

Present: Councillor ;
Councillors Maskell, Rynn and Woodward (Vice-Chair)

10. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - ANRISH NEWS, OXFORD ROAD, READING

The Head of Planning, Development and Regulatory Services submitted a report on an application by Thames Valley Police for the review of a Premises Licence in respect of Anrish News, 102 Oxford Road, Reading, RG1 7LL.

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 via insufficient measures to ensure due diligence and compliance with the conditions in place on their licence. This had led to an increase in street drinking, anti-social behaviour and violent incidents in and around the premises. A copy of the review application form and appendices 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 and the Chair of Oxford Road Safer Neighbourhood Forum which were attached to the report at Appendices RS-2 and RS-3 respectively.

A copy of the current licence was attached at Appendix RS-4 and authorised the following licensable activities:

Hours for Sale by Retail of Alcohol

Monday to Sunday: from 0600 hours until 2300 hours

Hours the Premises is Open to the Public

Monday to Sunday: from 0600 hours until 2300 hours.

The following additional documents were attached to the papers:

Appendix RS-5 Additional Information supplied by Thames Valley Police;
Appendix RS-6 Representations submitted by Abbey Ward Councillor, Karen Rowland, and Chair of Baker Street Area Neighbourhood Association (BANSA), Mr Richard Rowlands.

The Sub-Committee also considered information submitted by Mr William Donne, Silver Fox Licensing Consultants, the representative of the Premises Licence Holder.

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

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- 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 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. Furthermore, 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 11.19, 11.20, 11.22 and 11.23 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2018. The report set out paragraphs 1.6, 3.2, 5.13, 6.1, 6.5, 9.1, 9.2, 9.15 and 9.16 of the Council's Statement of Licensing Policy.

Simon Wheeler from Thames Valley Police was present at the meeting and addressed the Sub-Committee on the review application.

Peter Narancic, Senior Licensing and Enforcement Officer attended the meeting and addressed the Sub-Committee on behalf of Reading Borough Council as a Responsible Authority. Abbey Ward Councillor, Karen Rowland also addressed the Sub-Committee on the representations made by herself and Richard Rowlands, Chair of BANSA.

William Donne, Silver Fox Licensing Consultants, attended the meeting and addressed the Sub-Committee, and was accompanied by Mr Balbir Singh Ghaba, Premises Licence Holder and Mr Yash Ghaba.

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Robert Smalley, Licensing Enforcement Officer, presented the report at the meeting.

The Sub-Committee noted that there had been breaches of the current conditions attached to the Licence and considered that the addition of new conditions would enable the Premises Licence Holder to promote the four Licensing Objectives.

Resolved -

That the Sub-Committee, having taken into account all the representations made today (both orally and written), together with the Secretary of State's Guidance on licensing and our own licensing policy, concluded that tighter conditions will ensure these premises are properly managed in accordance with the licensing objectives and therefore our decision is that the licence be amended to include the conditions as set out below:

1. Staff employed to sell alcohol shall undergo training upon induction before they are allowed to sell alcohol. This shall include, but not be limited to:
 - The premises age verification policy
 - The Four Licensing objectives
 - 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
- a) Refresher training shall be provided every 6 (six) months
- b) Signed induction and refresher training records are to be kept for a minimum of 2 (Two) years of the date of training and made available for inspection by a Police Officer or authorised officer of Reading Borough Council upon request
- c) All staff authorised to sell alcohol shall be trained in responsible alcohol retailing (ARAR) or any other similarly nationally recognised approved accreditation curriculum or syllabus within 4 weeks for existing and subsequent employees of 18 November 2020 and provide evidence of such training having been undertaken and completed within 2 weeks of completion to Thames Valley Police and any authorised officer of Reading Borough Council's licensing team;
2. All staff to be trained to record refusals of sales of alcohol in a refusals book or electronic register. The book/register shall contain:
 - Details of the time and date the refusal was made
 - The identity of the staff member refusing the sale.

