

LICENSING APPLICATIONS SUB-COMMITTEE 2 MEETING MINUTES - 30 JANUARY 2020

Present: Councillor Edwards (Chair);
Councillors Grashoff and Page

Apologies: Councillors

12. MINUTES

The Minutes of the meeting of Licensing Applications Sub-Committee 2 held on 8 January 2020 were agreed as a correct record and signed by the Chair.

13. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - MATCHBOX

The Assistant Director of Planning, Transport and Regulatory Services submitted a report on an application by the Chief Constable of Thames Valley Police for the review of a Premises Licence held by Greene King Brewing & Retailing Ltd in respect of the premises operating as Matchbox at 5-6 Friar Street, Reading, RG1 1DB.

The report stated that Thames Valley Police had requested a review of the Premises Licence due to serious concerns that the premises was failing to support the licensing objectives.

The report explained that these concerns were based on the number of violent incidents linked to high risk events that had occurred at the premises within the previous 24 months. The most recent incident had taken place on 7 December 2019 when a large-scale disorder had occurred at the premises which involved the assault of a door supervisor and multiple arrests for assault/affray. A copy of the review application form was attached to the report at Appendix RS-1.

The report stated that during the 28-day consultation period, representations had been received from Reading Borough Council Licensing Team which were attached to the report at Appendix RS-2.

A copy of the current licence was attached at Appendix RS-3 and authorised the following licensable activities:

Hours for the Performance of Live Music

Monday to Wednesday	1100 hours until 0200 hours
Thursday to Saturday	1200hours until 0230 hours
Sunday	1200 hours until 0200 hours

Hours for the Performance of Recorded Music

Monday to Wednesday	1100 hours until 0200 hours
Thursday to Saturday	1200hours until 0230 hours
Sunday	1200 hours until 0200 hours

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Hours for anything similar to Live Music and Recorded Music

Monday to Wednesday	1100 hours until 0200 hours
Thursday to Saturday	1200hours until 0230 hours
Sunday	1200 hours until 0200 hours

Hours for the Provision of Late Night Refreshment

Monday to Wednesday	2300 hours until 0200 hours
Thursday to Saturday	2300hours until 0230 hours
Sunday	2300 hours until 0200 hours

Hours for the Sale by Retail of Alcohol

Monday to Wednesday	0800 hours until 0200 hours
Thursday to Saturday	0800hours until 0230 hours
Sunday	0800 hours until 0200 hours

Hours the Premises is Open to the Public

Monday to Wednesday	0800 hours until 0230 hours
Thursday to Saturday	0800hours until 0300 hours
Sunday	0800 hours until 0230 hours

Seasonal Variations for all Licensable Activities:

One extra hour for Christmas Eve, Christmas Day, Boxing Day, New Year's Eve and New Year's Day.

British Summer Time not to commence until the following day's trade.

Additional paperwork from the Premises Licence Holder was presented to the Sub-Committee, which set out future plans for the operation of the building as a craft bar rather than a late-night drinking establishment, operating at reduced hours and with a new set of Licensing Conditions that had been agreed with Thames Valley Police.

Robert Smalley, Licensing Enforcement Officer, reported that, following the receipt of this information, Reading Borough Council Licensing Team's representation had now been withdrawn.

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

- Take no further action;
- Exclude a qualifying activity from the scope of the Certificate;
- Modify the conditions of the Certificate;

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- Suspend the Certificate for a period not exceeding three months;
- Withdraw the Certificate.

Where the Sub-Committee took the second or third step set out above, it might provide that the modification or exclusion was to have effect for a period of not exceeding three months or permanently.

The report set out paragraphs 1.2 to 1.5, 1.7, 1.8, 9.11, 9.12, 9.13, 9.42, 9.43, 11.1, 11.2, 11.10, 11.16 to 11.19 and 11.25 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2018. The report set out paragraphs 1.5, 1.6, 2.19, 3.2, 3.7, 4.15, 5.13, 5.15, 7.1, 7.2, 7.4, 9.12, 9.13, 9.15, 9.16, 9.18, 9.20 and 9.21 of the Council's Statement of Licensing Policy.

Simon Wheeler and Declan Smyth, from Thames Valley Police, were present at the meeting and addressed the Sub-Committee on the review application.

