so my application is for £16,185. I know there's not a lot of explanation around my fee, but it was

taken on a single fee for all work involved in relation to the case stated; advice, the skeleton argument and attendance today, so it's one single - -

33. MR JUSTICE JAY: What about your junior's fees?
34. MR KOLVIN: My learned junior is also my instructing solicitor, he wears two hats.
35. MR JUSTICE JAY: I see.
36. MR KOLVIN: He has his own firm which is Dadds LLP, and he is also a member of the bar, so although he has appeared as my junior, his fee is wrapped up in the solicitors' fees set out in the schedule.
37. MR JUSTICE JAY: Okay. What about the costs below?
38. MR KOLVIN: My Lord, I'm just trying to ascertain what the position is.
39. MR JUSTICE JAY: I thought there was no order for costs below.
40. MR KOLVIN: There was no order for costs below, that was on the basis that the appeal had been allowed. The situation in relation to costs of licensing appeals are set out in section 181 of the Act, which enables the court to make such order as it thinks fit. Normally when appeals are dismissed there is no real question about it, costs follow the event. When appeals are allowed, some further considerations come into play, which are expressed by the Master of the Rolls in a case which you may have come across called City of Bradford v Booth, which is the case where the Master of the Rolls said that local authorities shouldn't be put off from trying to make honest and reasonable decisions in the public interest. And so one has to take account additionally of the means of the parties and their conduct in relation to the dispute, but in this case of course the appeal has now been dismissed, and so we would say that the ordinary rule is that the costs should follow the event, the appeal having failed. I'm just trying to ascertain whether schedules were ever served below, in the light of the way the case came out. **(Pause)**
41. My Lord, I'm really sorry that we don't actually have the schedule here, apparently it was £15,000. If you were minded to order costs below the options are either I suppose to wait and we will have the thing emailed up, or to say, "Look, it was below, it's a little bit more complex, they should be assessed if not agreed."
42. MR JUSTICE JAY: This is going to wipe him out, isn't it?
43. MR KOLVIN: Well he has already said, I have to say, I'm just telling you frankly what I've been told this morning, that when the bundles and the schedules were

served on him, he had clearly read them, but he said, "If you win in the High Court and get costs against me, then I'm just going to declare myself bankrupt." So there may well be a bit of football(?) about this, but nonetheless it was his appeal, his team raised a point which in retrospect was very surprising, and caused an awful lot of costs to be incurred.

44. MR JUSTICE JAY: Yes. Well I am going to assess the costs here in the round figure of £15,000.
45. MR KOLVIN: Thank you.
46. MR JUSTICE JAY: If there was a schedule, which you tell me there was, below, it is proportionate that I assess those costs rather than put you to the trouble of a detailed assessment, so if you could have that emailed to my clerk in due course, I will assess the costs below.
47. MR KOLVIN: Thank you, my Lord.
48. MR JUSTICE JAY: On the basis of that schedule.
49. MR KOLVIN: We're not trying to be too ambitious, but we would like to see what we can - -
50. MR JUSTICE JAY: I'll take a broad brush approach to that.
51. MR KOLVIN: Thank you.
52. My Lord, the only other thing to mention is that this isn't the only case which is kicking around the east of England where licensing subcommittees are being urged ~~to take no action because there has been no prosecution in these immigration~~ cases. Although I appreciate that this is hardly stellar law making, it's an application of pretty well established legal principles to the facts, I'm asking whether my Lord would be minded to certify this so that we can adduce the authority in other cases, because it's a clear statement of the law that there doesn't need to have been a prosecution. So with the practice direction in mind, would my Lord be minded to - -
53. MR JUSTICE JAY: Just remind me of the practice direction.
54. MR KOLVIN: Yes, can I hand it up?
55. MR JUSTICE JAY: Yes. **(Handed)**

56. MR KOLVIN: If Mr Hanif had come I wouldn't need to make the application. It's paragraph 6.1. The judgment has to clearly indicate that it purports to establish a new principle or extends the present law and that has to take the form of an express statement to that effect, and then 6.2 says what categories of judgment we're dealing with, which include applications attended by one party only.
57. So that's the situation we're in. In reality these judgments get around anyway, because we're dealing with administrative tribunals and not courts, but sometimes the point is taken, "Ah yes, but the court didn't certify".
58. MR JUSTICE JAY: But where's the new principle I've established?
59. MR KOLVIN: My Lord, what you have said clearly, which hasn't been said before, by dint of the fact that not many licensing cases reach the lofty heights of this building, is that there does not need to have been a prosecution in order for the crime to have - -
60. MR JUSTICE JAY: Oh, I see. Well that's so obvious it almost goes without saying, that's why it hasn't been said before.
61. MR KOLVIN: My Lord, it was obvious to everyone except the district judge, the appellant and other licensees in the east of England.
62. MR JUSTICE JAY: Okay.
63. In terms of the logistics, if you want a copy of the judgment, don't you have to pay for it?
64. MR KOLVIN: We may have to, and we would be obviously very pleased to do so.
65. MR JUSTICE JAY: Because I'm not sure that all judgments are, in the Administrative Court, they're not all transcribed and published.
66. MR KOLVIN: That is correct, and I have no doubt that my client would be - this isn't a matter about the costs of the judgment.
67. MR JUSTICE JAY: No, fortunately it doesn't cost that much. But I will give the certification. I have never been asked to do so before, I must confess.
68. MR KOLVIN: Yes.

69. MR JUSTICE JAY: Because these cases are referred to almost willy nilly, if they're available on Lawtel or wherever.
70. MR KOLVIN: Yes, they are.
71. MR JUSTICE JAY: Then they're just provided.
72. MR KOLVIN: They get into the textbooks and they - -
73. MR JUSTICE JAY: No- one objects.
74. MR KOLVIN: Yes. It has happened once before, in relation to the meaning of the Court of Appeal judgment in Hope and Glory, and Lindblom J, as he then was, was asked repeatedly would he certify in relation to the meaning of Hope and Glory, which is an important test, and he was pretty engaged in the practice direction. But since then that judgment, there's always an argument in court about whether it can be cited or not. The difference between licensing and some other fields of law is that very few cases reach here, so when they do, the judgments of High Court judges are gold dust.
75. MR JUSTICE JAY: Yes, well I'm happy to make the certification.
76. MR KOLVIN: Thank you very much indeed.
77. MR JUSTICE JAY: We wouldn't want this point to be taken again successfully.
78. MR KOLVIN: No.
79. MR JUSTICE JAY: Now as a matter of courtesy, is the judgment, once available, sent to the district judge, or is it something that I should do informally?
80. MR KOLVIN: I don't know, my Lord, what the normal practice is. I don't think that I have previously been on a legal team which has sent judgments, but we're very happy to undertake to do so.
81. MR JUSTICE JAY: Yes, I think if you're going to get a copy, obviously you're going to send it to the respondent - -
82. MR KOLVIN: Indeed.
83. MR JUSTICE JAY: - - so he can ingest it. I think you should send it to the district judge, just saying that the judge directed that out of courtesy he should see it.

84. MR KOLVIN: We're very happy to do that. Thank you very much indeed.

85. MR JUSTICE JAY: Thank you very much.

APPENDIX TVP 19

required in that behalf by or under these Rules.

18. ALTERATION TO RULES

These may only be made at the A.G.M. or S.G.M. called specifically for that purpose providing that no alteration or amendment shall be made to the OBJECTS CLAUSE or DISSOLUTION CLAUSE.

19. BY-LAWS

The Management Committee may from time to time make any or several By-Laws (MCI to be consistent with the Rules).

The By-Laws are the regulation of the internal affairs of the Association and the conduct of members.

Until revoked All By-Laws shall be binding on members.

20. DISSOLUTION OF THE ASSOCIATION

If for any reason the Association ceases to exist any debts remaining on dissolution - after settling outstanding debts and liabilities - will be given to a recognised charity or charities of the members' choice.

21. The Association shall hold a membership book of the members listing members names and addresses:

22. NAME

The Association shall be called the Telling and Telling Irish Association. The address of the Office is 34 The Church Street, Reading.

23. OBJECT

The object of the Association is to promote the Irish tradition and provide the cultural, social and general welfare of its members. In furtherance of this object the Association may extend its welfare activities to the community as a whole. The Association shall be non-political.

24. MEMBERSHIP

1. Membership is open to those of Irish birth or descent (the "Families and their Ancestors").

2. Every candidate for membership must be proposed by one member of the Association and the proposal must be seconded by another member and both the proposer and the seconder signing for the candidate's fitness for membership. The name and address of every candidate proposed for membership together with the names of the proposer and seconder shall for a period of at least two clear days before such candidate is elected be posted in the Association's premises in the manner provided by Rule 1.

3. The Management Committee retain the right to refuse or revoke membership.

4. The Secretary shall issue to each member a membership card and a book of Rules.

- 9-005271PT1043

1960 21

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1. CONCLUDE

- Page 90

The Chairman will preside and shall also be a
case where the votes cast for and against a motion are
equal.

11. **MEMBERS**

a. **Qualifications and Rights**

Members and guests shall be introduced at the
Association of golf club members of the Management
Committee provided it meets within the limits of

any person who has been expelled or failed to
to resign shall be introduced as a guest.

101. Any person invited to take part in any
cultural, physical or recreational activity
organized by the Association may on the day of
such activity be treated as temporary member
provided that they conform to the rules of the
Association.

12. The process shall be open at the discretion of the
Management Committee.

13. 10. The General Committee shall arrange the supply
of intoxicating liquor by the Club to members
and to other persons on the Club premises.

12. No person shall be paid at the expense of the
Club any remuneration percentage or similar
payments on or with reference to purchase of
intoxicating liquor by the Club nor shall any
person directly or indirectly derive any
pecuniary benefit from the supply of
intoxicating liquor by or on behalf of the Club
to members or guests except from any benefit

Members Treasurer (or Deputy Treasurer) and 13.
Public Relations Officer who shall be elected
from time to time by the Club in General
Meeting from among the ordinary members of the
Club and each shall discharge the duties of the
Club as at General Meeting approved.

The Officers of the Club may, in general, meeting
appoint.

The Officers of the Club shall act in all
matters in accordance with the directions of
the General Committee of the Club. Subject to
any directions given by the General
Committee the Secretary may on behalf of the
Club engage domestic staff and other club
servants as may be necessary for the efficient
and economical running of the Club and may,
lawfully terminate any such engagement.

13. The storage for refrigerators resulting from
refrigerators or otherwise. The Management
Committee is empowered to issue members with
the Committee giving due consideration to the
wishes of the members as expressed at the next
general A.G.M.

14. **VICE-PRESIDENTS**

An unlimited number of Vice-Presidents may be
appointed by the Management Committee. This shall be
an honorary title reserved for those who have given or
are in a position to render special service to the
Association.

There shall be four trustees of the Club who shall be appointed every five year period or necessary, by the Club in General Meeting from among ordinary or honorary members who are willing to be so appointed. A trustee shall hold office during his or her five year period or until he shall resign by notice in writing given to the

15. MEETINGS

15.1 Annual General Meeting

The A.G.M. shall be held within six weeks of the 1st March. The business of the A.C.M. shall be

To receive a report from the trustees

General Committee or give a resolution concerning any trust affairs shall be passed at a General Meeting of the Club by a majority comprising two-thirds of the members present and entitled to vote.