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- Details of the alcohol the person attempted to purchase.
- a) This book/register shall be available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police. A weekly review of the refusals book/register shall also be carried out and signed off by the Designated Premises Supervisor or their nominated representative;
3. An incident register/log shall be used, maintained and kept on the premises to record any incident which has an impact on any of the four licensing objectives, or instances when the police have had to attend the premises.
 - a) The register shall be made available for inspection to authorised officers of Reading Borough Council and Thames Valley Police upon request;
 4. The premises shall at all times operate a Challenge 25 age verification policy to prevent any customers who attempt to purchase alcohol and who appear to the staff member to be under the age of 25 years from making such a purchase without having first provided identification. Only a valid British driver's licence showing a photograph of the person, a valid passport, military ID or proof of age card showing the 'Pass' hologram (or any other nationally accredited scheme) are to be accepted as identification. The age verification policy shall be in a written form and displayed in a prominent position;
 5. Posters advertising the premises' Challenge 25 age verification policy shall be displayed in prominent positions on the premises;
 6. The Premises Licence Holder shall display in a prominent position a copy of their written policy on checking proof of age;
 7. No beers and ciders above 6.5% ABV shall be sold at any time during permitted licensing hours, in line with Reading Borough Council's current policy;
 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 and an appropriate number of cameras shall be installed to cover the external areas immediately outside of the premises. 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. 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;

9. The premises licence holder or nominated representative shall keep and maintain all right to work documents for all staff members. Right to work documents shall be kept at the premises and produced to authorised officers of Reading Borough Council and Thames Valley Police upon request;
10. A current written authorisation list shall be displayed in a prominent position on the premises confirming the 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, the name and personal licence details of the person authorising them to sell alcohol. This list shall also contain the date and signature of the staff member authorised and countersigned by the authorising Personal Licence Holder;
11. The premises licence holder/designated premises supervisor shall ensure that they and staff who are authorised to sell alcohol, are able to converse with customers and representatives of Statutory Agencies to a level that they are able to satisfactorily meet the four licensing objectives as contained in the Licensing Act 2003.

- I. The Prevention of Crime and Disorder
- II. Public Safety
- III. Public Nuisance
- IV. The Protection of Children from Harm;

12. 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;
13. 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 shall include:

- Proof of identity (such as a copy of their passport)
- Nationality
- Current immigration status

Employment checks will be subject to making copies of any relevant documents produced by the 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, Thames Valley Police or Home Office Immigration upon request.

11. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - TODAY'S EXPRESS, OXFORD ROAD, READING

LICENSING APPLICATIONS SUB-COMMITTEE 2 MEETING MINUTES - 19 NOVEMBER 2020

The Head of Planning, Development and Regulatory Services submitted a report on an application by Thames Valley Police for the review of a Premises Licence in respect of Today's Express, 107 Oxford Road, Reading, RG1 7UD.

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 promote licensing objectives via insufficient measures to ensure due diligence and compliance with the conditions in place on their licence. This had led to an increase in street drinking and anti-social behaviour in and around the premises. A copy of the review application form and appendices 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 and the Chair of Oxford Road Safer Neighbourhood Forum which were attached to the report at Appendices RS-2 and RS-3 respectively.

A copy of the current licence was attached at Appendix RS-4 and authorised the following licensable activities:

Hours for Sale by Retail of Alcohol

Monday to Saturday:	from 0900 hours until 2300 hours
Sunday:	from 1000 hours until 2230 hours
Good Friday:	from 0900 hours until 2230 hours
Christmas Day:	from 1200 hours until 1500 hours from 1900 hours until 2230 hours

Hours the Premises is Open to the Public

Monday to Saturday:	from 0700 hours until 2300 hours
Sunday:	from 0700 hours until 2230 hours

The following additional documents were attached to the papers:

Appendix RS-5	Additional Information supplied by Thames Valley Police;
Appendix RS-6	Representations submitted by Abbey Ward Councillor, Karen Rowland, and Chair of Baker Street Area Neighbourhood Association (BANSAs), Mr Richard Rowlands.

The Sub-Committee also considered information submitted by the representative of the Premises Licence Holder, Mr William Donne from Silver Fox Licensing Consultants.

The report stated that in determining the review 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;

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

The report further stated that in determining the application the Licensing Authority must also have had regard to the representations received, the Licensing Authority's statement of licensing policy and any relevant section of the statutory guidance to licensing authorities. Furthermore, 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 11.19-11.20 and 11.22-11.23 from the Secretary of State's amended guidance issued in April 2018 under section 182 of the Licensing Act 2003. The report set out paragraphs 1.6, 3.2, 5.13, 6.1, 6.5, 9.1-9.2 and 9.15-9.16 of the Council's Statement of Licensing Policy.

Robert Smalley, Licensing Enforcement Officer from Reading Borough Council, attended the meeting and presented the report.

Simon Wheeler from Thames Valley Police attended the meeting and addressed the Sub-Committee on the review application.