Piers Warne, TLT Solicitors, was present at the meeting as representative of the Premises Licence Holder. He was accompanied by Graeme Morley, from Greene King, and James Morgan, Operator of Big Smoke and The Corner House who both addressed the Sub-Committee.

Robert Smalley, 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 Premises Licence in respect of the premises at 5-6 Friar Street, Reading, RG1 1DB, remain in force. Having heard all of the representations the Sub-Committee considered that the changes in the operating schedule were such as to reduce the risks of incidents occurring that would breach the four Licensing Objectives. As the premises were closed for refurbishment voluntarily and would remain so for some time, the Sub-Committee did not see fit to suspend or revoke the licence.

The current hours for licensable activities and conditions attached to the licence would be removed and replaced by the new hours and conditions and plans (19.079.GK.G.1000 and 19.079.GK.G.1001 dated Oct 19) as discussed and amended at the meeting as set out below:

1. Hours for licensable activities

Hours for the Performance of Live Music

Sunday to Wednesday	1100 hours until 0000 hours
Thursday to Saturday	1100 hours until 0100 hours

Hours for the Performance of Recorded Music

Sunday to Wednesday	1100 hours until 0000 hours
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Thursday to Saturday 1200 hours until 0100 hours

Hours for the Sale by Retail of Alcohol

Sunday to Wednesday 1100 hours until 0000 hours

Thursday to Saturday 1100 hours until 0100 hours

Hours for the Provision of Late Night Refreshment

Sunday to Wednesday 2300 hours until 0000 hours

Thursday to Saturday 2300 hours until 0100 hours

Hours the Premises is Open to the Public

Sunday to Wednesday 0800 hours until 0030 hours

Thursday to Saturday 0800 hours until 0130 hours

Seasonal variations

One additional hour Christmas Eve and Boxing Day.

One additional hour on the Sunday preceding a Bank Holiday Monday.

Licensable activities until 0230 hours New Year's Eve (into New Year's Day), with the premises closing at 0300 hours.

2. Conditions

General

- (1) Staff will receive training in relation to the Licensing Act, and the conditions on the premises licence prior to being permitted to sell alcohol.
- (2) A record of all staff training shall be maintained at the premises and made immediately available upon request to an authorised officer of Thames Valley Police or Reading Borough Council. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.
- (3) All pre-booked events or functions ('the event') will be risk assessed ('the assessment') and a copy of that assessment stored in either paper or electronic format for 6 months after the event. The assessment will include the following information:
 - The date, start and end time of the event;
 - Expected number of guests;
 - Whether the event is ticket only;
 - Number (if any) of SIA security to be employed for the event and the times they will be working and whether the use of ID Scanning would be appropriate.

- (4) A minimum of 50% of floor space on the ground floor and 30% of floor space on the First Floor (not including dart oches, shuffle boards or other game tables/equipment) shall be given over to tables and chairs.

Prevention of Crime and Disorder

- (5) No externally promoted events or bookings shall be undertaken and no external promoters utilised at the premises.
- (6) The Premises Licence Holder must ensure that the Designated Premises Supervisor holds membership of, and actively participates in, the Reading Pub Watch Scheme, including making use of apparatus supplied as part of the scheme.
- (7) All instances of crime or disorder are to be reported by the designated premises supervisor or a responsible member of staff to an agreed police contact point.
- (8) 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. Recorded images shall be of such quality as to be able to identify the recorded person in any light. Data recordings shall be made immediately available to an authorised officer of Thames Valley Police or Reading Borough Council together with facilities for viewing upon request, subject to the provisions of the Data Protection Act. At least one member of staff on the premises at any time during operating hours shall be fully trained to access and download material from the CCTV system.
- (9) The provision of door supervisors who have been accredited by the Security Industry Authority or any accreditation scheme recognised by the Licensing Authority shall be on duty as follows:
- Friday, Saturday and Sunday nights if the premises intends to trade past midnight: a minimum of 3x door supervisors from 21:00 until the close of the premises;
 - When operating under a TEN to extend the hours past the terminal hour permitted by this licence: a minimum of 3x door supervisors from 21:00 until the close of the premises;
 - When showing senior Men's England Football matches in either the World Cup finals or European Championship finals: a minimum of 3x door supervisors from one hour before the match until at least two hours after the match, or until the premises closes, whichever is earlier.