All property of the Club including land and investments shall be held by the trustees for the time being in their own hands as far as necessary and practicable for the use and benefit of the Club. On the death, resignation or removal from office of a Trustee the General Committee shall take steps to procure the appointment of a new Trustee in his place and shall as soon as possible thereafter take all lawful and practical steps to procure the vesting of all Club property into the names of the Trustees as constituted after the said appointment.

The Trustees shall have the power to sell, lease, mortgage or pledge any Club property for the purpose of raising or borrowing money for the benefit of the Club with the consent of the General Committee but no purchase, lease or mortgage shall be contracted or acquired unless such consent has been given.

15.2 Committee

To prepare a balance sheet and accounts for the previous financial year.

To elect Officers and Committee members.

To consider matters of which it may be notified by the Secretary.

15.3 Extraordinary General Meeting

An E.G.M. shall be called by the Secretary or by the General Committee or by a resolution signed by not less than one-third of the members entitled to vote.

15.4 NOTICE OF GENERAL MEETINGS

At least 14 days notice of any General Meeting shall be given to all members.

15.5 COMMITTEE MEETINGS

The Management Committee will meet as necessary for the efficient running of the Association but at least once per month.

15.6 VOTING

Each member of the Association shall have one vote which shall be cast either in person or by proxy or by ballot as directed by the Committee.

ID: 17768211

READING AND DISTRICT IRISH CENTRE
IRISH CLUB, 94 104, CHATHAM STREET, READING, RG1 7HT

URN: Date: Time: Location Reference:
1457 11/06/2019 20:28 7/9/3/26
Beat Code: EA44
Caller:
Classification: TRAFFIC : PARKING/OBSTRUCTION/VEL ETC
Response: BY ARRANGEMENT
Result: ADVICE GIVEN
Closing Type L2: HIGHWAY DISRUPTION
Closing Type L3: NO QUALIFIER
Brief Details:

03025/110619: MULTIPLE CARS ARE PARKED ON THE PAVEMENT OUTSIDE THE IRISH CLUB - OBSTRUCTION ON THE PAVEMENT
PEOPLE CANT GET AROUND - CAR PARK OPP OSITE - CALLER BELIEVES VEHICLE OWNERS ARE IN IRISH CLUB OR BOXING
CLUB - DOUBLE YELLOW LINES

Time(mins) from +IC: Despatch = n/a At Scene = n/a Leave Scene = n/a
Force ID: Res Type: RD: AS: LS: RC: AI: DW: CI:
No Response Data Found

Details from incident log:

20:30	11/06/2019	C4587	.
20:30	11/06/2019	C4587	CAUSING OBSTRUCTION ON PUBLIC FOOTPATH
20:30	11/06/2019	C4587	.
20:30	11/06/2019	C4587	HAPPENS EVERY NIGHT
20:30	11/06/2019	C4587	.
20:30	11/06/2019	C4587	CALLER BELIEVES PEOPLE WHO HAVE PARKED VEHICLES OUTSIDE
20:30	11/06/2019	C4587	THE IRISH CLUB ARE IN THEIR OR THE BOXING CLUB ON THE
20:30	11/06/2019	C4587	SAME STREET
20:30	11/06/2019	C4587	.
20:30	11/06/2019	C4587	APPROX 4 OUTSIDE THE IRISH CLUB NOW BLOCKING THE FOOTPATH
20:30	11/06/2019	C4587	.
20:31	11/06/2019	C4587	CALLER IS WORRIED THAT THEY ARE PARKED DANGEROUSLY AND
20:31	11/06/2019	C4587	SOE-- IT MAY CAUSE AN ACCIDENT
20:31	11/06/2019	C4587	.
20:31	11/06/2019	C4587	THERE IS A CAR PARK OPPOSITE AND THEY DONT USE IT
20:31	11/06/2019	C5474	ST13 - SMALL ROAD MOSTLY BUSINESS AREA SO TRAFFIC
20:31	11/06/2019	C5474	LIGHTLY TO BE LIGHT AT THIS TIME OF NIGHT
20:31	11/06/2019	C5474	NOTED THAT THIS IS AN ONGOING ISSUE
20:31	11/06/2019	C5474	.
20:31	11/06/2019	C5474	** PLEASE EMAIL NHPT **
20:31	11/06/2019	C4587	.
20:32	11/06/2019	C4587	WILL EMAIL NHPT THANKS
20:32	11/06/2019	C4587	.
20:33	11/06/2019	C4587	NHPT NOW EMAILED
**** NO TEXT IN CLOSED LOG ****			

APPENDIX TVP 20

ID: 17773002

READING AND DISTRICT IRISH CENTRE
IRISH CLUB, 94 104, CHATHAM STREET, READING, RG1 7HT

URN: 1536 Date: 14/06/2019 Time: 21:01 Location Reference: 7/9/3/26
Beat Code: EA44
Caller: XXXXXXXXXX
Classification: TRAFFIC : PARKING/OBSTRUCTION/VEL ETC
Response: BY ARRANGEMENT
Result: ENQUIRY COMPLETED
Closing Type L2: HIGHWAY DISRUPTION
Closing Type L3: NO QUALIFIER
Brief Details:

02878/140619 12-13 CARS PARKED 2 CARS THICK ON THE PAVEMENT AND ALSO ON DOUBLE YELLOW LINES AND ON THE PAVEMENT PARKED UP TO THE TRAFFIC LIGHTS .

Time(mins) from +IC: Despatch = n/a At Scene = n/a Leave Scene = n/a
Force ID: Res Type RD: AS: LS: RC: AI: DW: CI:
No Response Data Found

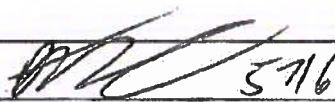
Details from incident log:

Time	Date	Res	Details
21:04	14/06/2019	C78	PREVIOUS REPORT
21:04	14/06/2019	C78	-
21:05	14/06/2019	C78	STATES DUE TO BEING PARKED UP TO THE TRAFFIC LIGHTS AN
21:05	14/06/2019	C78	ACCIDENT IS LIKEY.
21:05	14/06/2019	C78	STATES ONGOING ISSUE THEY PARK THERE EVERYDAY.
21:05	14/06/2019	C78	-
21:05	14/06/2019	C78	FEARS THAT THEY ARE DRINKING INSIDE AND THEN WILL LEAVE
21:05	14/06/2019	C78	IN THE VEHICLES
21:14	14/06/2019	C2211	NOTED AND THIS IS HAPPENING EVERY DAY
21:14	14/06/2019	C2211	PASSED TO NHPT PREV - NO INDICATION THERE HAVE BEEN ANY
21:14	14/06/2019	C2211	OTHER INCIDENTS/NEAR MISSES AND VEHS ARE THERE EVERY DAY
21:21	14/06/2019	C5474	EMAIL SENT TO ABBEY/BATTLE NHPT
**** NO TEXT IN CLOSED LOG ****			

APPENDIX TVP 21

WITNESS STATEMENT

(Criminal Procedure Rules 2015 R 16.2, Criminal Justice Act 1967 S9, Magistrates' Courts Act 1980 S5B)

		URN	
Statement of	Dan Lond		
Age If under 18	Over 18	Occupation	5716
This statement (consisting of 1 page(s)) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.			
Signature	Dan Lond 	Date	18/06/2019

I am Police Sergeant 5716 LOND of Thames Valley Police currently stationed at Pangbourne Police Station.

On Friday 14th June 2019 at about 21:00, I was off duty and walking into Reading town centre to meet some friends. As I approached CHATHAM STREET I could hear a lot of noise (shouting and music) and as I walked closer to the Irish Centre on Chatham Street, I could see that there were at least 50 people from the Irish centre directly outside the front of the building in the street drinking alcohol and being very loud, shouting and talking loudly to each other. I could also see that the front doors to the Irish centre were wide open and I could hear loud music coming from inside the centre. There were also lots of people inside the doorway of the Irish centre and the venue inside seemed pretty full as I glanced through the window. I looked to see if I could see any security/doorman for the centre as I was concerned about the large and rowdy crowd there but I could not see any security officers at all. The noise coming from the venue was not acceptable and with some many people drinking and shouting outside the front of the venue, it was quite intimidating to walk past.

There were also lots of vehicles double parked in the main carriageway of Chatham street (one of the dual carriageway was blocked by the parked vehicles) and I assume these vehicles were connected to the Irish centre as they were parked in the carriageway directly outside the front of the building and very near to all the people that were gathered outside the front of the Irish centre.

 5716.

APPENDIX TVP 22

Signature: Dan Lond

Signature Witnessed by: N/A

Name of Officer	Peter Narancic - Senior Licensing and Enforcement Officer						
Type of Application	Review of a Club Premises Certificate - Licensing Act 2003						
Name of Premises	Reading District Irish Association						
Address	96 Chatham Street Reading Berkshire RG1 7HT						
Qualifying Club Activities authorised by the Certificate	Performance of Live Music - Indoor Playing of Recorded Music - Indoor Performance of Dance - Indoor Provision of Facilities for Making music - Indoor Provision of Facilities for Dancing - Indoor Supply of Alcohol for Members & Guests - On & Off the Premises <u>Hours of Operation</u> Monday to Saturday from 1100hrs until 0200hrs Sunday from 1200hrs to 0100hrs						
Finish Times	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	x	x	x	x	x	x	x
Content of Application:							
<p>On 06 June 2019 PC Simon Wheeler on behalf of the Chief Constable of the Thames Valley Police submitted an application to review the Club Premises Certificate for the Reading District Irish Association, 96 Chatham Street, Reading because of their failure to uphold the licensing objectives, namely the Prevention of Crime and Disorder.</p>							
Licensing Officer's Comments:							
<p>The Licensing Authority is making this representation in support of Thames Valley Police in relation to the review of the Club Premises Certificate for the Reading District Irish Association, 96 Chatham Street, Reading. The Club is located within Reading Borough Council's Cumulative impact area and is located in a residential area.</p> <p>The Licensing Authority believe that this review is necessary given the very serious incidents highlighted in the review application and would invite the Licensing Committee to take the steps it deems appropriate and proportionate to promote the licensing objectives.</p> <p>Reading Borough Council's Licensing Policy statement clearly states that its Vision is "To promote Reading as a safe and healthy environment in which responsible operators provide lawful and responsible facilities for the enjoyment of the Town's residents and visitors".</p>							
<div style="display: flex; justify-content: space-between;"> Page 97 1 </div>							

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

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

The Licensing team in partnership with Thames Valley Police visit and inspect licensed premises within Reading. Particular attention is paid to premises where there have been previous incidents where the Licensing Objectives have not been supported.

The current Club Premises Certificate (number LP4000016) permits the Club to supply alcohol and other licensable activities to signed up members and their guests only, from Monday to Saturday from 1100hrs until 0200hrs and Sunday from 1200hrs to 0100hrs.

Relevant legal requirements relating to operating Clubs lawfully are shown on pages 4 to 6 of the Club Premises Certificate. Also I have provided relevant paragraphs from Reading Borough Council Licensing Policy shown at page 3 to 4 of this representation in relation to Club Premises Certificates.

