

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

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Your contact is: **Jenny Hazell - Committee Services**

NOTICE OF MEETING - LICENSING APPLICATIONS SUB-COMMITTEE 2 - 3 JUNE 2021

A meeting of the Licensing Applications Sub-Committee 2 will be held on Thursday, 3 June 2021 at 9.30 am in the Council Chamber, Civic Offices, Bridge Street, Reading, RG1 2LU. The Agenda for the meeting is set out below.

Please note that due to Covid 19, there will be a very limited number of socially distanced seats available for the public in the Council Chamber.

<u>ACTION</u>	<u>WARDS AFFECTED</u>	<u>Page No</u>
1. DECLARATIONS OF INTEREST		
(a) Councillors to declare any disclosable interests they may have in relation to the application 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 - 6
To confirm the Minutes of the meeting of Licensing Applications Sub-Committee 1 held on 16 March 2021.		
3. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - READING BISCUIT FACTORY - 47 OXFORD ROAD, READING	ABBEY	7 - 60
To consider an application for the grant of a premises licence - Reading Biscuit Factory, 47 Oxford Road, Reading.		

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.

Present: Councillors Edwards (Chair), Rynn and Skeats.

6. MINUTES

The Minutes of the meetings of Licensing Applications Sub-Committee 1 held on 8 and 22 December 2020 were confirmed as a correct record.

7. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - OXFORD FOOD AND WINE, 512 OXFORD ROAD, READING

The Deputy Director of Planning, Transport and Regulatory Services submitted a report on an application made by Thames Valley Police on 27 January 2021 for the review of a Premises Licence in respect of Oxford Food and Wine, 512 Oxford Road, Reading, RG30 1EG.

The review had been requested due to concerns that Mr Sinniah, the Premises Licence Holder, had failed to promote the licensing objectives as the Premises Licence Holder and a number of staff had been complicit in the handling of stolen goods by buying alcohol stolen from other stores in Reading.

A copy of the review application form and appendices were attached to the report at Appendix DF1.

During the 28-day consultation period for the application, representations had been received from Reading Borough Council, which were attached to the report at Appendix DF2.

A copy of the current Premises Licence was attached at Appendix DF3, which authorised the following licensable activities:

Sale of Alcohol by Retail (Off the Premises)

Monday to Sunday from 0800hrs until 2300hrs

The Sub-Committee also considered additional written and CCTV information submitted by Thames Valley Police and Kubitha Kubendran, Greater London Solicitors Ltd, 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:

- 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

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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, 1.8, 9.11, 9.42, 9.43, 11.2 and 11.16 to 11.18 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, 9.12, 9.13, 9.15, 9.16, 9.18, 9.20 and 9.21 of the Council's Statement of Licensing Policy.

Ms Saba Naqshbandi, Barrister, Three Raymond's Buildings, represented Thames Valley Police at the meeting and addressed the Sub-Committee on the review application. Simon Wheeler and Declan Smyth of Thames Valley Police also attended the meeting.

Robert Smalley, Licensing Enforcement Officer attended the meeting and addressed the Sub-Committee on behalf of Reading Borough Council as a Responsible Authority.

Mr Richard Hanstock, Barrister, Cornerstone Barristers, attended the meeting and addressed the Sub-Committee, and was accompanied by Mr Thinesh Sinniah, Premises Licence Holder who responded to questions.

Dan Fundrey, Licensing Enforcement Officer, presented the report at the meeting.

Resolved -

In considering the written and oral representations, the Licensing Applications Sub-Committee 1 considered the importance of the licensing objectives, the conditions put forward by the Reading Borough Council Licensing Team, and Thames Valley Police's request for a revocation of the licence. The Sub-Committee considered what they had heard and how appropriate and proportionate the conditions put forward by Reading Borough Council were to promoting the licensing objectives as opposed to a complete revocation of the licence. They also considered Reading Borough Council's statement of licensing policy and the statutory guidance made under the Licensing Act 2003, as stated above.

The Sub-Committee found that the issues caused within the vicinity of the premises as set out in the papers showed that there were levels generally of crime and disorder within the area. There was sufficient evidence of failings under the licensing objectives to warrant revocation of the licence

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The Sub-Committee considered a tightening of the conditions could improve the situation at the premises but considered from what they had read and heard that they had no confidence in Mr Sinniah to actually comply with what he was required to do. He had known it was wrong to purchase stolen alcohol yet continued to do so on 84 occasions, not 16 as each bottle was considered an occasion. The Sub-Committee found there had been management failings and breaches of conditions on behalf of the Premises Licence Holder and although this had resulted in compliance with those conditions, this was always after the event. The Sub-Committee considered the Premises Licence Holder had a responsibility under the Licensing Act 2003 to not undermine the licensing objectives and the wrongdoing of receiving stolen alcohol and selling it on was not upholding the licensing objectives. The Sub-Committee had no confidence in the Premises Licence Holder to uphold the licensing objectives as he had purchased stolen alcohol because it was cheap without any consideration of the impact on other businesses or indeed within the area in fuelling crime and disorder for drug users. The Sub-Committee did not consider he would in fact fulfil the licensing conditions if applied or genuinely work with the licensing authorities or police to fulfil his obligations. His controlling influence in the business would hamper compliance and he had not shown he had complied with the conditions of his caution in sending a written apology to Marks & Spencer or complying with the fire risk assessment requirements. The licence was therefore revoked.

(The meeting started at 9.32 am and finished at 11.54 am)

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LICENSING ACT 2003 HEARING THURSDAY 3 JUNE 2021 AT 09:30AM
APPLICATION FOR THE GRANT OF A PREMISES LICENCE

1. Premises:
Reading Biscuit Factory 47 Oxford Road Reading RG1 7QE

2. Applicant:
Really Local Group (Reading) Limited

3. Premises Licence:
There is currently no premises licence in place. A licence pursuant to the Licensing Act 2003 is required to carry out the licensable activity of the sale of alcohol.