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- (10) At all other times door supervisors to be provided as required on a risk-assessed basis. Such risk assessments will be regularly reviewed to ensure that door supervisor provision is appropriate for the promotion of the licensing objectives.
- (11) Whilst Door Supervisors are employed at the premises a minimum of one Door Supervisor working on the entrance/exit to the premises, and one internally within the premises (rising to two when both floors are in operation) will be deployed with digitally recording Body Worn Video (BWV). The BWV will be used to record any incidents which occur inside or outside of the premises involving customers, prospective customers or any staff member that impact on any of the four licensing objectives. Data recordings shall be made immediately available to an authorised officer of Thames Valley Police or Reading Borough Council together with facilities for viewing upon request, subject to the provisions of the Data Protection Act.
- (12) The Premises Licence Holder shall ensure that the following details for each door supervisor are contemporaneously entered into a bound register kept for that purpose:
 - (i) Full name;
 - (ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation);
 - (iii) The time they began their duty;
 - (iv) The time they completed their duty.

This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of Thames Valley Police or Reading Borough Council to establish the particulars of all door stewards engaged at the premises during the period of not less than 31 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.

- (13) The Premises Licence Holder (PLH) shall ensure that all door supervisors whilst employed at the premises shall wear hi visibility jackets/tabards in bright green, yellow or orange in order that they can be clearly visible and identifiable at all times to the public and via CCTV both internally and externally. When tabards are worn, hi visibility armbands must also be worn that incorporate displaying SIA badges. If hi visibility full sleeved jackets are worn the PLH must ensure that all door supervisors badges are also displayed via an easily visible arm band of a different hi visibility colour to the jacket that is being worn.

- (14) The DPS will draw up and operate a drugs policy ('the policy') which will be disseminated to staff and SIA door staff as required. The policy will set out those checks and measures to be used to deter the taking of illegal substances and what measures are to be taken if it is suspected that customers are taking or dealing illegal substances. This policy will be made available to an authorised officer of Thames Valley Police or Reading Borough Council on request and will be revisited and amended in line with agreed best practice.
- (15) The Premises Licence Holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of Thames Valley Police or Reading Borough Council when required.
- (16) The Premises Licence Holder or other responsible person shall ensure that there is a policy in place to prevent the sale of alcohol to customers who are drunk. The Premises Licence Holder or other responsible person shall ensure the policy is reviewed and updated on a regular basis. The policy shall be available to an authorised officer of Thames Valley Police or Reading Borough Council on request.

Public Safety

- (17) A written risk assessment shall be put in place to manage the queuing of patrons outside of the venue on the public highway. This risk assessment shall be reviewed on a regular basis, be provided in written form and be made available for inspection to an authorised officer of Thames Valley Police or Reading Borough Council upon request.
- (18) The Premises Licence Holder shall ensure that all drinking glasses used within the premises are of toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken.
- (19) Except where expressly permitted no lasers, smoke producing effects, light shows (strobe lights) or pyrotechnics shall be used at any time when licensable activity is taking place.
- (20) No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises

except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.

Prevention of Public Nuisance

- (21) The Premises Licence Holder shall participate in the Local Town Safe Radio Scheme when the premises are opened for licensable activities after 2100hrs Monday to Sunday inclusive.
- (22) A management plan ('the plan') will be drawn up for the proper management of the external areas, to include regular supervision of customers, glass collection and the prevention of public nuisance and be made available for inspection to officers of Reading Borough Council and Thames Valley Police upon request.
- (23) No drinks to be permitted to be consumed outside the front of the premises. Any off-sales must be in sealed containers for consumption away from the premises.
- (24) No music or speech shall be relayed by external speakers.
- (25) All external doors and windows shall be kept closed other than for access and egress when events involving amplified music or speech or taking place.
- (26) The DPS or designated manager shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to undue disturbance to local residents.
- (27) The placing of bottles into receptacles outside the premises shall only take place between 08:00 and 19:00 hours.
- (28) Noise from any ventilation, refrigeration or air conditioning plant or equipment shall not cause a nuisance to the occupants of any properties in the vicinity.

Protection of Children from Harm

- (29) All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance following legislation changes. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of Thames Valley Police or Reading Borough Council.
- (30) An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as "Challenge 25" whereby an accepted form of photographic identification shall be requested

before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence, military ID card, EU ID card and/or passport.

- (31) Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.

14. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - THE HUT

This item was withdrawn and not considered at the meeting.

(The meeting closed at 11.30 am)