On 5 June 2019, Reading Borough Council Licensing Officer attended the premises following a phone call from Thames Valley Police requesting information regarding the Club Premises Certificate for this Club as a full copy was not on the premises. When the officer arrived with a copy, he met Thames Valley Police Officers and their Licensing Officer. They updated him to what they had found, including a number of non-members drinking in the Club and were carrying out an inspection of the premises. The Licensing Officer introduced himself to the Club manager, Mr Brendan Healy (whom he recognised) and asked him if it was alright to assist the police. He agreed and informed me he was also a personal licence holder (although this is good practice, there is no legal requirement for a Club to have a manager with a personal licence or a dps). When he was asked to see the Club's members and guests signing in book, he replied there was not one available, which was a concern.

We were later joined by Mr Seamus McCadden who introduced himself as the Chairman of the Club. When it was pointed out he had non-members in the premises he did not appear concerned and explained that he was entitled to allow members of the local community into the Club as this he told us was stated on his lease agreement with Reading Borough Council. He added they had been operating like this for 30 years. He was reminded that he had a duty to follow the requirements of the Licensing Act and abide by the Club Premises Certificate. He was also advised to seek legal advice regarding the issues found on this day.

Mr McCadden was asked to close the club as he had been made aware non-members drinking in the Club, however he did not want to do this. We would have expected a Chairman to take this decision to ensure the Club was operating legally following our intervention and advice.

Breaches noted by Licensing Officer on 05.06.2019

1. No Club Premises Certificate Summary displayed.
2. No Club Premises Certificate available (Club had an incomplete copy).
3. No age verification policy.
4. No staff training records.
5. No gambling permit available for three number machines (Applied for 26.06.2019)
6. No signing in book or any other system in place to accurately record members and guests
Lawfully accessing the Club to purchase alcohol.

Previous Breaches/matters of concern

Appendix PN1 - Letter dated 15 July 2013 sent by the Licensing team requesting feedback from Mr P Power obo of the Club. No reply was received.

A previous letter dated 19 March 2019 in regard to non-members and underage drinking was sent to Mr P Power is contained within the TVP review application at **APPENDIX TVP 16A**. No reply was received.

Revised Guidance issued under Section 182 of the Licensing Act 2003

Protection of children from harm

2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

6. Club premises certificates

6.1 This Chapter covers the administration of the processes for issuing, varying, and reviewing club premises certificates and other associated procedures.

General

6.2 Clubs are organisations where members have joined together for particular social, sporting or political purposes. They may then combine to buy alcohol in bulk as members of the organisation to supply in the club.

6.3 Technically the club only sells alcohol by retail at such premises to guests. Where members purchase alcohol, there is no sale (as the member owns part of the alcohol stock) and the money passing across the bar is merely a mechanism to preserve equity between members where one may consume more than another.

~~6.4 Only 'qualifying' clubs may hold club premises certificates. In order to be a qualifying club, a club must have at least 25 members and meet the qualifying conditions set out in paragraph 6.9. The grant of a club premises certificate means that a qualifying club is entitled to certain benefits. These include:~~

- the authority to supply alcohol to members and sell it to guests on the premises to which the certificate relates without the need for any member or employee to hold a personal licence;
- the authority to provide late night refreshment to members of the club without requiring additional authorisation;
- more limited rights of entry for the police and authorised persons because the premises are considered private and not generally open to the public; and
- exemption from orders of the magistrates' court for the closure of all licensed premises in an area when disorder is happening or expected.

6.5 Qualifying clubs should not be confused with proprietary clubs, which are clubs run commercially by individuals, partnerships or businesses for profit. These require a premises licence and are not qualifying clubs.

6.6 A qualifying club will be permitted under the terms of a club premises certificate to sell and supply alcohol to its members and their guests only. Instant membership is not permitted and members must wait at least two days between their application and their admission to the club. A qualifying club may choose to apply for a premises licence if it decides that it wishes to offer its facilities commercially for use by the general public, including the sale of alcohol to them. However, an individual on behalf of a club may give temporary event notices. See Chapter 7.

6.7 The 2003 Act does not prevent visitors to a qualifying club being supplied with alcohol as long as they are 'guests' of any member of the club or the club collectively, and nothing in the 2003 Act prevents the admission of such people as guests without prior notice. The 2003 Act does not define "guest" and whether or not somebody is a genuine guest would in all cases be a question of fact.

6.8 There is no mandatory requirement under the 2003 Act for guests to be signed in by a member of the club. However, a point may be reached where a club is providing commercial services to the general public in a way that is contrary to its qualifying club status. It is at this point that the club would no longer be conducted in "good faith" and would no longer meet "general condition 3" for qualifying clubs in section 62 of the 2003 Act. Under the 2003 Act, the licensing authority must decide when a club has ceased to operate in "good faith" and give the club a notice withdrawing the club premises certificate. The club is entitled to appeal against such a decision to a magistrates' court. Unless the appeal is successful, the club would need to apply for a premises licence to authorise licensable activities taking place there.

Qualifying conditions

6.9 Section 62 of the 2003 Act sets out five general conditions which a relevant club must meet to be a qualifying club. Section 63 also sets out specified matters for licensing authorities to enable them to determine whether a club is established and conducted in good faith - the third qualifying condition. Section 64 sets out additional conditions which only need to be met by clubs intending to supply alcohol to members and guests. Section 90 of the 2003 Act gives powers to the licensing authority to issue a notice to a club withdrawing its certificate where it appears that it has ceased to meet the qualifying conditions. There is a right of appeal against such a decision.

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.

The review process

11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.

11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.

11.10 Where authorised persons and responsible authorities have concerns about problems identified at

premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.

11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement - either orally or in writing - that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

The Club Premises Certificate holders have a duty to be responsible, adhere to the conditions on their certificate and to take every step to promote the licensing objectives at all times, not just to seek to apply them once the responsible Authorities carry out inspections.

The Licensing Authority would also like to draw to the attention of the Licensing Committee Section 9.12 of the 2018 Guidance. This states that the police should be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. Given that Thames Valley Police are applying for this review should indicate the seriousness of the issues raised by the operation of the premises. This premises has demonstrated on the numerous occasions mentioned in the review paperwork that it is neither competently run or responsible. Therefore it poses a significant risk to the safety of its customers, the public at large including children and any kind of promotion of the licensing objectives.

Section 11.27 and 11.28 of the Secretary of State's Guidance pursuant to the Licensing Act 2003 states:

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;

- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs; **94** | Revised Guidance issued under section 182 of the Licensing Act 2003

- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence - even in the first instance - should be seriously considered.

Reading Borough Council Statement of Policy (2018)

1. Introduction

1.1 This policy sets out how the Council as the Licensing Authority for Reading promotes the four licensing objectives stated in the Licensing Act 2003. The four licensing objectives, as outlined in Section 4 (2) of the Licensing Act 2003, are of equal importance and the Council along with other named Responsible Authorities, stakeholders, residents and licence holders shall work together in order to actively promote them. Those four licensing

objectives are:

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

1.2 The Council must have regard to the four licensing objectives when carrying out its functions under the Licensing Act 2003. The Licensing Authority will also have regard to other Council policies which have been introduced to tackle issues that may undermine crime and disorder or any of the other licensing objectives. The Licensing Authority will have regard to the contents of this policy as well as the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003. It may also depart from this policy and the Secretary of State's Guidance if there are exceptional circumstances and it is appropriate to do so to promote the licensing objectives. If the Licensing Authority departs from the Secretary of State's Guidance it will give reasons as per paragraph 1.9 of that guidance.

1.3 The legislation also supports other key aims and purposes. These are outlined in paragraph 1.5 of the guidance and should be principal aims for all parties involved in licensing for the promotion of the licensing objectives. The licensing authority will have regard to these key aims in its decision making. They are:

- Protecting the public and local residents from crime, anti social behaviour and noise nuisance associated and caused by irresponsible licensed premises;
- 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;
- Recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area;

- Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

Summary

As you will have read, despite interventions following numerous incidents at the Club, from Thames Valley Police and the Licensing Authority over a number of years regarding how the Club is being operated (to which as far as we are aware the Club Committee has not responded to these serious concerns) which include large scale fighting, failing to support the police with information, underage drinking, receiving stolen goods (meat and alcohol), allowing individuals to enter the premises to purchase alcohol without being a signed up member or a guest of a member.

The Club Premises Certificate holders have a duty to be responsible, adhere to the conditions on their certificate and to take every step to promote the licensing objectives at all times, not just to seek to apply them once the responsible Authorities carry out inspections and find failings.

Arguably, had the Club's Chairman and Committee members acknowledged their failings at an earlier stage (back in 2013) and put their Club in order the Responsible Authorities would not be taking this step to review their Club Premises Certificate.

In conclusion, the Licensing Authority is very concerned that the Committee for Reading District Irish Association has failed to uphold the licensing objectives. As we are all aware, the Licensing Authority has a duty to promote the licensing objectives for the safety of the wider public and not in the interests of individual premises licence or Club Premises Certificate holders and therefore recommend that the Committee seriously consider revoking the Club Premises Certificate licence for Reading District Irish Association, 96 Chatham Street Reading, Berkshire RG1 7HT.

END

Date Received	06.06.2019	Date Due	05.07.2019
	Peter Narancic	Date	03.07.2019



Amar Dave

Interim Director of Environment,
Culture and Sport
Civic Offices, Reading, RG1 7AE
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SMS TEXT: 81722

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Our Ref: LIC/FCAERE96-1/1

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jean.champeau@reading.gov.uk

To Mr P Power
Reading & District Irish Association
96-104 Chatham Street
Reading
RG1 7HT

15 July 2013

Your contact is: J S Champeau, Licensing and Environmental Protection

Dear Mr Power

Licensing Act 2003
Club Premises Certificate Number: LP4000016
Premises: Reading & District Irish Association
Premises Address: 96-104 Chatham Street Reading

On the 10 April 2013 we had a meeting in the civic offices to discuss the operation of the Reading & District Irish club, at that meeting I explained the difference between a club premise certificate and a premise licence, I indicated that the club needed to run as a club for the members and their guests or the club should consider applying for a premises licence which would permit and more open door policy.

Can you please advise me on which course of action you have elected to proceed.

Yours faithfully

J S Champeau
Senior Licensing & Enforcement Officer

The Hibernian Society

229 Hyde End Road, Spencers Wood, Reading Berkshire RG7 1BU
Telephone: 0118 988 8822

22nd June 2019

Councillor Deb Edwards
Chair of Licencing Applications Committee
Civic Offices
Bridge Street
Reading
RG1 2LU

Dear Councillor Edwards

On behalf of the Hibernian society we feel it is so very important to explain to the Licensing Department our involvement in the Reading Irish Centre in view of the procedures that are in place to remove the licence and close the premises.

The Hibernian Society was established in 1995 with the main aim of improving the quality of life of the elderly members of our community. In 2007 the Reading and District Irish Centre committee structure collapsed and the organisation was insolvent. The Hibernian Society were asked to assist with management and financial support by the remaining Trustees of the Reading Irish Centre. At that stage we were based elsewhere and in return for the management and financial support it was agreed we would share the premises.

The Hibernian Society is funded by the Department of Foreign Affairs through the Irish Embassy in London plus corporate donations from sympathetic organisations i.e. Microsoft, Berkshire Community Foundation, The Earley Charity, John Lewis, Wickes Builders, Howdens to name but a few. To date the amount raised by the Hibernian Society and invested in the Reading and District Irish Centre equates to in excess of £750,000.

This money was used to modernise and upgrade the facilities at the premises including the following.