4. Proposed licensable activities and hours:

The application is for the grant of a premises licence for the following activities:

Sale of Alcohol

Monday to Wednesday

1030hrs to 2300hrs

Thursday

1030hrs to 2400hrs

Friday to Saturday

1030hrs to 0100hrs

Sunday

1100hrs to 2300hrs

Films

Monday to Wednesday

1030hrs to 2300hrs

Thursday

1030hrs to 2400hrs

Friday to Saturday

1030hrs to 0100hrs

Sunday

1100hrs to 2300hrs

Live music

Monday to Wednesday

1030hrs to 2300hrs

Thursday

1030hrs to 2400hrs

Friday to Saturday

1030hrs to 0100hrs

Sunday

1100hrs to 2300hrs

Recorded music

Monday to Wednesday

1030hrs to 2300hrs

Thursday

1030hrs to 2400hrs

Friday to Saturday

1030hrs to 0100hrs

Sunday

1100hrs to 2300hrs

Late night refreshment

Thursday

2300hrs to 2400hrs

Friday to Saturday

2300hrs to 0100hrs

Opening Hours

Monday to Wednesday

0800hrs to 2400hrs

Thursday

0800hrs to 0100hrs

Friday to Saturday

0800hrs to 0200hrs

Sunday

0900hrs to 2300hrs

5. Temporary Event Notices

In considering any application the Licensing Authority should be aware of the possible use of Temporary Event Notices to extend entertainment activities or hours of operation. A premises may extend the hours or scope of their operation by the use of Temporary Event Notices. Up to 15 events per year can be held under this provision at a particular premises. These events may last for up to 168 hours provided less than 500 people are accommodated and provided the total number of days used for these events does not exceed 21 per year.

6. Date of receipt of application: 7 April 2021

A copy of the application form is attached at Appendix DF1

7. Date of closure of period for representations: 5 May 2021

8. Representations received:

During the 28 day consultation process for the application, representations were received from: Reading Borough council Licensing, Planning, Thames Valley Police, and Environmental Protection which are attached as Appendix DF2, DF3, DF4 and DF5.

Discussion between Environmental Protection and the Applicant has resulted in them withdrawing their representation on the understanding that the submission for live and recorded music be removed from the application. This agreement is attached as Appendix DF6. Reading Borough Council Licensing has submitted additional information of proposed condition which are attached as Appendix DF7.

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

In considering representations received the Licensing Authority has a duty to carry out its functions with a view to promoting the four licensing objectives, which are as follows:

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

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

The Council's Licensing Policy Statement:

7.15 Crime & Disorder Act 1998

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

Integration with Planning

7.1 The Authority recognises that licensing applications should not be seen as a re-run of the planning application process and that there should be a clear separation of the planning and licensing regimes to avoid duplication and inefficiency. However, the Authority will normally expect applicants to demonstrate that, ***their proposed use of the premises is lawful in planning terms***, including complying with any conditions that may be imposed upon a planning consent, prior to applications under this Act being submitted.

Licensed premises in residential areas

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

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

Licensing Objectives and Aims:

1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises

Steps to promote the licensing objectives:

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

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

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

8.43 Applicants are expected to include positive proposals in their

application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

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

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

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

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

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

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

8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however

important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.

The role of responsible authorities

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

9.12 Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area⁵. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

Licensing authorities acting as responsible authorities

9.13 Licensing authorities are included in the list of responsible authorities. A similar framework exists in the Gambling Act 2005. The 2003 Act does not require responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect of different licensing processes. It is, therefore, for the licensing authority to determine when it considers it appropriate to act in its capacity as a responsible authority; the licensing authority should make this decision in accordance with its duties under section 4 of the 2003 Act.

Integrating strategies

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

Planning and building control

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

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

Licensing Act 2003

The Licensing Act 2003 under Section 18 (6) also states that any relevant representation should be considered in the context of:

(a) the likely effect of the grant of the premises licence on the promotion of the licensing objectives.

Therefore, in the context of the grant of a licence, it is reasonable for the Licensing Authority to base its decision on an application on what the likely effects of granting a licence would have on the promotion of the licensing objectives.

Case Law

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

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Really Local Group (Reading) Limited

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Reading Biscuit Factory 47 Oxford Road Reading RG1 7QE			
Post town		Postcode	

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£86,500

Part 2 - applicant details

Please state whether you are applying for a premises licence as:

(Please tick as appropriate)

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |

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

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

(B) OTHER APPLICANTS

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

Name Really Local Group Limited
Address 5 Cromwell Place London SW7 2JE
Registered number (where applicable) 11981763
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

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

DD	MM	YYYY

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

Three screen cinema, cafe, bar, food hall, event and work space.

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

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

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

- | Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box I) | <input type="checkbox"/> |
| <u>Supply of alcohol</u> (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon	10:30							
		23:00						
Tue	10:30							
		23:00						
Wed	10:30					<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
		23:00						
Thur	10:30							
		24:00						
Fri	10:30					<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
		01:00						
Sat	10:30							
		01:00						
Sun	11:00							
		23:00						

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)	
Day	Start	Finish		
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)	
Tue				
Wed				
Thur				<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:30		Please give further details here (please read guidance note 4) Mainly unamplified although there may be amplified instruments from time to time.		
		23:00			
Tue	10:30				
		23:00			
Wed	10:30		State any seasonal variations for the performance of live music (please read guidance note 5)		
		23:00			
Thur	10:30				
		24:00			
Fri	10:30		Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
		01:00			
Sat	10:30				
		01:00			
Sun	11:00				
		23:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon	10:30							
		23:00						
Tue	10:30							
		23:00						
Wed	10:30					<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
		23:00						
Thur	10:30							
		24:00						
Fri	10:30					<u>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
		01:00						
Sat	10:30							
		01:00						
Sun	11:00							
		23:00						

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4) Teas, coffees, hot dogs other similar fare.		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
	23:00	24:00			
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
	23:00	01:00			
Sat					
	23:00	01:00			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:30				
		23:00			
Tue	10:30				
		23:00			
Wed	10:30				
		23:00			
Thur	10:30				
		24:00			
Fri	10:30				
		01:00			
Sat	10:30				
		01:00			
Sun	11:00				
		23:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Nicholas Grantham
Date of birth [REDACTED]
Address [REDACTED]
Postcode
Personal licence number (if known) 11752
Issuing licensing authority (if known) Royal Borough of Greenwich

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08:00		
		24:00	
Tue	08:00		
		24:00	
Wed	08:00		
		24:00	
Thur	08:00		
		01:00	
Fri	08:00		
		02:00	
Sat	08:00		
		02:00	
Sun	09:00		
		23:00	
Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)			

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

We recognise that our premises resides in Reading's town centre cumulative impact area as defined in Reading's cumulative impact assessment. This statement is to rebut the presumption of refusal and is made further to the provisions of paragraph 12.14 of Reading's licensing policy.

Reading's cumulative impact assessment (CIA) was published in October 2018 and is due to expire in October this year. We might therefore reasonably question whether the circumstances which existed in 2018, and led to the imposition of the CIA, are extant today, almost three years later and after a year in which the world has been affected by the corona virus pandemic. Hospitality businesses have suffered hugely. The possibility is that a number of town centre premises will not re-open, thus naturally reducing the cumulative impact of licensed premises in the area.

