

To: Councillors Woodward (Vice-Chair)

Direct: ☎ 0118 937 2368
e-mail:
jemma.durkan@reading.gov.uk

13 December 2021

Your contact is: **Jemma Durkan - Committee Services**

NOTICE OF MEETING - LICENSING APPLICATIONS SUB-COMMITTEE 1 - 21 DECEMBER 2021

A meeting of the Licensing Applications Sub-Committee 1 will be held on Tuesday, 21 December 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.

	<u>WARDS</u>	<u>Page No</u>
	<u>AFFECTED</u>	
1. DECLARATIONS OF INTEREST		
(a) Councillors to declare any disclosable pecuniary interests they may have in relation to the items for consideration;		
(b) Councillors to declare whether they wish to speak on the grounds they:		
(i) Have submitted a relevant representation; or		
(ii) Will be speaking on behalf of someone who has submitted a relevant representation.		
2. MINUTES		3 - 6
To confirm the minutes of the meeting of Licensing Applications Sub-Committee 2 held on 25 November 2021 as a correct record.		
3. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - THE HUT CENTRAL KEBABS, 39 ST MARY'S BUTTS, READING		7 - 98
To consider an application for the grant of a Premises Licence – The Hut Central Kebabs, 39 St Mary's Butts, Reading, RG1 2LG.		

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.

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

6. MINUTES

The Minutes of the meeting of Licensing Applications Sub-Committee 1 held on 9 November 2021 were confirmed as a correct record subject to the following amendments:

Paragraphs 4 and 6 - delete the word “review”

and

Paragraph 7 - delete and replace with

“The Licensing authority, when determining an application for the grant of a premises licence may:

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

7. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - BOOM BATTLE BAR, UNIT L30, THE ORACLE, 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 Boom Battle Bar, The Oracle, Unit No L30, Lower Level, Minster Street/Gun Street, Reading, RG1 2AG.

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

Sale of Alcohol

Monday to Thursday from 1200hrs until 0000hrs

Friday to Saturday from 1200hrs to 0130hrs

Sunday from 1200hrs to 2330hrs

Late Night Refreshment

Monday to Thursday from 2300hrs until 0000hrs

Friday to Saturday from 2300hrs to 0130hrs

Sunday from 2300hrs to 0000hrs

Indoor Sporting Events

Monday to Thursday from 1200hrs until 0000hrs

Friday to Saturday from 1200hrs to 0130hrs

Sunday from 1200hrs to 0000hrs

Recorded Music

Monday to Thursday from 1200hrs until 0000hrs

Friday to Saturday from 1200hrs to 0130hrs

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 25 NOVEMBER 2021

Sunday from 1200hrs to 0000hrs

Opening Hours

Monday to Thursday from 1200hrs until 0000hrs

Friday to Saturday from 1200hrs to 0200hrs

Sunday from 1200hrs to 0000hrs

A copy of the application form and proposed conditions were attached to the report at Appendix DF1.

During the 28-day consultation period for the application, representations had been received by Reading Borough Council, which were attached to the report at Appendices DF2. The representations made by the Responsible Authorities had been withdrawn following agreement of a set of draft conditions and adjusted hours, which were attached to the report at Appendix DF3.

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

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

The report further stated that in determining the application the 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 1.5, 8.41 to 8.49, 9.111 to 9.13 and 14.63 to 14.659.43 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2018. The report also set out paragraphs 7.1, 7.15.1 and 11.4.1 of the Council's Statement of Licensing Policy.

Rishpal Singh, owner of BBB Reading, Allan Cook, Head of Operations and Marcus Lavell, Legal Adviser to the Applicant attended the meeting, addressed the Sub-Committee on the application and responded to questions. Objector Laura Grantham, Sales Manager, Premier Suites attended the meeting and addressed the Sub-Committee on the application.