1. Provision of Ramps and new entrance to allow access for the disabled members of our community.
2. Installation of a new commercial kitchen (previous kitchen was closed by R B C on hygiene grounds). We now have 5 stars for our kitchen and our staff avail themselves of the training and courses provided by RBC
3. Male and Female toilets upstairs and downstairs replaced.
4. Upstairs and downstairs Bars completely re built.
5. Central Heating system upgraded and refurbished.

Honorary Secretary: Mrs Anne Morris

The Hibernian Society is a Registered Charity regulated by the Charity Commissioners. Registered No. 1061465

6. All windows replaced with double glazing.
7. Refurbishment of lift and annual maintenance contract established .
8. Installation of Security Cameras and Burglar Alarms.
9. Purchase and installation of New safe (previous safe had 19 key holders)
10. Refurbishment of electrical systems ,lighting ,plugs etc.
11. Repainting of entire premises.
12. Provision of private room fully equipped for Hairdressing and chiropody.

With all of the above in place the premises is now suitable as a venue for the Hibernian Society Lunch Club members to use on a weekly basis. We usually provide up to 100 lunches every week for our elderly members and I must emphasise that the service that we, at the Hibernian Society provide. is the highlight of all of their lives. For a huge majority of our members this is such an opportunity to catch up with friends and feel safe and secure in a truly friendly environment.

The ongoing existence of the Reading and District Irish Centre is fundamental to our ability to provide all of the above and we are at a total loss to understand the grounds presented by the Police as a reason to close the Centre down.

It must also be emphasised that the Reading and District Irish Centre is used regularly by members of other cultures and is truly multicultural and it is a focal point for all in the Reading Community.

We look forward to a positive outcome to this very worrying situation.

Kind regards

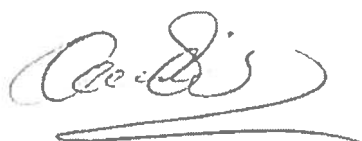
Anne Morris

Trustee

The Hibernian Society

Reg charity

1061465.



LICENSING ACT 2003
SCHEDULE 13
PART A

CLUB PREMISES CERTIFICATE

Reading Borough Council being the Licensing Authority under the above Act,
HEREBY GRANT a CLUB PREMISES LICENCE as detailed in this licence.

Club Premises Certificate Number	LP4000016
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Club Details

Name of club in whose name this certificate is granted and relevant postal address of club.	
Reading District Irish Association 96 Chatham Street Reading Berkshire	
Telephone Number	0118 939 3096

If different from above the postal address of club premises to which this certificate relates, if any, or if none, ordnance survey map reference or description	
Telephone Number	N/A

Where the Club Premises Certificate is time limited the dates the certificate is valid	
N/A	

Qualifying Club Activities

Qualifying Club Activities authorised by the Certificate
Performance of Live Music - Indoor Playing of Recorded Music - Indoor Performance of Dance - Indoor Provision of Facilities for Making music - Indoor Provision of Facilities for Dancing - Indoor Supply of Alcohol for Members & Guests - On & Off the Premises

Authorised Hours for Qualifying Club Activities

The times the licence authorises the carrying out of qualifying club activities

Hours for the Performance of Live Music

Monday	from 1100hrs until 0200hrs
Tuesday	from 1100hrs until 0200hrs
Wednesday	from 1100hrs until 0200hrs
Thursday	from 1100hrs until 0200hrs
Friday	from 1100hrs until 0200hrs
Saturday	from 1100hrs until 0200hrs
Sunday	from 1200hrs until 0100hrs

Hours for the Playing of Recorded Music

Monday	from 1100hrs until 0200hrs
Tuesday	from 1100hrs until 0200hrs
Wednesday	from 1100hrs until 0200hrs
Thursday	from 1100hrs until 0200hrs
Friday	from 1100hrs until 0200hrs
Saturday	from 1100hrs until 0200hrs
Sunday	from 1200hrs until 0100hrs

Hours for the Performance of Dance

Monday	from 1100hrs until 0200hrs
Tuesday	from 1100hrs until 0200hrs
Wednesday	from 1100hrs until 0200hrs
Thursday	from 1100hrs until 0200hrs
Friday	from 1100hrs until 0200hrs
Saturday	from 1100hrs until 0200hrs
Sunday	from 1200hrs until 0100hrs

Hours for the Provision of Facilities for Making Music

Monday	from 1100hrs until 0200hrs
Tuesday	from 1100hrs until 0200hrs
Wednesday	from 1100hrs until 0200hrs
Thursday	from 1100hrs until 0200hrs
Friday	from 1100hrs until 0200hrs
Saturday	from 1100hrs until 0200hrs
Sunday	from 1200hrs until 0100hrs

Hours for the Provision of Facilities for Dancing

Monday	from 1100hrs until 0200hrs
Tuesday	from 1100hrs until 0200hrs
Wednesday	from 1100hrs until 0200hrs
Thursday	from 1100hrs until 0200hrs
Friday	from 1100hrs until 0200hrs

Saturday	from 1100hrs until 0200hrs
Sunday	from 1200hrs until 0100hrs

Hours for the Supply of Alcohol for Members & Guests

Monday	from 1100hrs until 0200hrs
Tuesday	from 1100hrs until 0200hrs
Wednesday	from 1100hrs until 0200hrs
Thursday	from 1100hrs until 0200hrs
Friday	from 1100hrs until 0200hrs
Saturday	from 1100hrs until 0200hrs
Sunday	from 1200hrs until 0100hrs

Opening Hours

Not stated

Alcohol

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Supply of Alcohol for Members & Guests - On & Off the Premises

This Certificate shall continue in force from **24/11/2005** unless previously suspended or revoked.

Dated: 06/01/06

Head of Environment & Consumer Services

Annex 1

Mandatory Conditions

Supply of Alcohol for Consumption Off the Premises

To be applied where a club premises certificate authorises the supply of alcohol off the premises

- 1 The supply of alcohol must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
- 2 Any supply of alcohol for consumption off the premises must be in a sealed container.
- 3 Any supply of alcohol for consumption off the premises must be made to a member of the club in person.

Film Exhibitions

To be applied only where the club premises certificate authorises the exhibitions of films

- 1 The admission of children to any exhibition of any film must be restricted in accordance with section 20 of Part 3 of the Licensing Act 2003.
- 2 In the case of films, which have been classified by the British Board of Film Classification, admission of children to films must be restricted in accordance with that classification.
- 3 In the case of films, which have not been classified by the British Board of Film Classification, admission of children must be restricted in accordance with any recommendation made by the Licensing Authority.

Door Supervisors

To be applied where a premises licence or club premises certificate includes a condition that any person must be at the premises to carry out a security activity. [Except premises with a premises licence authorising only plays or films or premises used exclusively by a club].

- 1 Each individual present at the licensed premises to carry out a security activity must be licensed by the security Industry Authority.

This certificate is subject to the qualifying conditions for clubs as defined in the Licensing Act 2003. Extracts from the Licensing Act 2003 outlined below:-

62 The general conditions

- (1) The general conditions, which a club must satisfy if it is to be a qualifying club in relation to a qualifying club activity are the following.
- (2) Condition 1 is that under the rules of the club persons may not -
 - (a) be admitted to membership, or
 - (b) be admitted, as candidates for membership, to any of the privileges of membership,

Without an interval of at least two days between their nomination or application for membership and their admission.

- (3) Condition 2 is that under the rules of the club persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission.
- (4) Condition 3 is that the club is established and conducted in good faith as a club (see section 63).
- (5) Condition 4 is that the club has at least 25 members.
- (6) Condition 5 is that alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club.

64 The additional conditions for the supply of alcohol

- (1) The additional conditions which a club must satisfy if it is to be a qualifying club in relation to the supply of alcohol to members or guests are the following.
- (2) Additional condition 1 is that (so far as not managed by the club in general meeting or otherwise by the general body of members) the purchase of alcohol for the club, and the supply of alcohol by the club, are managed by a committee whose members -
- (a) are members of the club;
 - (b) have attained the age of 18 years; and
 - (c) are elected by the members of the club.

This subsection is subject to section 65 (which makes special provision for industrial and provident societies, friendly societies etc).

- (3) Additional condition 2 is that no arrangements are, or are intended to be, made for any person to receive at the expense of the club any commission, percentage or similar payment on, or with reference to, purchases of alcohol by club.
- (4) Additional condition 3 is that no arrangements are, or are intended to be, made for any person directly or indirectly to derive any pecuniary benefit from the supply of alcohol by or on behalf of the club to members or guests, apart from -
- (a) any benefit accruing to the club as a whole, or
 - (b) any benefit which a person derives indirectly by reason of the supply giving rise or contributing to a general gain from the carrying on of the club.

Embedded Restrictions from the Licensing Act 1964 as listed below to be carried forward to the club premises certificate in accordance with Schedule 8 to the Licensing Act 2003.

Unless otherwise stated this licence is issued subject to the imposition of all the relevant embedded restrictions required by the:-

**Licensing Act 1964
Local Government (Miscellaneous Provisions) Act 1982 - Public Entertainment
Licence Conditions**

S166

Licensed Premises - Credit Sales

1 Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

(a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;

(b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;

(c) to a canteen or mess.

Licensed Canteens & Club Premises - Credit Sales

1 Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal.

Local Government (Miscellaneous Provisions Act) 1982 Public Entertainment Licence

Maximum occupancy capacity

Downstairs 100 persons

Upstairs 300 persons

Control & Conduct of Premises

1 Violence

~~1.1 A suitable policy and practices for dealing with violence to staff must be devised and implemented. Guidance on developing such a policy is provided with these conditions.~~

2 Responsibility of Designated Premises Supervisor

2.1 Before admitting any audience the Designated Premises Supervisor shall inspect his premises to ensure compliance with all licence conditions.

2.2 The Designated Premises Supervisor shall maintain good order at all times and shall monitor the audience numbers. The Designated Premises Supervisor must at all times ensure that the permitted audience numbers are not exceeded.

2.3 The Designated Premises Supervisor shall ensure that the premises are safe and without risk to the health and safety of employees and customers.

2.4 The licence shall ensure that no poster, advertisement, photograph, sketch, synopsis or programme shall be displayed, sold or supplied anywhere by or on behalf of an entertainment which may cause offence to the public. If the Designated Premises Supervisor is notified by the Council of such a poster, advertisement, photograph, sketch, synopsis or programme such items shall not be displayed, sold or supplied.

2.5 The Designated Premises Supervisor should provide suitable and sufficient first aid arrangements for members of the public and non-employees.

3 Noise

3.1 Where it is considered by the Council that there may be a risk of noise disturbance due to high levels of sound then the Head of Environment and Consumer Services (HECS) may require that any or all of the following be provided by the Designated Premises Supervisor:-

- a. A report by an independent person who is qualified to be a member of the Institute of Acoustics identifying the weakness in the sound control measures and recommending actions to remedy this.
- b. Sound insulation measures as recommended in any Acoustic report to be completed within a reasonable time scale as specified by the Council.
- c. The installation of an Entertainment Noise Controller which is to be set at a level of 90dBA or such other level as may be agreed by HECS, after subsequent monitoring.
- d. A sound measuring device which can be used on a regular basis to check actual noise levels.

4 Disturbance

4.1 The Designated Premises Supervisor shall take all reasonable precautions and exercise all due diligence to ensure that patrons who have used or are intending to use the licensed premises do not at any time cause nuisance or annoyance to occupiers of the premises in the vicinity.