We should make clear that this premises is a three-screen cinema so is not an alcohol-led environment in the manner of a public house. In today's economic environment a successful business is one which is able to diversify: diversification is the key to remaining a viable proposition. This cinema is no exception to that general principle. To enhance the chance of success of the business we intend to permit the hire of the cinema, event space and attendant bar area for private functions and corporate events. While the bar will be open to patrons on a daily basis we don't anticipate that it will be used by patrons other than as an ancillary to cinema visits.

We therefore believe that our premises will not have a negative effect upon the promotion of the licensing objectives and will therefore not contribute to cumulative impact. This belief is based upon the reasoning provided above coupled with a robust set of proposals to address the promotion of the licensing objectives detailed below. We suggest that this reasoning provides sufficient justification for an exception to Reading's CIA to be made in this case.

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1 All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and shall be made available to a relevant responsible authority when called upon.

2 Every poster, advertisement, photograph, sketch, synopsis or programme relating to a film exhibited, or to be exhibited at the premises, shall indicate clearly the category of the film.

b) The prevention of crime and disorder

3 A properly specified and fully operational CCTV recording system shall be installed, operated and maintained. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. The CCTV system shall be in operation at the premises at all times when the premises are used for the provision of licensable activity. All CCTV recordings shall be securely stored for a minimum of thirty-one days. A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested. Signage indicating that a CCTV recording system is in operation shall be displayed prominently in the premises.

4 The premises licence holder shall uphold a zero tolerance policy in relation to illegal drugs.

5 Any person entering the premises who appears to be under the influence of alcohol or illegal drugs shall in the interests of other members of the public using the premises be requested to leave the premises.

6 A premises incident book shall be kept at the premises. This book shall be maintained and kept for a rolling period of 12 months. The incident book shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints made to the premises alleging nuisance or anti-social behaviour by persons attending or leaving the premises and all refusals to sell alcohol. The incident book shall be readily available for inspection by an authorised person upon reasonable request.

7 Super-strength lagers, beers and/or ciders, i.e. those with an ABV of 6% or higher, shall not be sold at the premises.

c) Public safety

8 All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.

9 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.

10 The premises licence holder shall ensure that whenever disabled people are present adequate arrangements are made to enable their safe evacuation in the event of an emergency and that the disabled persons are made aware of these arrangements.

11 Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorised officer of the licensing authority.

12 The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.

13 The premises licence holder shall ensure that an electrical compliance check is made at least once a year.

14 The edges of the treads of steps and stairways shall be conspicuously displayed.

15 A fire log-book shall be kept at the premises. This fire log-book will be maintained and kept for a minimum of 12 months. Full details of the following shall be recorded in the fire log-book where appropriate:

- staff training and refresher training in respect of fire precautions and fire evacuation training
- details of safety checks
- details of fire alarm test
- details of fire drills
- details of testing of smoke ventilators
- details of the maintenance and inspection of all fire-fighting equipment and the fire alarm warning system
- the name and position of the person making the entry

16 An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

d) The prevention of public nuisance

17 The premises' equipment shall be properly sound insulated and shall be operated strictly in accordance with the manufacturers' requirements, guidelines and tolerances.

18 Patrons smoking outside the premises shall be monitored regularly to ensure the potential for noise nuisance is controlled.

19 Clear and legible notices shall be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.

20 The premises' frontage shall be regularly monitored to keep it clean and clear of litter.

21 No person shall be admitted to the premises less than one hour before cessation of the last licensable activity.

e) The protection of children from harm

22 A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are the following recognised photographic identification cards: a driving licence, a passport, a military identification card or a Proof of Age card carrying a 'PASS' hologram.

23 A prominent clear notice shall be displayed at the point of entry to the premises advising customers that they may be asked to produce evidence of their age if seeking to purchase alcohol.

24 All occasions when persons have been refused service shall be recorded in the incident book. This record shall include:

- the date and time of the incident
- a description of the person seeking to buy alcohol
- the name of the staff member who refused the sale
- the reason the sale was refused

The record must be made available for inspection when requested by an officer of a Responsible Authority.

25 There shall be no children unaccompanied by a responsible adult on the premises after 19:00.

Checklist:

Please tick to indicate agreement

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	8th April 2021
Capacity	Duly Authorised Agent

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Paul Jones			
Innpacked Ltd			
10 Whittle Road Ferndown Industrial Estate Wimborne BH21 7RU			
Post town		Postcode	
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your [REDACTED]			
[REDACTED]			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500,

- and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National

Insurance number and their name issued by a Government agency or a previous employer.

- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and

- evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

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

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

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

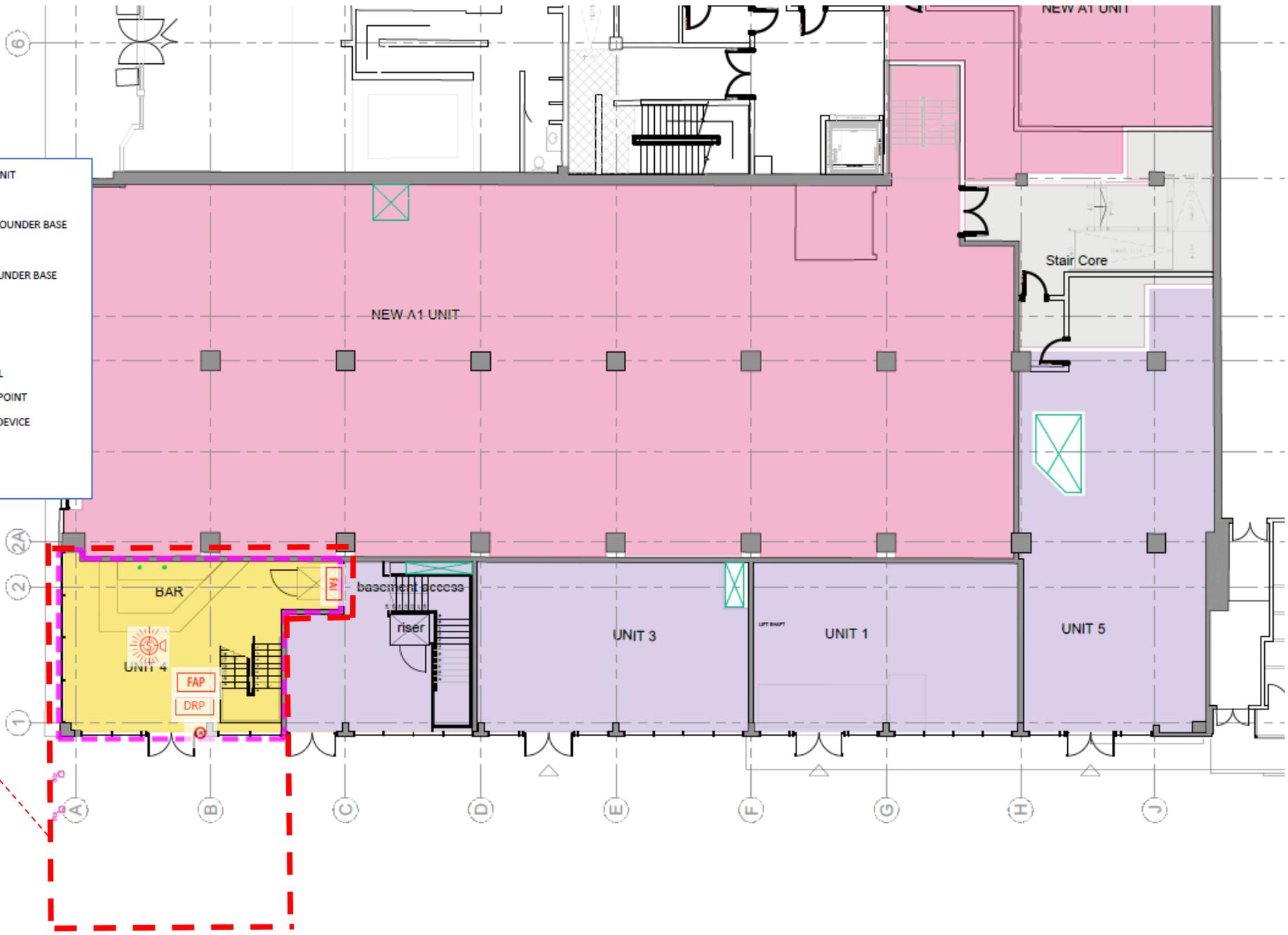
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