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

Resolved -

That, in order to promote the four licensing objectives and having regard to the oral and written representations made in advance and at the meeting, the Secretary of

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 25 NOVEMBER 2021

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 Boom Battle Bar, The Oracle, Unit No L30, Lower Level, Minster Street/Gun Street, Reading, RG1 2AG be granted with the conditions agreed between the applicant, Thames Valley Police and Reading Borough Council Licensing Team and set out on pages 41 to 47 (inclusive), which were proportionate and appropriate and would address the noise concerns raised by the objector, to permit:

Sale of Alcohol (On the Premises)

Monday to Thursday from 1100hrs until 0000hrs
Friday to Saturday from 1100hrs to 0100hrs
Sunday from 1100hrs to 0000hrs

Late Night Refreshment

Monday to Thursday from 2300hrs until 0000hrs
Friday to Saturday from 2300hrs to 0100hrs
Sunday from 2300hrs to 0000hrs

Indoor Sporting Events

Monday to Thursday from 1100hrs until 0000hrs
Friday to Saturday from 1100hrs to 0100hrs
Sunday from 1100hrs to 0000hrs

Recorded Music

Monday to Thursday from 1100hrs until 0000hrs
Friday to Saturday from 1100hrs to 0100hrs
Sunday from 1100hrs to 0000hrs

Hours Premises Open to the Public

Monday to Thursday from 1100hrs until 0030hrs
Friday to Saturday from 1100hrs to 0130hrs
Sunday from 1100hrs to 0030hrs.

(The meeting started at 9.30 am and finished at 10.40 am)

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LICENSING ACT 2003 HEARING TUESDAY 21 DECEMBER 2021 @ 0930HRS
APPLICATION FOR THE GRANT OF A PREMISES LICENCE

1. Premises:

The Hut Central Kebabs
39 St. Mary's Butts
Reading
RG1 2LG

2. Applicant:

Mr Kamal Ahmed Saleem

3. Background:

This is an application for the grant of a premises licence. There is currently a dormant premises licence (licence no. LP9000107) at this address held by Mr Murat Emekdar. This is attached as **Appendix RS-1**. This licence authorises 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 has permission from St Mary's Church (the land operator) to trade from this unit and does not wish to give his consent to transfer the licence to another operator. Mr Emekdar continues to pay the annual premises licence fee for LP9000107.

The application has been submitted by Mr William Donne from Silver Fox Consultants on behalf of the applicant, Mr Kamal Ahmed Saleem, and is attached as **Appendix RS-2**

Reading Borough Council Licensing and Thames Valley Police have submitted representations to this application on the grounds of insufficient information provided by the applicant to promote the licensing objectives of: The Prevention of Crime and Disorder, Public Safety, The Prevention of Public Nuisance.

4. Proposed licensable activities and hours:

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

Provision of Late-Night Refreshment

Sunday to Thursday from 2300hrs to 0100hrs

Friday to Saturday from 2300hrs to 0200hrs

Opening Hours

Sunday to Thursday from 0900hrs to 0100hrs

Friday to Saturday from 0900hrs to 0200hrs

5. Temporary Event Notices

In considering any application the Licensing Authority should be aware of the possible use of Temporary Event Notices to authorise licensable activities. A premises can extend the hours or scope of their operation by the use of Temporary Event Notices. Up to 15 events per year (or 20 events in 2022 & 2023 only) 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 (or 26 in 2022 & 2023) per calendar year.

6. Date of receipt of application: 28 October 2021

7. Date of closure of period for representations: 25 November 2021

8. Representations received:

During the 28 day consultation period for the application, representations were received from:

1. Thames Valley Police - Attached as Appendix RS-3
2. Reading Borough Council's Licensing Department - Attached as Appendix RS-4

9. Powers of the Authority in determining an application for the grant of a premises licence

The Licensing authority, when determining an application for the grant of a premises licence may:

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

10. 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.

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

11. Amended Guidance issued under section 182 of the Licensing Act 2003 (April 2018)

Licensing Objectives and Aims:

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

1.3 The licensing objectives are:

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

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

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

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

Steps to promote the licensing objectives:

The Secretary of State's Guidance (latest edition of April 2018) at paragraphs 8.41 to 8.49 specifically outline what an applicant should address in order to be able to demonstrate that the proposed use of the premises for licensable activities would not undermine 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.

8.44 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

9.12 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 area. 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.

Hearings

9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

9.40 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

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

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

user as the case may be.

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

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.