5 Attendants

5.1 There shall be on duty at the premises during the whole time that the audience is present, a staff of attendants instructed by the Designated Premises Supervisor as to their duties in the event of fire or similar emergency. The instructions given to attendants should aim to avoid panic and to supervise the evacuation of the premises.

5.2 Attendants must not engage in any functions which will hinder the discharge of their duties in the event of an emergency or would entail their absence from the floor or tier where they are on duty as attendants.

6 Special Risks

- 6.1 No entertainment, sport or sporting events involving special risks or intended wholly or mainly for children shall take place without the prior consent of the Council. Seven days notice in writing of any such entertainment shall be given to the Council.
- 6.2 Performances involving danger to the public shall not be given.
- 6.3 No balloons filled with flammable gas shall be on the premises.
- 6.4 The Designated Premises Supervisor shall ensure that no person gives any exhibition, demonstration or performance of hypnosis except with the prior approval of the Council.
- 6.5 The Designated Premises Supervisor shall ensure that the premises are not used for any special effects without the prior approval of the Council.

7 Structure

- 7.1 All new, or structurally altered premises shall be inspected by a qualified Structural Engineer to certify that the building constructed, or altered is capable of sustaining the loads imposed upon it, bearing in mind the proposed or existing use.
- 7.2 The inspection report shall be forwarded to the Council. If the Structural Engineer considers the premises unsafe for the proposed or existing use, recommendations should be included in the inspection report.

8 Alterations

- 8.1 In the event of the premises closed for alterations, additions, repairs or decorating they shall not be reopened until the consent of the Council has been obtained.
- 8.2 Except with the prior consent of the Council no work in connection with any alterations, repairs or decorating in areas occupied by the public or performers should be carried out while the public or performers are on the premises. If the Council so require, ~~the premises shall be closed to the public until the work has been completed.~~

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

9 Toilet Provision

- 9.1 The Designated Premises Supervisor shall ensure that toilets for the audience are available for use in accordance with the British Standard.
- 9.2 The toilets shall be kept in a clean and well maintained condition.
- 9.3 All wash hand basins shall be provided with a supply of hot and cold running water, soap, a suitable means of drying hands and, if necessary, waste bins.

10 Cleanliness

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

11 Testing and Certification

11.1 The Designated Premises Supervisor shall be responsible for ensuring that periodic tests are carried out in accordance with Appendix 1.

11.2 The results of these tests shall be entered in a log book and kept at the licensed premises. The log book is to be available for inspection by any authorised officer of the Council.

12 Door Supervisors

12.1 Registered and trained door supervisors will be required at all public entertainment licensed premises which operate beyond the standard permitted hours, currently 11 pm, unless specifically exempt as per para 12.2 below.

12.2 The requirement for door supervisors shall not apply to premises or places where entertainment is provided:-

- a. At a church hall, chapel hall or similar building occupied in connection with a place of public religious worship.
- b. At a village hall, parish or community hall or other similar building which is of an educational or other like character.
- c. At an outdoor musical event, garden fete, bazaar, sale of work, outdoor sporting or athletic event, exhibition, display or other function or event of a similar character whether limited to one day or extending over two or more days.
- d. At premises which have the benefit of a Registration Certificate under the Licensing Act 1964, ie. registered clubs with bone fide members and which are not open to members of the public.
- e. Where Reading Borough Council and Thames Valley Police do not consider that it is necessary due to the nature of the establishment or event.

12.3 The premises described in sub-paragraph 12.1 shall have appropriate numbers of registered door supervisors. Registered door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.

12.4 There may be circumstances, due to potential public order problems, where Thames Valley Police advise Reading Borough Council that door supervisors be employed

at premises which do not fall within the criteria as outlined in para 17.1. in such circumstances appropriate notice will be given to the Designated Premises Supervisor.

13 Door Supervisor Conditions

13.1 The Designated Premises Supervisor shall be required to keep a register, such registers will be supplied by Reading Borough Council.

13.2 The register will show the following details:

- a. The name, home address and registration number of all Door Supervisors working at the premises.
- b. Date and time that the Door Supervisor commenced duty, countersigned by the Designated Premises Supervisor or nominated deputy.
- c. Any occurrence or incident of interest must be recorded giving names of the Door Supervisors involved.
- d. Date and time that the Door Supervisor finished work, countersigned by the Designated Premises Supervisor or nominated deputy.

13.3 The register shall be kept at the Licensed premises and available for inspection by Thames Valley Police or an authorised officer from Reading Borough Council and shall be retained for a period of 6 months.

14 Standards of dress for door supervisors

14.1 All door supervisors must be dressed so that they can be easily distinguishable from patrons.

15 Offensive Weapons

15.1 ~~Having assessed the likelihood of offensive weapons being brought onto the~~ premises, the Designated Premises Supervisor must put effective measures or systems in place to prevent these items entering the premises. This could include, for example, searching patrons and fixing discreet notices, warning patrons that the carrying of such weapons on the premises will not be tolerated, and that anyone found with an offensive weapon will be permanently banned from the premises.

16 Drugs and Other Illegal Substances

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

17 Fly posting

17.1 The designated premises supervisor shall not display in an unlawful manner advertisements promoting the entertainment or the premises, in particular;

- a. no display of advertisements should take place on street furniture;
- b. no display of advertisements should take place on premises or structures placed on, over, in or adjacent to the highway, unless the Designated Premises Supervisor has first obtained the written consent of the owner of the premises or structure. Such consent shall be shown to the licensing authority on request.

17.2 The Designated Premises Supervisor shall take all reasonable precautions and exercise all due diligence to ensure that no person promoting or providing entertainment on the premises, nor any person acting on behalf of any such person, shall display in an unlawful manner advertisements promoting the entertainment or the premises, in particular;

- a. no display of advertisements should take place on street furniture;
- b. no display of advertisements should take place on premises or structures placed on, over, in or adjacent to the highway, unless the Designated Premises Supervisor has first obtained the written consent of the owner of the premises or structure. Such consent shall be shown to the licensing authority on request.

17.3 The licensing authority may require the Designated Premises Supervisor to remove any unlawfully displayed advertisement forthwith. Failure to remove any unlawfully displayed advertisement in accordance with such a request shall be in breach of these conditions and may result in the licensing authority in removing such unlawful advertisements. Any costs incurred by the licensing authority in removing such unlawful advertisements shall be recoverable from the Designated Premises Supervisor as a debt.

18 Use of safe drinking glasses

18.1 Glasses used for the service of drinks must not be capable of forming shards when broken.

This condition shall not apply:

- a. at a church hall, chapel hall or similar building occupied in connection with a place of public religious worship;
- b. at a village hall, parish or other community hall or similar building which is used for events only of an educational nature or other like character;
- c. Where the Head of Environment and Consumer Services does not consider that it is necessary due to the nature of the establishment or event.

19 Prevention of patrons removing bottles from premises

19.1 The Designated Premises Supervisor shall take all reasonable precautions and exercise all due diligence to ensure that no patron removes glasses or open bottles from the premises. The Designated Premises Supervisor shall display notices advising that glasses and bottles must not be removed from the premises at all exit points normally used by patrons.

20 Nudity

20.1 Neither the Designated Premises Supervisor, nor any other person having involvement in the management of the licensed premises, shall promote or provide entertainment such as striptease or lapdancing or other entertainment of a like kind to dancing which involves nudity or the sexual stimulation of patrons.

21 Exemption of Conditions

21.1 The conditions listed from 22 to 27 and attached to your licence were approved in the respect of any premises which operate beyond 23:00 hours. The Head of Environment and Consumer Services is authorised to exempt premises which operate beyond this time from compliance with these conditions, having first given regard to the nature of the establishment or event and the customer base and music policy of the premises and the risks to the public.

21.2 In the event of a Designated Premises Supervisor being dissatisfied with the decision made by the Head of Environment and Consumer Services not to grant exemption in respect of any of the conditions listed from 22 to 27, the Designated Premises Supervisor may, at any time before the expiration of 21 days, appeal in writing to the Licensing Authority.

22 Designated Premises Supervisor training

22.1 "All new designated premises supervisors must have successfully completed the British Institute of Inn Keepers (BII) Designated Premises Supervisor's National Drugs Certificate and must have undertaken a BII approved training course appropriate to this qualification prior to a licence being granted. Evidence of possession of this qualification and attendance on an approved course must be provided to the council.

23 Provision of quiet areas

23.1 A quiet, cool, temperature controlled area of such size and in such a location as shall be approved by the Head of Environment and Consumer Services, shall be provided for patrons in order that they can relax and cool down.

24 Provision of free drinking water

24.1 Unlimited cold drinking water shall be available to patrons free of charge.

25 Searching of patrons

25.1 A policy covering searching of patrons and staff members must be submitted to and approved by the Head of Environment and Consumer Services. The approved policy must be actively operated within the licensed premises.

26 Provision of CCTV

26.1 All licensed premises must have installed a CCTV system to the satisfaction of the Head of Environment and Consumer Services. The system must provide comprehensive coverage of the premises, both internally and externally and must provide high quality image reproduction suitable for evidential use in a court of law. All other premises shall be fitted with CCTV. Tapes from any system installed shall be kept secure both during and after recording for a period of 28 days and must be released to any duly authorised officer of the Council upon reasonable request and in particular if such recording was necessary in connection with;

- a. the investigation, prevention or detection of crime, including the breach of licence conditions;
- b. the prosecution of offenders;
- c. the investigation of complaints against door supervisors.

Signs must be placed both internally and externally advising that the premises are continually monitored by CCTV.

27 Participation in Pubwatch

27.1 Public entertainment Designated Premises Supervisors must, where it is available, hold membership of the Reading Pub Watch Scheme and must make use of apparatus supplied as part of the scheme.

CONDITIONS FOR DISABLED USERS

1 General

1.1 Where practicable the Designated Premises Supervisor shall make every effort to ensure that disabled persons can attend all licensed events without risk to their own and others' safety.

2. Wheelchairs

2.1. If wheelchairs are to be admitted to the premises, their numbers and position must be agreed with the Council at least 28 days in advance of the event. For a seated audience, a seating plan must be provided showing the proposed positions of occupied and unoccupied wheelchairs.

2.2. Occupied or unoccupied wheelchairs must not obstruct the means of escape from the premises.

3. Evacuation in Emergency

- 3.1. Disabled persons may use a lift as a means of escape only if it is an evacuation or fire fighting lift operated under the direction and control of the Designated Premises Supervisor, using an approved evacuation procedure.
- 3.2. The licence shall ensure that all disabled persons using the premises have adequate assistance provided to enable them to evacuate the premises safely in the event of fire or other emergency.

FIRE PREVENTION & MEANS OF ESCAPE

1. Means of Escape

- 1.1. The licensed premises shall be provided with adequate means of escape to the satisfaction of the Council. Escape routes must be kept clear of obstruction at all times.
- 1.2. Where staircases, steps or ramps form part of a means of escape they shall be identified by having conspicuous nosings or treads. Ramps or gradients must be greater than 1 in 12.
- 1.3. All escape routes shall be clearly indicated. Mats, rugs or other ancillary floor coverings must not be used in these areas unless firmly secured to the floor surface.
- 1.4. Doors which are accessible to the audience which lead off a means of escape shall remain locked for the duration of any performance and shall have a notice conspicuously displayed marked 'PRIVATE'.
- 1.5. Where means of escape are via passageways or corridors, conspicuous signs indicating the escape route shall be provided. These shall be placed in locations as required by the Council and shall consist of both wording and arrow direction indicators.
- 1.6. Where corridors, passageways or other open areas, which are not part of a means of escape, intersect the approved route, barriers shall be provided which are suitably sized and constructed to prevent access to unauthorised areas. These barriers shall be locked and made tamper-proof at all times whilst the premises are in use for a licensable event.