Peter Narancic, Senior Licensing and Enforcement Officer from Reading Borough Council, attended the meeting and addressed the Sub-Committee on behalf of the Council as a Responsible Authority. Karen Rowland, Abbey Ward Councillor, also attended the meeting and addressed the Sub-Committee on the representations made by herself and Richard Rowlands, Chair of BANSA.

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Abdullah Yaqubi, the Premises Licence Holder and Designated Supervisor, attended the meeting and was represented at the meeting by William Donne from Silver Fox Licensing Consultants, who addressed the Sub-Committee.

The Sub-Committee concluded that there had been breaches of the current conditions attached to the Licence and considered that amending the conditions would enable the Premises Licence Holder to promote the four licensing objectives.

Resolved -

That the Sub-Committee, having taken into account all the oral and written representations made, together with the Secretary of State's guidance and Reading Borough Council's Licensing Policy as set out in the report, concluded that tighter conditions would ensure these premises were properly managed in order to promote the four licensing objectives and have therefore decided that the Premises Licence be amended to remove previous conditions relating to the Licensing Act 1964 as set out in the operating schedule and to include the following conditions:

1. Staff employed to sell alcohol shall undergo training upon induction before they are allowed to sell alcohol. This shall include, but not be limited to:
 - The premises age verification policy
 - The four Licensing objectives
 - 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
- a) Refresher training shall be provided every 6 (six) months
- b) Signed induction and refresher training records are to be kept for a minimum of 2 (Two) years of the date of training and made available for inspection by a Police Officer or authorised officer of Reading Borough Council upon request
- c) All staff authorised to sell alcohol shall be trained in responsible alcohol retailing (ARAR) or any other similarly nationally recognised approved accreditation curriculum or syllabus within 4 weeks for existing and subsequent employees of 18 November 2020 and provide evidence of such training having been undertaken and completed within 2 weeks of completion to Thames Valley Police and any authorised officer of Reading Borough Council's licensing team;

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2. All staff to be trained to record refusals of sales of alcohol in a refusals book or electronic register. The book/register shall contain:
 - Details of the time and date the refusal was made
 - The identity of the staff member refusing the sale.
 - Details of the alcohol the person attempted to purchase.
 - a) This book/register shall be available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police. A weekly review of the refusals book/register shall also be carried out and signed off by the Designated Premises Supervisor or their nominated representative;
3. An incident register/log shall be used, maintained and kept on the premises to record any incident which has an impact on any of the four licensing objectives, or instances when the police have had to attend the premises:
 - a) The register shall be made available for inspection to authorised officers of Reading Borough Council and Thames Valley Police upon request;
4. The premises shall at all times operate a Challenge 25 age verification policy to prevent any customers who attempt to purchase alcohol and who appear to the staff member to be under the age of 25 years from making such a purchase without having first provided identification. Only a valid British driver's licence showing a photograph of the person, a valid passport, military ID or proof of age card showing the 'Pass' hologram (or any other nationally accredited scheme) are to be accepted as identification. The age verification policy shall be in a written form and displayed in a prominent position;
5. Posters advertising the premises' Challenge 25 age verification policy shall be displayed in prominent positions on the premises;
6. The Premises Licence Holder shall display in a prominent position a copy of their written policy on checking proof of age;
7. No beers and ciders above 6.5% ABV shall be sold at any time during permitted licensing hours, in line with Reading Borough Council's current policy;
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 and an appropriate number of cameras shall be installed to cover the external areas immediately outside of the premises. 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. 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;

9. 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 shall include:

- Proof of identity (such as a copy of their passport)
- Nationality
- Current immigration status

Employment checks will be subject to making copies of any relevant documents produced by the employee, which will be retained on the premises. 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, Thames Valley Police or Home Office Immigration upon request.

10. A current written authorisation list shall be displayed in a prominent position on the premises confirming the 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. This list shall also contain the date and signature of the staff member authorised and countersigned by the authorising Personal Licence Holder;

11. The premises licence holder/designated premises supervisor shall ensure that they and staff who are authorised to sell alcohol, are able to converse with customers and representatives of Statutory Agencies to a level that they are able to satisfactorily meet the four licensing objectives as contained in the Licensing Act 2003:

- I. The Prevention of Crime and Disorder.
- II. Public Safety.
- III. Public Nuisance.
- IV. The Protection of Children from Harm;

12. 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;

13. The premises licence holder shall use secure screening shutters to cover all alcohol while the premises is open to the public outside the permitted hours for the sale of alcohol.

(The meeting closed at 2.06 pm)