**PROPOSED
GROUND
FLOOR**

-  MANUAL BREAKGLASS UNIT
-  SMOKE DETECTOR
-  SMOKE DETECTOR c/w SOUNDER BASE
-  HEAT DETECTOR
-  HEAT DETECTOR c/w SOUNDER BASE
-  FLASHING BEACON
-  FIRE ALARM PANEL
-  FIRE ALARM INTERFACE
-  DISABLED REFUGE PANEL
-  DISABLED REFUGE CALL POINT
-  FIRE DOOR HOLD OPEN DEVICE
-  FIRE ALARM SOUNDER
-  BEAM DETECTOR



**LICENSABLE
AREA**

Name of Officer	Peter Narancic						
Type of Application	Grant of Premises Licence - Licensing Act 2003						
Name of Premises	Reading Biscuit Factory (Really Local Group [Reading] Limited)						
Address	47 Oxford Road, Reading RG1 7QG						
	RG1 7QG						
	Berkshire						
Licensable Activities	See below						
Finish Times	Mon	Tue	Wed	Thu	Fri	Sat	Sun
<p>Content of Application: The application was submitted on behalf of the Really Local Group [Reading] Limited on 7 April 2021, for the grant of premises licence.</p> <p>The applicant has applied for:</p> <ul style="list-style-type: none"> · Films, Monday to Wednesday 10:30-23:00, Thursday 10:30-24:00, Friday & Saturday 10:30-01:00 and Sunday 11:00-23:00 · Live Music, Monday to Wednesday 10:30-23:00, Thursday 10:00-24:00, Friday & Saturday 10:30-01:00 and Sunday 11:00-23:00 · Recorded Music, Monday to Wednesday 10:30-23:00, Thursday 10:00-24:00, Friday & Saturday 10:30-01:00 and Sunday 11:00-23:00 · Late Night Refreshment, Thursday 23:00-24:00 and Friday & Saturday 23:00-01:00 · Supply Of Alcohol, Monday to Wednesday 10:30-23:00, Thursday 10:30-24:00, Friday & Saturday 10:30-01:00 and Sunday 11:00-23:00 · Hours Premises Are Open To The Public, Monday to Wednesday 08:00-24:00, Thursday 08:00-01:00, Friday & Saturday 08:00-02:00 and Sunday 09:00-23:00 <p>The premises is currently a vacant retail store and are located within the Council's Cumulative Impact Area, fronting onto Queens Walk.</p>							

Licensing Officer's Comments:

The licensing team wish to make representation against the application submitted on behalf of (Really Local Group [Reading] Limited) to licence the premises known as Reading Biscuit Factory for the following reasons:

1. The application is contrary to the Council's Cumulative Impact Policy as prescribed in the Council's Statement of Licensing Policy. Reading the application, the applicant has not rebutted the presumption of refusal. The premises is within the Council's Cumulative Impact Area which also does not seem to have been directly addressed in the operating schedule, it has only been mentioned in a way so as to dismiss its current relevance to new premises. The adoption by Reading Borough Council of its Cumulative Impact Assessment underlines the view that the town centre is already under stress from too many licensed premises and that any application for a licence within that area will be refused unless the applicant can demonstrate that their proposed operation does not undermine the promotion of the licensing objectives.

The application states:

"We recognise that our premises resides in Reading's town centre cumulative impact area as defined in Reading's cumulative impact assessment. This statement is to rebut the presumption of refusal and is made further to the provisions of paragraph 12.14 of Reading's licensing policy. Reading's cumulative impact assessment (CIA) was published in October 2018 and is due to expire in October this year. We might therefore reasonably question whether the circumstances which existed in 2018, and led to the imposition of the CIA, are extant today, almost three years later and after a year in which the world has been affected by the corona virus pandemic. Hospitality businesses have suffered hugely. The possibility is that a number of town centre premises will not re-open, thus naturally reducing the cumulative impact of licensed premises in the area".

2. The application states the premises wants to operate primarily as a Cinema, with late night refreshment and sale of Alcohol (two bars), with live and recorded music up to 01.30 hours. No specific references are made to the Council's Statement of

Licensing policy in the application and have not provided sufficient information in the application to be able the Licensing team to understand how the applicant wants to operate this new business ie What is the reason for having a ground floor unrestricted access public bar, when there is a bar on the first floor? Why is live music required for a Cinema? It is noted that the applicant has included land belonging to the Council in its premises plan, which needs discussing.

3. It is noted, no documentary evidence regarding lawful planning permission to operate this business at this address, for the proposed hours and activities were supplied by the applicant with the application. The Council's records indicate the premises may not have the relevant planning permission to operate all licensable activities as stated in the application. Paragraph 7.1 of the Council's long standing and unchallenged Statement of Licensing Policy - which the applicant has seemingly not taken cognisance of - states that the licensing authority will expect all applicants to have achieved the relevant planning permission before applying for any licence. To that end, some of the proposed licensable activities and hours and use of the premises a ground floor bar would appear to be unlawful in planning terms and in licensing terms.