2. Exits and Exit lighting

- 2.1. All exits, either from the auditorium to means of escape or from the premises to external safe areas shall be maintained free from obstruction and shall be illuminated by means of an emergency EXIT sign. These signs should (unless they are self-luminous fire safety signs) be illuminated by means of the normal lighting and the emergency lighting at all times when the public are on the premises.
- 2.2. Door wells in emergency exits are to be constructed in such a manner as to provide a non trip/slip surface. Where matting which is constructed of materials which may give rise to a snagging hazard and exists immediately to the exterior of the emergency exit doors of the premises, the external areas of these exits must be provided with emergency

lighting.

2.3. All exit door shall be fixed in such a manner as to prevent their accidental or malicious locking.

2.4. Exit door and gates which are secured by means other than panic bolts will be subject to conditions as endorsed upon the licence.

3. Emergency Lighting

3.1. In addition to the normal lighting circuit within the building, a system of emergency lighting shall be installed to the satisfaction of the Council, independent of the main electricity circuit. This system shall be provided to all parts of the building to which the public have access and shall operate upon failure of the main lighting circuit.

3.2. The emergency lighting system must be capable of providing power to all lamps, signs and other emergency lighting requirements for a period of not less than one hour.

3.3. Emergency lighting shall be provided exterior to the building to the satisfaction of the Council.

4. Surfaces and Materials

4.1. All ceilings, walls and floors shall be so constructed and decorated as to render them capable of resisting the action of fire for a period of not less than 30 minutes, or greater, if required by the Council.

4.2. Materials used as cladding or coverings must comply with current safety standards with regard to toxic gas and smoke emissions.

4.3. Curtains, drapes and other textile hangings shall be of durable flame retarded fabric. Curtains and drapes shall not be hung so as to conceal notices, exits or signs and shall not trail along the floor.

4.4. Where the use of a stage is included in any performance, all potentially combustible hangings, scenery, flats, carpets or other props must conform to a standard which is to the satisfaction of the Council.

5. General Fire Requirements

5.1. All fire extinguishers on the premise shall be maintained in a fully charged state and shall be inspected at least annually.

5.2. All outbreaks of fire, however slight, shall be immediately notified to the Fire and Rescue Service, by means of the 999 telephone system.

5.3. Fire alarms, where fitted, must be maintained in working order and must be inspected at least annually. Testing of fire alarms shall be done on a weekly basis.

5.4. Fire fighting equipment and appliances are to be provided as required by the

Council.

5.5. In the event of the premises having to be evacuated through fire or any other dangerous occurrence, a system of effectively counting heads (both members of the audience and performers etc) must be available and the Designated Premises Supervisor shall appoint responsible persons to carry out this function.

5.6. Signs detailing actions and procedures in the event of an outbreak of fire are to be displayed in locations to the satisfaction of the Council.

SEATING AND GANGWAYS

1. General

1.1. The Designated Premises Supervisor shall ensure that seating and gangways are so arranged as to allow free and ready access to the exits. No portion of any gangway shall be more than 18 metres from an exit from the auditorium or hall measured along the line of the gangway.

2. Seating sizes

2.1. Premises shall not be used for closely seated audiences except in accordance with plans submitted to the Council for prior approval.

2.2. The seating assigned to each person shall not be less than:

a. 760 mm deep where backs are provided for the seat or 600 mm deep where backs are not provided.

b. 500 mm wide where arms are provided to the seats or 450 mm wide where arms are not provided.

2.3. In fixed seats there should be a clear seat-way or space of at least 305 mm measured between the perpendiculars from the back of one seat to the front of the seat immediately behind it.

2.4. Where seats tip up automatically, the clear seat-way should be measured between the back of one seat to the maximum projection of the seat behind, when the seat is in the "up" position.

3. Gangways

3.1. Gangways shall be of adapted width for the number of seats served, but shall in no circumstances be less than 1.05 metres wide.

3.2. There shall be no projection into the gangway which would diminish its clear width and the ends of all rows and seats should be so aligned as to maintain a uniform width of gangway throughout its length.

4. Handrails

- 4.1. A continuous handrail shall be fixed on each side of all stairs, steps, landings and ramps at a height of not less than 840 mm or more than 1 metre, measured vertically from the pitch line of the nosing of steps and from the floor of landings, except that a second handrail need not be provided to such stairs and ramps or flight of steps which are not more than 1.05 metres wide. The handrail shall not project more than 100 mm and the ends of the handrail shall be turned for safety.

5. Seating layout

- 5.1. The number of seats in a row shall not exceed:

- a. 7 seats where there is a gangway at one end only, except that up to a maximum of 11 seats may be permitted if the 405 mm seat-way is increased by 25 mm for each additional seat over 7.
- b. 14 seats where there is a gangway at each end, except that up to 18 seats may be permitted if the 305 mm seat-way is increased to not less than 400 mm and more than 18 seats may be permitted if the seat-way is not less than 500 mm.

Any alternative arrangements shall be submitted to the Council for prior approval.

- 5.2. Where the audience is seated at chairs around tables, the seating need not be fixed, but both the tables and chairs shall be arranged so that clearly identifiable gangways are provided.

- 5.3. In circumstances where more than 250 temporary seats are to be used in the auditorium, the following arrangements shall apply:

- a. Chairs or other single seats shall be secured together in lengths of not fewer than 4 seats and not more than 12, so that seats cannot be separated from each other merely by pushing one or more seats in the row.
- b. Provision shall be made for the rows of seating flanking the gangways to be fixed to the floor effectively preventing the individual seats of rows of seats from being dislodged into the gangways or toppling over, except that:
 - (i) only end seats such as rows need to be fixed to the floor if all seats in each row are secured together, or
 - (ii) only the end seats of each length of seating referred to above which forms such rows need to be fixed to the floor.

- 5.4. In premises which are intended to be used only occasionally for closely seated audiences and the fixing of seating into the floor is impractical or undesirable (leg on polished dance floors) the use of floor bars instead of floor screws may be approved by the Council. Such floor bars should be not more than 25 mm in height, have a cambered top surface so as to avoid the risk of tripping persons using the seat-ways and should extend from the row to be fixed to at least two adjacent rows should not extend across

any gangways.

5.5. Space beneath temporary tiered seats must not be used for storage and must be made secure. Such spaces shall be kept clear of accumulation of rubbish. These spaces shall be checked between performances and cleared as necessary.

5.6. If it is intended to use a temporary tiered seating structure, prior approval must be obtained from the Council.

5.7. In premises annually licensed for stage plays and premises regularly used for closely-seated audiences, all seating, except for chairs in boxes or other approved enclosures, shall be firmly fixed to the floor.

5.8. All seats shall be so maintained so as not to present a risk of injury to the audience.

APPENDIX 1

Testing & Certification

The Designated Premises Supervisor shall be responsible for ensuring that the following tests are carried out at the specified intervals and that appropriate records are kept for inspection by an authorised officer. The Designated Premises Supervisor is also responsible for forwarding the relevant test certificates to the Council.

FREQUENCY OF TEST	TYPE OF TEST	TYPE OF RECORD
1. Prior to performance	(a) Panic bolts and bars on emergency exits should move freely and be clear from obstruction.	Written in log book
(b)	Doors adjacent to or intersecting exit routes shall be locked or pinned open as required by the Council.	Written in log book
(c)	Emergency lighting must be functioning correctly.	Written in log book
(d)	Protective electrical units ie. Residual Current Devices (RCD's) must be tested using the test/reset button.	Written in log book
2. Once a week	Fire Alarms, where fitted must be functioning correctly.	Written in log book

3.	Once. a month whilst only staff are present and adequate records kept. the duration of the exercise	Fire Drills should be carried out staff present and	Written in log book including names of
4.	Once a month tested.	Emergency lighting must be	Written in log book
5.	Every 12 months	(a) Fire extinguishers shall be checked by a competent person.	Check date and result shall be prominently displayed on the outside of the extinguisher
		(b) Mechanical or suspension arrangements ie. revolving stage, orchestra/organ lift shall be checked by a competent engineer.	Certificate of safe working condition issued by a competent engineer
		(c) Steam boilers and pressure vessels shall be inspected by a competent engineer from a boiler insurance company. This will include electrode boilers within a closed system, calorifiers with steam receivers and hot water boilers.	Certificate of safe working condition issued by a competent engineer from a boiler company
7.	Every 12 months	(a) Electrical installations shall be inspected by a competent person.	Certificate of electrical safety issued by a competent person
		(b) Gas installations (including LPG systems) shall be inspected by a competent person.	Certificate of safety issued by a competent person
		(c) Oil fired installations shall be inspected by a competent engineer. The inspection must include the boiler, burners and any safety devices.	Certificate of safety issued by a competent engineer
		(d) Ceilings, ornamental plasterwork and other suspended structures must	Structural report issued by a competent structural engineer

be maintained in a safe
condition.

Annex 2

Conditions consistent with the Club Operating Schedule

None

Annex 3

Conditions attached after a hearing by the Licensing Authority

N/A

Annex 4

Plans

As attached plan.

READING IRISH CENTRE RULE BOOK

1. Name

The Association shall be called The Reading and District Irish Association. The address of the Centre is 96-104 Chatham Street, Reading

2. Object

The Object of the Association is to preserve the Irish tradition and promote the cultural, social and welfare of its members and may extend these activities to the community as a whole. The Association shall be non-political.

