

Present: Councillors Woodward (Chair), Rynn and Ennis.

10. MINUTES

The Minutes of the meetings of Licensing Applications Sub-Committee 2 held on 25 November 2021 were confirmed as a correct record.

11. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - THE HUT CENTRAL KEBABS, 39 ST MARY'S BUTTS, READING

The Deputy Director of Planning, Transport and Regulatory Services submitted a report on an application for the grant of a Premises Licence in respect of The Hut Central Kebabs, 39 St Mary's Butts Reading, RG4 2LG.

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

Provision of Late Night Refreshment

Sunday to Thursday from 2300hrs until 0100hrs
Friday to Saturday from 2300hrs until 0200hrs

Opening Hours

Sunday to Thursday from 0900hrs until 0100hrs
Friday to Saturday from 0900hrs until 0200hrs

The report explained that there was currently a dormant premises licence (licence no. LP9000107) at this address held by Mr Murat Emekdar, which was attached at Appendix RS-1. This licence authorised the provision of late-night refreshment from 2300hrs up until between 0200hrs and 0330hrs depending on the day of the week. Mr Emekdar no longer had permission from St Mary's Church (the land operator) to trade from this unit and did not wish to give his consent to transfer the licence to another operator, although he continued to pay the annual premises licence fee for LP9000107.

A copy of the application form and proposed conditions were attached to the report at Appendix RS2.

During the 28-day consultation period for the application, representations had been received from Thames Valley Police and Reading Borough Council Licensing Team, which were attached to the report at Appendices RS3 to RS4.

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

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

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

- Grant the application as applied for;
- Grant the application with modifications;
- Refuse the application.

The report set out paragraphs 8.41-8.42, 8.44-8.49, 9.12, 9.39-9.40, 9.42 and 9.43 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2018. The report also set out paragraphs 1.6, 3.1, 3.2, 5.6, 5.7, 6.1, 6.2, 6.5, 6.19-6.23, 7.1-7.4, 7.16, 7.17, 7.11, 10.1 and 10.3 of the Council's Statement of Licensing Policy.

Kamal Saleem, the applicant and his representative Bill Donne, Silver Fox Consultants, attended the meeting, addressed the Sub-Committee on the application and responded to questions. Declan Smyth, Thames Valley Police and Peter Narancic, Reading Borough Council Licensing attended the meeting and addressed the Sub-Committee on the application as responsible authorities.

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

The Sub-Committee noted that the application could only be considered in light of its own merits and without reference to the terms of the previous licence.

Resolved -

That, in order to promote the four licensing objectives and having regard to the oral and written representations made in advance and at the meeting, the Secretary of State's guidance issued under section 182 of the Licensing Act 2003 (April 2018), the Council's Statement of Licensing Policy, the application for the grant of a Premises Licence in respect of The Hut Central Kebabs, 39 St Mary's Butts Reading, RG4 2LG, be granted to permit:

Provision of Late Night Refreshment

Sunday to Thursday from 2300hrs until 0100hrs

Friday to Saturday from 2300hrs until 0200hrs

Opening Hours

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Sunday to Thursday from 0900hrs until 0100hrs

Friday to Saturday from 0900hrs until 0200hrs

and that the following conditions should apply:

1. The Premises License Holder shall provide and keep in operational condition a digital CCTV system on the Premises. It shall continually record during operating hours and recordings shall be kept for a minimum of 31 days' with time and date stamping. The entire licensable area shall be covered by the CCTV;
2. Data recordings shall be made immediately available to an authorised Officer of Reading Borough Council or Thames Valley Police together with facilities for viewing upon request, subject to the provisions of the Data Protection Act. Recorded images shall be of such quality as to be able to identify the recorded person in any light;
3. 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;
4. Signage advising customers that CCTV is in use shall be positioned in prominent positions;
5. The premises licence holder shall ensure that a Door Supervisor is employed on Friday and Saturday evenings from 23:00 through to 02:00 hours. For the avoidance of doubt, the door supervisor must be specifically posted to the Premises, and not other premises in the area during that period.
6. The Premises Licence Holder shall conduct a written risk assessment whenever late night refreshment is taking place at the premises between Sunday to Thursday inclusive to establish if door staff are required. The risk assessment shall be produced to an authorised Officer of Reading Borough Council or Thames Valley Police upon request.
7. When employed, a register of Door Supervisors shall be kept. The register must show the following details:
 - a. Full SIA registration number;
 - b. Date and time that the Door Supervisor commenced duty, countersigned by the Duty Manager;
 - c. Date and time that the Door Supervisor finished work, countersigned by the Duty Manager;
 - d. Any occurrence or incident of interest involving crime & disorder or public safety must be recorded giving names of the Door Supervisor involved.

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8. The Door Supervisor register shall be kept at the premises and be available for inspection by an authorised Officer from Reading Borough Council or Thames Valley Police upon request, and shall be retained for a period of twelve months.
9. All door supervisors whilst employed at the premises shall wear hi-visibility jackets/ tabards in bright green, yellow or orange in order that they can be clearly visible and identifiable at all times to the public and via CCTV both internally and externally;
10. When tabards are worn, hi-visibility armbands must also be worn that incorporate displaying SIA badges. If hi-visibility full sleeved jackets are worn the premises license holder must ensure that all door supervisors badges are also displayed via an easily visible arm band;
11. In the times a Door Supervisor is employed at the premises they shall wear a recording Body Worn Video (BWV), and ensure that it is recording during that time. The BWV will be used to record any incidents which occur outside of the premises involving customers, prospective customers or any staff member that impact on any of the four licensing objectives;
12. Data recordings shall be made within forty-eight hours on request on to a USB stick subject to data protection guidelines available to an authorised officer of Thames Valley Police or Reading Borough Council together with facilities for immediate viewing upon request, subject to the provisions of the Data Protection Act;
13. The premises licence holder or nominated representative shall keep and maintain all right to work documents for all staff members. Right to work documents shall be kept at the premises and produced to an authorised Officer of Reading Borough Council or Thames Valley Police upon request;
14. The premises licence holder shall participate, as far as is practicable, in the Local Townsafe Radio Scheme when the premises are open for licensable activities;
15. All incidents which impact on any of the four licensing objectives shall be recorded in a register kept at the premises for this purpose. The names of the person recording the incident and those members of staff who deal with any incident shall also be recorded. Where known, any offenders name shall also be recorded.
 - a. This record shall be available for inspection by a Police Officer or an authorised officer of Reading Borough Council upon request and shall be retained for one year. The record shall be signed off by the Designated Premises Supervisor or nominated representative at the end of each trading session.

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- b. A weekly review of the incident register shall also be carried out by the Designated Premises Supervisor;
- 16. The Premises Licence Holder shall provide and adhere to a written dispersal policy during operating hours. That written dispersal policy shall be produced to an authorised Officer of Reading Borough Council or Thames Valley Police upon request;
- 17. The Premises License Holder will ensure that all staff undergo training suitable for the provision of late night refreshment and food, such training to include dealing with customers under the influence of alcohol. For the avoidance of doubt, staff are not required by this condition to undergo training for serving alcohol;
- 18. The venue management shall have suitable risk assessments in place relating to slips, trips and falls;
- 19. A sign shall be displayed adjacent to the serving hatch for the food requesting patrons to leave the area quietly;
- 20. At the end of each trading session the staff shall conduct a litter patrol in the immediate area to collect and to safely dispose of cartons and containers; and
- 21. Staff shall be trained on the procedures for conflict management and that training shall be recorded on the staff training records.

(The meeting started at 9.30 am and finished at 12:52pm)