The applicant is therefore strongly advised to withdraw their application until suitable planning permission has been obtained.

All of the above reasons the Licensing team believe, significantly undermine the promotion of the licensing objectives. When looking to grant a premises licence, the licensing authority and other Responsible Authorities have to determine what the **likely effect** of granting any licence would be on the promotion of the licensing objectives. This is consistent with section 18 (6) and 59 (1) of the Licensing Act 2003. The licensing objectives are prospective as outlined below and given all of the above reasons and the rationale given for them below, respectfully submit that the application be refused.

The approach of the Licensing Team:

The Responsible Authorities named in the Licensing Act 2003 have to ensure that the licensing objectives are all actively **promoted** to **prevent** crime and disorder and public nuisance. All four licensing objectives are of equal importance.

Section 1.5 of the Secretary of State's Guidance states that the Licensing Act 2003 also supports a number of **other** key aims and purposes. These are vitally important and should be the principal aims of everyone involved in licensing work: They Include protecting the public and local residents from crime, anti social behaviour and noise nuisance.

Section 18 (6) of the Licensing Act 2003 states that representations should be about the **likely effect** of the grant of a licence on the **promotion** of the licensing objectives.

Therefore as outlined in the Court of Appeal Licensing case Hope and Glory v City of Westminster (2011) EWCA Civ31 - *licensing decisions ...involve an evaluation of what is to be regarded as reasonably acceptable in a particular location...(this is essentially a matter of judgement rather than a matter of pure fact*’.

Further, in the High Court case of East Lindsey District Council v Abu Hanif (2016) EWHC 1265 (admin) Mr Justice Jay reaffirmed the position that Licensing authorities need not wait for the licensing objectives to be undermined before it takes action on a licensing application. Mr Justice Jay stated that ‘*the prevention of crime and disorder requires a prospective consideration of what is warranted within the public interest having regard to the twin considerations of prevention and deterrence*’.

Licensing Act 2003 Guidance (April 2018)

Steps to promote the licensing objectives:

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

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

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

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

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective.

Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

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

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

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

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

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

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

READING BOROUGH COUNCIL LICENSING POLICY STATEMENT

The Council's records also indicate that the premises does not have planning permission to operate as a restaurant/take-away. The current planning consent for the building is for office use. Paragraph 7.1 of the Council's long standing and unchallenged Statement of Licensing Policy - which the applicant has seemingly not taken cognisance of - states that the licensing authority will expect all applicants to have achieved the relevant planning permission before applying for any licence. To that end, the licensable activities and use of the premises as a restaurant/takeaway/Off licence would appear to be unlawful in planning terms and in licensing terms.

Statement of Licensing Policy

Licensing and Planning integration

2.2 The planning authority of Reading Borough Council is a responsible authority under the Licensing Act 2003. It can make representations on applications or call for reviews of existing licences based upon any of the four licensing objectives. The prevention of crime and disorder and prevention of public nuisance are shared concerns of the planning and licensing authorities.

2.3 The planning authority have a number of policies that impact on Reading's night time economy. The Licensing authority recognises that licensing applications should not be a rerun of the planning application process. The planning authority remains the regime that is directed at development of land and the use of premises upon it. The licensing authority remains the regime that is directed at the licensable activities and responsible management of said premises upon that land.

2.4 Whilst there is a clear distinction and separation between the licensing authority and planning authority in terms of their remit, there are times when there are overlapping considerations. In order to secure proper integration across the Council's range of policies, the Licensing authority will expect applicants to demonstrate that their proposed use of a premises is lawful in planning terms, including complying with any conditions and timings that may be imposed upon a planning consent prior to any application being submitted under the Licensing Act.

2.5 Where the planning authority has granted planning consent to a specific time, the Licensing authority would expect any applicants under the Licensing Act to not exceed that time within any application.

2.6 Where the planning authority has granted a planning consent that contains conditions that may undermine the promotion of the licensing objectives (such as a restriction in the opening hours based on potential public nuisance issues), the licensing authority would expect applicants to demonstrate how they will mitigate those issues within any application. Failure to do so could lead to representations being made against an application.

2.7 Whilst acknowledging that planning and licensing are separate regimes and that licensing authorities are not bound by the decisions of planning committees (and vice versa), the licensing authority shall aim for the proper integration between licensing and all other Council policies, strategies and initiatives in order to actively promote the licensing objectives.

2.8 When licensing applications are determined by officers of the Licensing Authority or by the Licensing Sub Committee, conditions may be imposed upon a licence in order to ensure consistency between the licensing objectives and any measures already determined by the planning authority that could impact the licensing objectives.

2.9 The Council's 'Reading Central Area Action Plan' identifies in more detail those issues relating to licensed premises, the 24 hour economy and the general organisation of retailing within the town centre. It can be accessed here - <http://www.reading.gov.uk/readingldf>

2.10 The key issues surrounding the determination of planning permission are as follows:

- Impact on residential amenity through noise, odour, disturbance, litter, etc
- Impact on the viability of the town centre

- Potential financial contribution to a safer borough (CCTV)

1. These are all matters that are also proper concerns of the licensing authority and will be taken into account when determining applications. If appropriate to the promotion of the licensing objectives, conditions may be added to licences so as to ensure proper integration of Council policies and strategies

Other Legislation that the Licensing Authority will consider

3.7 The Licensing Authority will also have cognisance to the following legislation when it decides to discharge its responsibilities under the Licensing Act. This list is not exhaustive:

- Environmental Protection Act 1990 which deals with noise and nuisance
- Regulatory Reform Order 2005 which deals with fire safety
- Highways Act 1980 which deals with pavement café licences
- Reading Borough Council Act 2013 which deals with street trading and touting
- Health and Safety at Work Act 1974 and Food Hygiene regulations
- Planning legislation (see paragraphs 2.2-2.9 of this policy)

Cumulative Impact: The approach of Reading Borough Council

The Cumulative Impact Policy and designated area were introduced due to a high concentration of licensed premises within the town centre and the impact these premises were having on the promotion of the Licensing objectives. The policy, stated within Section 8 of the Council's Statement of Licensing Policy, details the rationale of this approach. It also creates a rebuttable assumption that applications for the grant or variation of a premises licence or club premises certificate within the Cumulative Impact Area will be refused or limited - if relevant representations are received - unless the applicant is able to demonstrate within their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. This is detailed within Sections 8.1.9 to 8.1.11 and is entirely consistent with the relevant paragraphs of Chapter 14 of the Secretary of State's Guidance to the Licensing Act 2003. 8.5.1 of the Council's Statement of Licensing Policy states that it will apply to all applications for premises licences and club premises certificates as well as material variations within the Reading Central CIP Area. Material variations include increases in hours, increases in capacity (licensable area) and any other variation that are likely to add to the overall cumulative impact in the area.