3. Membership

- a. Membership is open to those of Irish birth or descent their families or associates#
- b. Every candidate for membership must be proposed for membership by one member and seconded by another member
- c. The Management Committee retains the right to refuse or revoke membership
- d. The Secretary shall issue to each member a membership card and rule book
- e. Only fully paid up members may represent the organisation in delegations or teams

4. Subscriptions

a. Types

Family to include children up to the age of 18 yeats

Individual

Senior Citizens

- b. The annual subscriptions shall be such figures decided by an A.G.M
- c. No member shall be entitled to the privileges of membership until their subscription is paid
- d. Member will be deemed to have lapsed if not renewed by the 1st February

5. Change of address

Any member changing their address should notify the Committee in writing

6. Committee

- a. Election of Officers and other Management Committee shall be at the A.G.M
- b. The affairs of the Centre in all matters , except those rules reserved for the Centre in General Meeting, shall be managed by the Committee of the Centre
- c. The Committee shall comprise of Eight Members including Four Officers ; President, Chairman, Secretary and Treasurer
- d. The Officers and Committee shall be elected for a period of two years
- E. The Committee if vacancies incur shall be empowered to invite members onto the Committee giving due consideration to the wishes of members as expressed at the most recent A.G.M

7. Vice Presidents

These may be appointed by the Committee. This will be an honorary title reserved for those who have given or are in a position to render special services to the Association

8. Trustees

There shall be Four Trustees . Two shall be nominated by Association Members and Two nominated by Association Members who are Members of the Hibernian Society. The appointed Trustees will be in the position for Five Years or until they resign by notice in writing given to the Committee or until a resolution removing them from office shall be passed at a General Meeting by a majority of two-thirds of the members present and entitled to vote. All property of the Centre including land and investments shall be held by the

Trustees for the time being in their hands and practicable for the use and benefit of the Centre. On the death, resignation or removal from office of a Trustee the Committee shall take steps to procure the appointment , by the Centre in General Meeting, of a new Trustee. The Trustees have the power to sell, lease, mortgage or pledge any Centre property for the purpose of raising or borrowing money for the benefit of the Centre with the consent of the Committee

9. Meetings

The A.G.M shall be held within six weeks of the 1st April. The business of the A.G.M will be

To receive a report from the Committee

To elect Officers and Committee Members

To consider motions of which 14 days notice has been given to the Secretary

An E.G.M may be called by any member who is capable of summoning one or requiring one to be summoned at any time on reasonable notice, if a specific number of them join to do so the number required to do so must not exceed thirty or one fifth of the membership. An E.G.M may also be called by the Committee. At least 21 days notice of any General Meeting shall be given to Members

The committee will meet as necessary for the efficient running of the Association

10. Finance

The Financial Year shall run from 1st February to January 31st

11. Notices shall be posted by being affixed in a prominent position

12. Rules may only be altered at the A.G.M or E.G.M called for that purpose

13. Dissolution of the Association

If for any reason the Association ceases to exist any assets remaining on dissolution, after settling outstanding debts or liabilities, will be given to a charity or charities of the Members choice

14. Membership registration

The Association shall hold on the premises a membership book listing members names and addresses

Rules correct as of 02.03.2007. including amendments made on 07.01.2007



Request to external organisation for the disclosure of personal data to the Police

Under Schedule 2 Part 1 Paragraph 2 of the Data Protection Act 2018 and GDPR Article 6(1)(d)

To:

Position (where known):

Organisation:

Address:

I am making enquiries which are concerned with:

- ☒ The prevention or detection of crime*
- ☐ The prosecution or apprehension of offenders*
- ☐ Protecting the vital interests of a person*

☒ I confirm that the personal data requested below is needed for the purposes indicated above and a failure to provide that information will be likely to prejudice those matters.

☐ I confirm that the individual(s) whose personal data is sought should not be informed of this request as to do so would be likely to prejudice the matters described above.

**Check mark as is appropriate*

Information required:

CCTV is required in relation to the following dates:

04/06/2019 from 10:00hrs until 17:00hrs

This is in relation to a suspect for the offence of theft that had taken place earlier that day who is believed to have attended your club for a short duration on the day in question with the items that were believed to be stolen.

We require all Cameras within the club and entrance area.

Your assistance is appreciated.

Police Reference:

From:

Rank/Number/Name:

PC 5787 WHEELER

Station:

Reading

Date/Time:

06/06/2019 / 17:30hrs

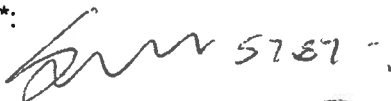
Telephone Number(s):

07973 231273

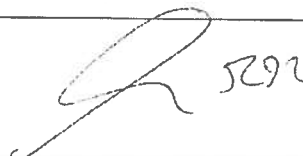
Email address:

simon.wheeler@thamesvalley.pnn.police.uk

Signature*:

 5787

Counter Signature*:

 5292

Rank/Number/Name:

APS 5292 MATHIESON

**as required by recipient*

Please see Guidance Notes on following page

Explanatory Note

This form replaces the Section 29(3) Form which has become redundant by virtue of new data protection legislation. It is used by the police as a means of making a formal request to other organisations for personal data where disclosure is necessary for the purposes of the prevention or detection of crime or the apprehension or prosecution of offenders. It places no compulsion on the recipient to disclose the information, but should provide necessary reassurance that a disclosure for these purposes is appropriate and in compliance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

Crime and Taxation - The GDPR regulates the processing of personal data where it is done so for non-Law Enforcement purposes. Article 23 of the GDPR permitted the UK Parliament to create, via legislation, exemptions from particular elements within the GDPR which would otherwise compromise the public interest.

Consequently Parliament used the Data Protection Act 2018 to set out exemptions from the GDPR which apply in some circumstances. They mean that some of the data protection principles and subject rights within the GDPR do not apply at all or are restricted when personal data is used or disclosed for particular purposes.

The most relevant exemption for Law Enforcement is that within the Data Protection Act 2018 at Schedule 2 Part 1 Paragraph 2 (Crime & taxation: general). This applies where personal data is disclosed by an organisation subject to the GDPR to the police for the purposes of *the prevention or detection of crime or the apprehension or prosecution of offenders*.

It restricts the application of the GDPR data protection principles and subject rights (as listed in the Data Protection Act 2018 at Schedule 2 Part 1 Paragraph 1) to the extent that the application of those provisions would be likely to prejudice *the prevention or detection of crime or the apprehension or prosecution of offenders*.

In effect the exemption means that an organisation can provide personal data to the police where necessary for the prevention or detection of crime or the apprehension or prosecution of offenders without fear of breaching the GDPR or Data Protection Act 2018.

Vital Interests – GDPR Article 6(1)(d) provides a lawful basis for organisations to disclose personal data to the police where the disclosure is *necessary in order to protect the vital interests of the data subject or of another natural person*.

Further guidance on the use of this form may be obtained from the force Data Protection Officer.

Completion Guidance

Police officers or staff completing this form should type and tab between the fields on the form. The information required field should provide the recipient with sufficient information to allow them to locate the information sought. Where a signature and/or counter signature are required the form will need to be printed off and signed manually. Some organisations may require a counter signature to be added to the form. Normally this should be the supervisor or line manager of the person completing the form, but may be a higher rank if reasonably required by the recipient.

TVP 24

Wheeler Simon

From: Wheeler Simon
Sent: 14 July 2019 17:01
To: 'g.mcadden@
Cc: Jones Jason; Smyth Declan; 'peter.narancic@reading.gov.uk'
Subject: RE: FW: CCTV request relating to investigation Theft/ Handling stolen goods

Thank you Seamus

I can confirm that I shall attend on Tuesday afternoon, I cannot confirm the exact times as stated previously I have a morning duty in Windsor, but hope to be back in Reading no later than 2pm.

I shall attend the club as close as practically possible to 2pm.

Regards

Police Constable 5787 Simon Wheeler | Neighbourhood Supervisor | Reading Town Centre | Reading LPA | Thames Valley Police | Advanced Practitioner Licensing

Address: **Thames Valley Police, Reading Police Station, Castle Street, Reading, RG1 7TH**
Email simon.wheeler@thamesvalley.pnn.police.uk | Mobile **07973 231273** Switchboard 101



From: g.mcadden@ [mailto:g.mcadden@]
Sent: 14 July 2019 16:30
To: Wheeler Simon <Simon.Wheeler@thamesvalley.pnn.police.uk>
Subject: RE: FW: CCTV request relating to investigation Theft/ Handling stolen goods

Dear Simon

Tuesday 16th July from 2.00pm onwards is ok

If you are unable to make this date a later date duuring the week is acceptable.

Please advise the Irish Centre in advance so there is a member of staff available, the telephone number is 0118 939 3096

Kind regards
Seamus McAdden

----- Original Message -----

From: "Wheeler Simon" <Simon.Wheeler@thamesvalley.pnn.police.uk>
To: "g.mcadden@ [mailto:g.mcadden@]" "paddypower@ [mailto:paddypower@]"

<paddypower@btinternet.com>

Cc: "Jones Jason" <Jason.Jones@thamesvalley.pnn.police.uk>; "Smyth Declan" <Declan.Smyth@thamesvalley.pnn.police.uk>; "peter.narancic@reading.gov.uk" <peter.narancic@reading.gov.uk>

Sent: Friday, 12 Jul, 2019 At 18:48

Subject: RE: FW: CCTV request relating to investigation Theft/ Handling stolen goods

Dear Seamus/ Paddy

I may be available on Tuesday 16th July 2019 hopefully from 2.00pm onwards, if this is ok I shall do my best to attend then?

Failing that my colleague PC Jones (cc'd) may be able to attend later on in the week if the date and time above is not possible.

Thank you

Simon

Police Constable 5787 Simon Wheeler | Neighbourhood Supervisor | Reading Town Centre | Reading LPA | Thames Valley Police | Advanced Practitioner Licensing

Address: Thames Valley Police, Reading Police Station, Castle Street, Reading, RG1 7TH

Email simon.wheeler@thamesvalley.pnn.police.uk | Mobile 07973 231273 Switchboard 101



From: g.mcadden@btinternet.com [mailto:g.mcadden@btinternet.com]

Sent: 11 July 2019 14:10

To: Wheeler Simon <Simon.Wheeler@thamesvalley.pnn.police.uk>

Subject: Re: FW: CCTV request relating to investigation Theft/ Handling stolen goods

Importance: High

Dear Simon

My apologies for the delay in replying to your request, which is a result of my current work load in Ireland. The CCTV is available from 12 o'clock midday Monday to Friday.

If you would like to advise us when you are likely to call, I will make sure there is somebody to assist you. For future information or help please contact Pat Power our treasurer, his email is as follows:

paddypower@btinternet.com Tel: 0116 254 1111

Kind regards

Seamus McAdden

Chairman

Reading & District Irish Association

----- Original Message -----

From: "Wheeler Simon" <Simon.Wheeler@thamesvalley.pnn.police.uk>

To: "g.mcadden@btinternet.com" <g.mcadden@btinternet.com>

Sent: Wednesday, 19 Jun, 2019 At 11:38
Subject: FW: CCTV request relating to investigation Theft/ Handling stolen goods

Please see below, apologies, misspelt email address

From: Wheeler Simon
Sent: 19 June 2019 11:20
To: 'g.mccadden@' <g.mccadden@>
Cc: Smyth Declan <Declan.Smyth@thamesvalley.pnn.police.uk>; Jones Jason <Jason.Jones@thamesvalley.pnn.police.uk>; 'licensing@reading.gov.uk' <licensing@reading.gov.uk>
Subject: CCTV request relating to investigation Theft/ Handling stolen goods
Importance: High

Dear Mr McCadden

As discussed on the telephone this morning please find a further copy of the data protection request form that was served at the Club on 6th June 2019 (13 days ago) at the same time as the application for review paperwork. (All handed to Mr Healey)

The form itself details the required information, which relates to an incident which occurred on the 4th June 2019.

Thames Valley Police are investigating an initial incident of theft and the suspected handling of stolen goods linked to the Reading District Irish Association on that day and require all available footage from 1000 hours onwards.

Access to view and preserve CCTV in relation to this incident is required.

Please contact me in writing via email to confirm when this has been arranged.

Regards

Simon

Police Constable 5787 Simon Wheeler | Neighbourhood Supervisor | Reading Town Centre | Reading I.P.A | Thames Valley Police | Advanced Practitioner Licensing

Address: Thames Valley Police, Reading Police Station, Castle Street, Reading, RG1 7TH


Email simon.wheeler@thamesvalley.pnn.police.uk | Mobile 07973 231273 Switchboard 101



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OFFICIAL

MG11


WITNESS STATEMENT			
(Criminal Procedure Rules 2015 R16.2, Criminal Justice Act 1967 S9, Magistrates' Courts Act 1980 S5B)			
		URN	
Statement of			
Age if under 18	Over 18	Occupation	Retail Store Officer
This statement (consisting of 3 page(s)) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.			
Signature			Date 28/06/2019
Signature of parent / guardian / appropriate adult	N/A	Relationship of parent / guardian / appropriate adult	N/A

This statement relates to a shoplifting in our store on 4th June 2019.