One further point to make on Cumulative Impact is with reference to the stated case of R (on the application of Portsmouth City Council) v 3D Entertainment Group (CRC) Ltd [2011] EWHC 507 (Admin). The Learned Judge Supperstone within paragraph 11 of the judgement stated that Magistrates had erred in law by incorrectly applying Portsmouth's Cumulative Impact Policy in a way that required the Council and Police to adduce evidence that there would be a negative cumulative impact. He went on to state in paragraph 18 of the judgement that the burden was entirely on 3D Entertainment Group to persuade the Licensing Authority that the operating schedule was such that there would be no cumulative impact. In short therefore, the onus is on the applicant to rebut the Council's Cumulative Impact Policy if applying for a grant or variation within the cumulative impact area and this should primarily be done through the operating schedule of the submitted application form. The applicant in this matter has not rebutted the policy.

Cumulative Impact

As stated above, the Cumulative Impact policy was introduced in Reading town centre as a means to tackle the issues that arise from such a high concentration of licensed premises within such a small area. Because of the high levels of crime within the town centre and in an effort to prevent further stress being placed upon the town, applicants would have to demonstrate that they can rebut the presumption of refusing a grant or variation of a premises licence. If relevant representations are received and the applicant is unable to demonstrate that their proposed operation will promote the licensing objectives and cause a negative cumulative impact, then the application is likely to be refused. This is stated at paragraph at 8.1.11 of the Council's Statement of Licensing Policy.

Applicants will need to demonstrate that detailed measures proposed in the operating schedule will result in no increase in crime and disorder, will satisfy the Council granting the application would not contribute to cumulative impact, and there is compliance with the other provisions of this licensing policy. Therefore, the likely effect of granting a licence as per the application is that it would add to the cumulative impact within the town centre and undermine the promotion of the licensing objectives. That paragraph clearly states that these types of application would be refused.

END

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Date	29	04	2021
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INTERNAL MEMORANDUM

To: Sian Richards

Your Ref: 47 Oxford Road

From: Susanna Bedford – Planning Officer Date consultation required: 05/05/2021

Premises address: 47 Oxford Road, Reading

Application for a premises licence

Planning response – Objection

The internal floor area sought within the licence application has planning permission for a Cinema (planning use class D2).

The premises licence application seeks provision for Film, Live Music, Recorded Music, Late Night Refreshment and Alcohol.

Insufficient information has been submitted to clarify that these uses, as shown on the submitted premises licence application plans (ref 119309), fall within the permitted use as a cinema. The application has failed to demonstrate the impact of the premises licence on the prevention of crime and disorder; public safety; and the prevention of public nuisance. The proposal therefore cannot be considered to promote the licencing objectives.

It is noted that changes in legislation to support the reopening of outdoor hospitality have resulted in updates to the pavement licence procedure brought in by the Business and Planning Act 2020 to allow premises licence holders to place removable furniture over certain highways adjacent to their premises until 30 September 2021. There is no evidence whether an application has been made for a Street Pavement Cafe licence. A planning application would be required if external seating is proposed after 30 September 2021.

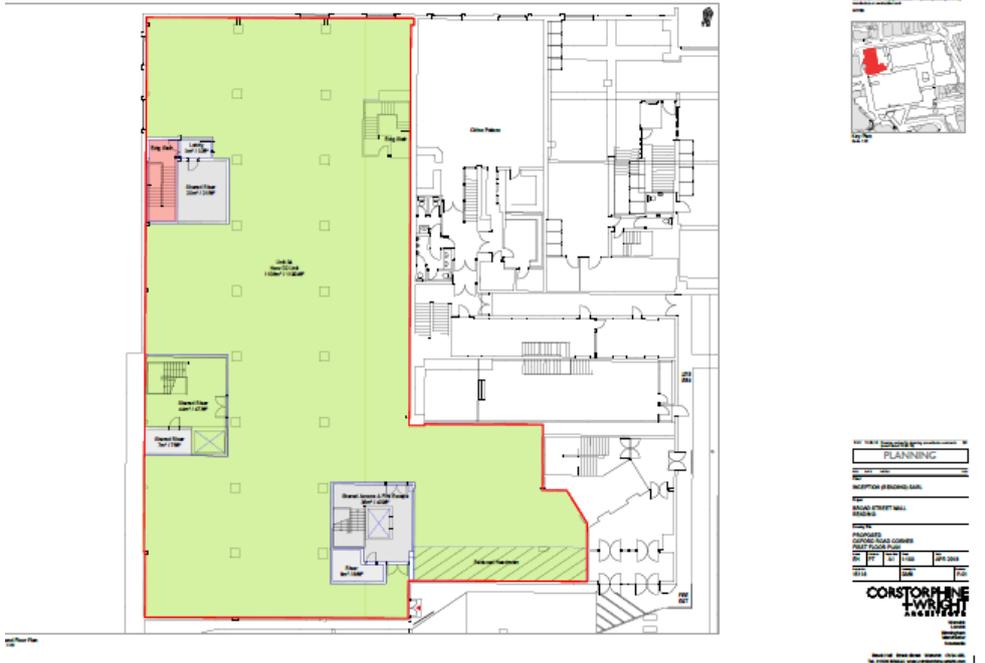
Planning History : see over page

Planning permission ref **180823** allowed subdivision of the building and the use of the first floor of the building as a Cinema (use class D2).

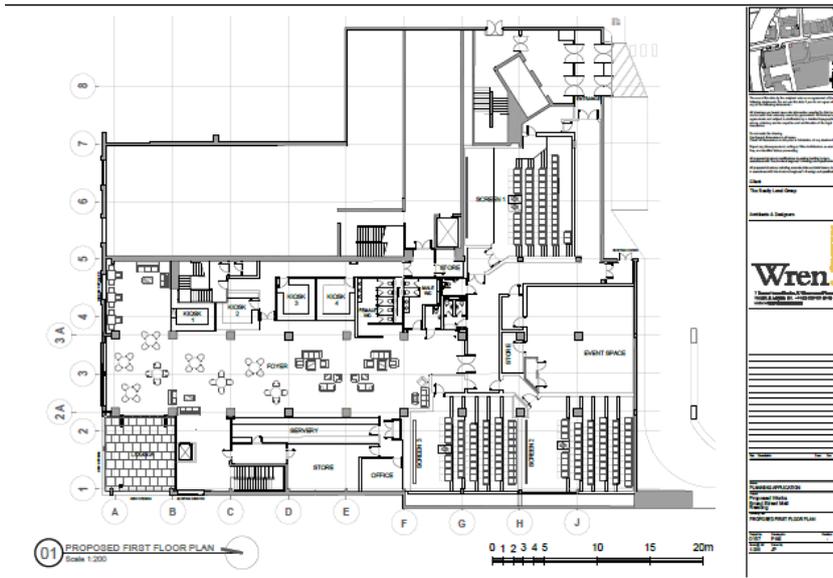
Approved ground floor plan:



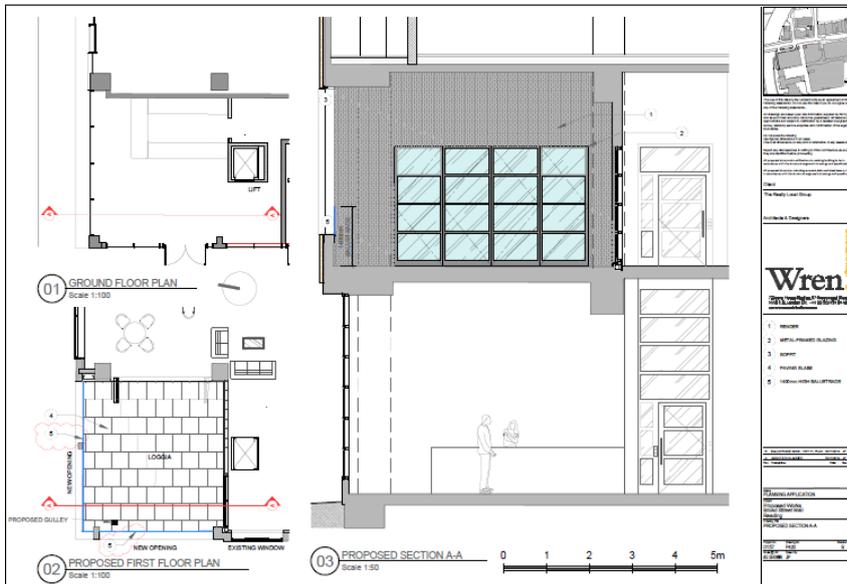
Approved first floor plan:



Planning permission **190832** allowed the insertion of a loggia (open area) at first floor as shown on the first floor layout below:



Sections of elevations and section of ground floor shown below:



THAMES VALLEY POLICE

Division/Station : Reading Police Station Licensing Dept

From : C2107 Declan Smyth

To : Reading Borough Council

Subject :

Ref : Reading Biscuit Factory, 47 Oxford Road, Reading, RG1 7QE Date :30th April 2021

Objection

To whom it may concern

I C2107 Declan Smyth on behalf of the Chief Officer of Thames Valley Police wish to formally object to the proposed application for a premises licence submitted by the Really Local Group (Reading) Limited in relation to Reading Biscuit Factory, 47 Oxford Road, Reading RG1 7QE as it is believed that this application in its current format does not contain sufficient information which will actively promote the licensing objectives and outline the main purpose of the proposed premises. The premises is within the Council's Cumulative Impact Area which also does not seem to have been directly addressed, it has only been mentioned in a way so as to dismiss its current relevance.

The adoption by Reading Borough Council of its Cumulative Impact Assessment underlines the view that the town centre is already under stress from too many licensed premises and that any application for a licence within that area will be refused unless the applicant can demonstrate that their proposed operation does not undermine the promotion of the licensing objectives.

The proposal before the Sub-Committee is for:

- **Films**, Monday to Wednesday 10:30-23:00, Thursday 10:30-24:00, Friday & Saturday 10:30-01:00 and Sunday 11:00-23:00
- **Lice Music**, Monday to Wednesday 10:30-23:00, Thursday 10:00-24:00, Friday & Saturday 10:30-01:00 and Sunday 11:00-23:00
- **Recorded Music**, Monday to Wednesday 10:30-23:00, Thursday 10:00-24:00, Friday & Saturday 10:30-01:00 and Sunday 11:00-23:00
- **Late Night Refreshment**, Thursday 23:00-24:00 and Friday & Saturday 23:00-01:00
- **Supply Of Alcohol**, Monday to Wednesday 10:30-23:00, Thursday 10:30-24:00, Friday & Saturday 10:30-01:00 and Sunday 11:00-23:00
- **Hours Premises Are Open To The Public**, Monday to Wednesday 08:00-24:00, Thursday 08:00-01:00, Friday & Saturday 08:00-02:00 and Sunday 09:00-23:00

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

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

Thames Valley Police believe that in its current format that this application including the proposed operating schedule and hours of operation regarding the sale of alcohol will undermine the four licensing objectives. The applicant has not sufficiently taken into account concerns relating to public nuisance, crime and disorder within the local area and in our opinion not therefore provided sufficient steps to promote the licensing objectives.

DF5

**INTERNAL MEMORANDUM**

To: Licensing

Dept: Licensing

Cc:

From: Rebecca Moon

Dept: **Environmental Protection & Nuisance**

Date: 13 April 2021

Urgent Response required Further action (see below)

Subject: Application for Premises Licence: ref - 700941
Premises: 47 Oxford Road, RG1 7QG

I refer to the above application.

I have reviewed the application and consulted our records and would like to make representation against the application. I am concerned that due to the presence of residential properties opposite the premises, the measures outlined in section P(d) of the application would be sufficient to prevent a public nuisance from occurring.

The main areas of concern are:

- Noise from the outdoor area
- General break out noise from the premises

The measures I would have liked to have seen proposed by the applicant would have included:

Noise Emanation

The licensee 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.

Doors And Windows Closed During Amplified Speech/Music

All external doors / windows must be kept closed, other than for access and egress, when events involving amplified music or speech are taking place.

Exit Notices to Customers

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. After 23:00 staff shall be available to ensure that customers disperse quietly.

No Use of External Speakers

No music or speech shall be relayed via external speakers.

Closure of Beer Garden Overnight

The external areas of licensable activity shall be cleared of patrons from 23:00 and shall not be used between 23:00 and 08:00.

If the applicant agreed to the above measures being placed as conditions on the premises licence then I will be willing to withdraw my representation.

Please contact me if you require any further information.

Kind regards

Rebecca Moon
Senior Environmental Health Officer

DF6

From: Moon, Rebecca
Sent: 10 May 2021 09:14
To: Paul <xxxxxx@innpacked.com>;
Subject: RE: 47 Oxford Rd licence application - representation

Hi Paul

Thank you for your response and the changes to the application.

I confirm that I will now withdraw my representation.

Thanks
Rebecca

Rebecca Moon
Senior Environmental Health Officer
Environmental Protection & Nuisance Team
Regulatory Services | Directorate of Economic Growth & Neighbourhood Services

From: Paul <xxxxxinnpacked.com>
Sent: 05 May 2021 15:56
To: Moon, Rebecca
Subject: Re: 47 Oxford Rd licence application - representation

Dear Ms Moon

Further to your representation against our application I passed your concerns on to my client. In response to your concerns, and with a view to working with the responsible authorities, I have received instruction from the applicant to remove the submissions for live and recorded music from the ambit of the application. I would therefore request that the licensing authority updates our operating schedule accordingly.

Hopefully this will remove your concerns further to our application and result in your representation being withdrawn. I look forward to receiving your confirmation of this.

Many thanks in advance

Kind regards

Paul Jones
Licensing Consultant

Innpacked

Protection of Children from Harm

1. All staff shall be suitably trained for their job function for the premises.
2. 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
- Offences committed under the Licensing Act
- Conditions of the Premises Licence

Refresher training shall be provided every 6 (six) months

a) 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 an authorised officer of Reading Borough Council or Thames Valley Police Upon request

3. All staff employed to sell alcohol shall be trained to record refusals of sales of alcohol in a refusals book or electronic register, If the record is in written form then it should be documented in a bound book similar to an A4 day by day diary and marked refusals. The book/register shall contain:

- Details of the time and date the refusal was made
- The identity of the staff member refusing the sale.
- Brief description of person attempting to purchase alcohol.
- 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 refusal's book/register shall also be carried out and signed off by the Designated Premises Supervisor or their nominated representative.

4. All staff employed to sell alcohol shall be trained to record any incident which has an impact on any of the four licensing objectives, or instances when authorised officers from Reading Borough or Thames Valley Police have attended the premises. If the record is in written form, then it should be documented in a bound book similar to an A4 day by day diary and marked incident book. The book/register shall contain:

It must be completed within 24 hours of the incident and will record the following:

- all crimes relating to the premises
- all ejections of persons
- any complaints received
- any incidents of disorder
- any faults in the CCTV system
- any visit by a relevant authority or emergency service.
- Any reference numbers supplied by the emergency services e.g Police incident/crime ref number.

The book/register shall be made available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police upon request.

5. 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. Acceptable forms of ID for production at the delivery address are a passport, a photo card driving licence, a card bearing the 'PASS' hologram or Military ID (or any other nationally accredited scheme) or any other form or method of identification that complies with any mandatory condition that may apply to this licence are to be accepted as identification.

6. The premises shall at all times operate primarily as a Cinema and Arts complex.

7. Alcohol sales shall be supplied from the first-floor bar area only

8. No sale of alcohol shall be made except to:

- (a) persons aged 18 years and over who have been admitted to the premises by purchasing a ticket, or
- (b) persons for whose admittance payment has been made to either a film screening or other organised ticketed event or
- (c) employees and bona fide guests of Really Local Group (Reading) Limited who are aged 18 years and over.

9. Every poster, advertisement, photograph, sketch, synopsis or programme relating to a film exhibited, or to be exhibited at the premises, shall indicate clearly the category of the film.

10. Posters advertising the premises' Challenge 25 policy shall be displayed in prominent positions on the premises.

11. The Premises Licence Holder shall display a copy of their written age verification policy on checking proof of age in a prominent position on the premises.

12. A current written authorisation list shall be kept in the Licensing file 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.

13. 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.

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

14. All persons under the age of 18 years shall be accompanied by a responsible adult on the premises after 19:00 hours unless the particular age certified film they are watching has started prior to this time.

15. The premises licence holder shall not sell super strength beer, lager or cider with an alcohol content of 6.0% ABV or greater.

Prevention of Crime and Disorder

CCTV

16. The premises licence holder shall ensure the premises' digitally recorded CCTV system cameras shall continually record while the premises are open to the public and recordings shall be kept for a minimum of 31 days with correct time and date stamping. The entire licensable area shall be covered with the CCTV. There shall be at least one camera positioned at each entry and exit point to monitor any external areas to the premises and in order to capture clear facial images of all patrons entering the premises. The CCTV views will not be obstructed. CCTV images and data recordings shall be made available, without delay to an authorised officer of Reading Borough Council or Thames Valley Police together with facilities for viewing upon request, subject to the provisions of the Data Protection Act and GDPR legislation. 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.

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

18. If the CCTV system fails for any reason, then the designated premises supervisor or nominated representative are required to contact both Thames Valley Police at licensing@thamesvalley.pnn.police.uk and the Licensing Team at Reading Borough Council at licensing@reading.gov.uk outlining the reason if known and when it is likely to be repaired. This is to be done within 24hrs of the failure.

19. When the CCTV system has been repaired the designated premises supervisor or nominated representative are required to contact both Thames Valley Police at licensing@thamesvalley.pnn.police.uk and the Licensing Team at licensing@reading.gov.uk informing them of the repair again within 24hrs of the repair.

20. The premises licence holder shall uphold a zero-tolerance policy in relation to illegal drugs.

21. Any person entering the premises who appears to be under the influence of alcohol or illegal drugs shall in the interests of other members of the public using the premises be requested to leave the premises.

22. No person carrying visibly open or sealed vessels of alcohol coming from the outside shall be permitted in the venue at any time.

23. No person shall be admitted to the premises 10 minutes after the last film has commenced.

Prevention of Public Nuisance

24. Clearly legible and suitable notices shall be displayed at all exits requesting customers to respect the needs of local residents and businesses by leaving the premises and area quietly.

25. The Premises Licence Holder shall have in place, a closure and dispersal policy, for controlling the closing of the premises and the departure of customers at the conclusion of the licensed activities shall be put in place and shall be actively operated. Staff shall be available to ensure that customers disperse quietly from the premises and the area immediately outside the premises.

26. The Premises Licence Holder 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. This includes noise from any amplified music or speech played at the premises.

27. All doors and windows must be kept closed, other than for access and egress, when events involving regulated entertainment are taking place.

28. The playing of live, recorded music or background music in outside areas of the premises will not be permitted.

29. Any outside seating areas will be closed to customers at 23:00hrs.

30. The premises frontage shall be regularly monitored by staff and kept clear of all forms of litter whilst the premises are open for licensable activities.

31. Customers smoking outside the premises shall be monitored regularly by staff. Clear and legible notices shall be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents/ businesses and use the area quietly.

32. The Premises Licence Holder shall place signs at all exits informing customers that glassware and any open drink containers shall not be removed from the premises. Staff shall monitor this and take appropriate action to prevent any drinks being removed from the premises.

Other initiatives

33. The licence holder shall actively participate in initiatives set up by Thames Valley Police, Reading Borough Council or Reading Pubwatch including initiatives to tackle drunken behaviour and street drinking, such as 'Reducing the Strength'.