I am the above named person and I am employed by MITIE SECURITY as a uniformed retail security officer based at **SAINSBURYS 52-55 FRIAR STREET** in **READING**. I have been in this role since November 2016.

I am writing this statement in relation to a shoplifting that occurred in my store on Tuesday 4th June 2019. On this day I was working between 0800 and 1800 hours. At approximately 10:20 hours I was patrolling the shop floor when I received a call from a member of staff to advise that there was a suspected shoplifter in the beers, wines and spirits aisle. I went straight to the beers, wines and spirits aisle and saw a **BLACK MALE**, approximately 5F9 tall, aged in his early 30's, of medium build with short black hair. He was wearing a salmon coloured hooded top, dark bottoms, dark trainers and was carrying a pink and white bag for life with black dots on it and looked full of heavy items. I followed saw this male from a distance of about ten metres. He walked through the checkouts without paying for anything and then exited the store by the cashpoint door, setting the alarm off as he walked passed. The alarm barriers sound when a security device has not been removed by staff, and alerts us to the fact an item has been removed from the shop without payment having been made first.

I then quickly exited the store in pursuit and from a safe distance as I was concerned at this point that if I was seen the suspect would have run away. When I got outside I saw the male turning right into **GREYFRIARS ROAD** and I hurried on and presumed he turned into **SACKVILLE STREET** as he was no longer in sight and GREYFRIARS ROAD is too long for him to have disappeared after such a short time. I rushed along passed GREYFRIARS CHURCH towards CHATHAM STREET as I believed he may well come out from the end of SACKVILLE STREET in that same direction. I was correct; as after only a couple of minutes the **BLACK MALE** reappeared in my view a distance away ahead of me and I watched as he crossed over the CHATHAM STREET roundabout over the pedestrian crossings and into **CHATHAM STREET** itself.

Signature: 	Signature Witnessed by:
--	-------------------------

Witness Statement

MG11

Continuation of Statement of

The closest I got to the BLACK MALE was when he walked passed me at a distance of only a few feet and when I first followed him from the store was about 8 metres behind him.

Visibility was good and it was a clear day and my view was unobstructed on most occasions apart from when I lost sight of him for a short time in GREYFRIARS ROAD.

I do not know the BLACK MALE, however believe that I would recognise him again if I now saw him.

I am aware that another member of staff has made a complaint of theft in relation to this matter on behalf of Sainsburys having confirmed goods were stolen, and I am willing to attend Court as a witness to this incident and fully support police proceedings.



Signature:



Signature Witnessed by:

Page 3 of 3

Witness Statement

MG11

Continuation of Statement of

I continued to follow and observe him walking along CHATHAM STREET, I could clearly see that he still had his pink and white bag in his left hand and that it was still weighty and heavy with items I believed stolen from the shop.

After losing sight of him briefly for approximately 30 – 60 seconds I reached the entrance to the Reading Irish club car park on my right hand side and looked for him ahead of me. He was nowhere in sight so I believed he must have gone into the car park. As I turned to my right I saw the BLACK MALE walking towards me from the direction of the door entrance to the Irish club.

As there area to the right of the doorway is blocked and the doorway was open I immediately thought that he must have been inside. I could clearly now see that the BLACK MALE was no longer carrying the large bag that he had had before and was definitely not carrying any large items in is hands or under his clothing on his person.

I said to the BLACK MALE (as I was now only a few feet away from him and directly looking at him) words to the effect "THE POLICE WILL WANT TO HAVE A WORD WITH YOU, WAIT HERE".

The BLACK MALE completely ignored me and crossed the road and walked off towards the multi storey car park in CHATHAM PLACE.

I then across the car park and into the IRISH CLUB as the door was open and I saw two men apparently repairing the pool table. I asked them if they had seen a black guy, and they replied "HE WAS LEAVING WHEN WE CAME IN".

I then spoke to a man who I know to be the manager of the club. I would describe () as a white male 5F7 to 5F8 tall, aged 60 to 70 years old, with collar length greying hair. He was wearing light coloured casual clothing. I have known () for approximately two years as I used to park my car in the clubs car park when my son attended the boxing club next door and I asked him "DID A BLACK GUY COME IN WITH A BAG?" () replied "NO" straight away and denied any knowledge of this claiming that he hadn't seen anyone of that description inside.

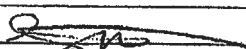
I told () that I had just observed the BLACK MALE appear to exit the club and thought this very strange as the other two persons inside had told me they saw him leave when they arrived.

I then searched inside both toilets for the bag or stolen items but I did not find either, and when I walked out of the club searched the car park and its perimeter and around all vehicles for any discarded items. I was adamant that the goods must have been taken into the club due to the fact that the BLACK MALE had the bag when he had entered but did not have it afterwards when I saw him just as he had left.

I suspect that () had not told me the truth but had been unable to prove that so I then returned to the store and informed the management as to what had happened.

The incident lasted maybe 10-15 minutes from start to finish in my estimation from the time I began to follow the BLACK MALE to the time I lost sight of him when he had left the area of the Reading Irish Club.

Signature:



Signature Witnessed by:

Witness Statement

Page 1 of 2

Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9

URN:

Statement of: **Jason Jones**Age if under 18 (if over insert "over 18"): **Over 18** Occupation: **Police Constable 6930**

This statement (consisting of 2..... Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:



15:18

Date: **16/07/2019**

This statement relates to the collection of CCTV from THE READING IRISH CLUB, 96-104 CHATHAM STREET, READING on Tuesday 16th JULY 2019 at 13:25hrs.

I am PC 6930 JONES and I am based at READING POLICE STATION on the READING TOWN CENTRE NEIGHBOURHOOD TEAM as a NEIGHBOURHOOD SUPERVISOR.

On the above date at approx. 13:10hrs I attended THE READING IRISH CLUB in response to a CCTV request I had hand delivered to the club on the 6th June 2019. Within the request PC WHEELER had asked for CCTV covering the date of 4th June 2019 from 10am covering all the cameras within the venue due to an allegation that an offence of handling had taken place on the premise. The footage of this was required to prove or disprove that allegation.

PC 5787 WHEELER had informed me that he had spoken to the chairman of the club who had advised via email on the 11th July 2019 that the CCTV was available to be collected from club after 12pm, Monday-Friday. As a result of this information I attended the club and upon speaking with Mr Brenden HEALEY he provided me with a USB stick and informed me that the cameras didn't work before the burglary. I found this odd as when I had previously attended the club on the 6th JUNE, HEALEY stated that the club had been burgled a few days previous to that day however the footage I requested was for after the incident of burglary had taken place.

Whilst at the club I could clearly see 3x gaming/ gambling machines all switched on, I am not aware that the club has a license for these activities so as a result of this I took 3 images within the club and passed these to the licensing department.

Upon reviewing the footage that was contained on the USB memory stick I could see that there was a total of 40 files on the disc covering dates 06th JUNE 2019 – 07th JUNE 2019, and the files all showed the same camera angle. The footage showed the upstairs bar only for the dates 6th JUNE-7th JUNE 2019, which was clearly not what had been requested on the initial request. I could also clearly see that the files had been created in the evening of the 24th JUNE 2019. I found this to be odd as we were not told the footage was available until the 11th JULY 2019 which is over a month after I had made my initial request.

Signature:




Signature Witnessed by:

Witness Statement

MG11

Page 2 of 2

Continuation of Statement of **Jason Jones**

I can exhibit the CCTV footage as "JM/J1 – CCTV USB STICK FROM READING DISTRICT IRISH ASSOCIATION". I can confirm that I have booked this into Reading Crime Property under the reference EA00621168/19. 

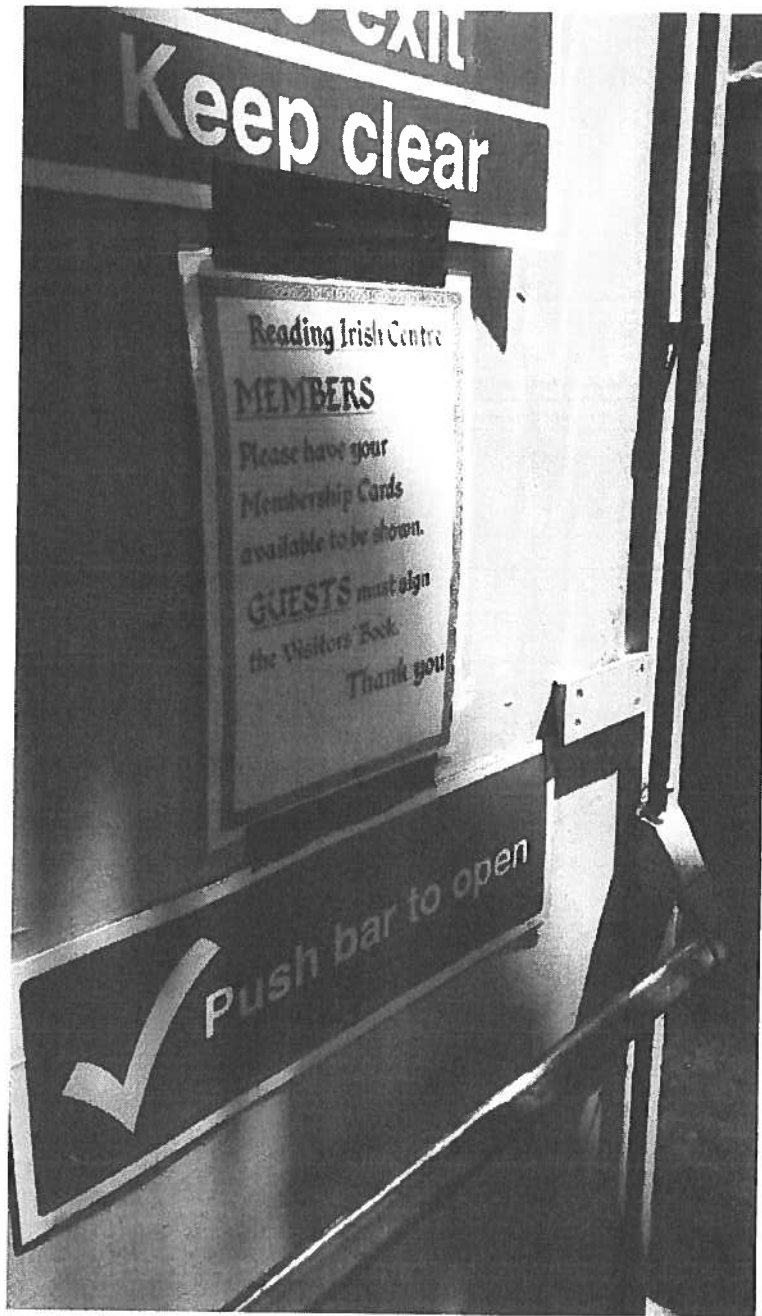
Signature: 

Signature Witnessed by: _____

05/2017



Photograph of Gaming machines in usage on 16th July 2019 taken by PC Jones –
Potentially no gaming certificate is in place.



Signage on display 16th July 2019 requiring guests to sign visitor's book. Image taken by PC Jones.