12. The Council's Licensing Policy Statement (2018):

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

3. Licensing and integration with other legislation

3.1 Many other pieces of legislation impact directly or indirectly on the licensing regime. The Licensing Authority must have regard to the following when it discharges its responsibilities under the Licensing Act 2003 and in relation to the promotion of the four licensing objectives:

Crime and Disorder Act 1998

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

5. Licensing Applications

Grant and Full Variations

5.6 During the 28-day consultation period, the authority will scrutinise the

application along with all of the other Responsible Authorities to judge whether it undermines the promotion of the licensing objectives. The application will be made available to any person who requests to see it. As per Section 18 (6) of the Licensing Act 2003, it will consider the likely effect of granting any licence on the promotion of the licensing objectives. The authority will expect all applicants to have taken cognisance of the Secretary of State's Guidance; local strategies and initiatives; this policy and any other known local issues before submitting their application and that these matters are addressed within the operating schedule of the application.

5.7 Whilst many applications will be resolved without the need for a committee hearing, any matters or representations that are not resolved will trigger a hearing before the properly constituted Licensing Applications Committee for determination.

6. Licensing Conditions

General Approach

6.1 Conditions shall be appropriate and proportionate for the promotion of the licensing objectives and shall be unambiguous and clear in their stated aims. Conditions will also be tailored to the type, location and characteristics of the particular premises and the relevant licensable activities. Any condition imposed by the Authority shall also aim to avoid duplication of other legislation unless there is a requirement to impose such a condition in order to promote the licensing objectives (for example, a capacity limit for public safety reasons). This shall apply to all relevant applications (grant/variation of a premises licence or club premises certificate)

6.2 The operating schedule within an application should contain an assessment from the proposed licence holder of what they believe are appropriate and proportionate measures to enable them to carry out their proposed licensable activities. This assessment should be arrived at by taking cognisance of this policy and the Secretary of State's guidance which outlines the matters that an applicant should take into account such as issues in the locality and why their proposed measures are suitable for their proposed operation.

6.5 Any conditions imposed upon a premises licence or club premises certificate will be tailored to that type of premises and the style of operation. Consideration will also be given to the locality of the premises; issues in the locality; the issues set out in the Guidance and any policy, initiative or other matter the licensing authority wishes to take into account in order to promote the four licensing objectives.

Late Night Refreshment (takeaways) and Conditions

General Approach

6.19 Late night food outlets are a major contributor to crime and disorder and anti-social behaviour within Reading. Applicants who wish to provide hot food or drink

after 2300hrs and up to 0500hrs, will need to demonstrate that their proposed operation will not exacerbate issues of crime and disorder in that locality.

6.20 Applicants for late night refreshment are expected to take cognisance of the Secretary of State's Guidance and to include appropriate and proportionate measures within their operating schedule to assist in actively promoting the licensing objectives.

6.21 The licensing authority will expect all applicants who wish to provide late night refreshment to include measures for adequate staff training; measures to ensure that no public nuisance occurs from the premises as well as additional measures to assist in crime prevention such as CCTV and door supervisors.

6.22 Public nuisance can often occur from takeaways being sited in residential areas. This could be in relation to the use of delivery vehicles and the congregating of customers outside the premises. Applicants are expected to make an assessment of their proposed locality and implement measures to avoid disturbing local residents such as the use of electric bikes and the implementation of a dispersal policy.

6.23 Where it is practical, the authority will also look to ensure that all packaging used for the provision of hot food and drink shall be made of recyclable materials or be biodegradable. This will include all fixed premises and static vans.

7. Licensing Hours

General Approach

7.1 The Licensing Act 2003 gives the licensing authority the power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of this policy. The licensing authority will make appropriate decisions on licensing hours for the locality of each premises. All applications will be considered on its individual merits

7.2 When an application receives representations, the authority may consider reducing the opening hours and times for licensable activities if it considers it appropriate for the promotion of the licensing objectives.

7.3 As part of the operating schedule submitted with any application, the applicant is expected to take cognisance of the guidance, this policy and any other available data pertaining to their prospective locality and the potential impact their operation may have on that area.

7.4 Where it is deemed appropriate and proportionate to do so, the authority may seek to reduce the hours for licensable activities in order to promote an orderly and gradual dispersal from a certain area or certain premises.

Late Night Refreshment

7.16 There are concerns about noise, nuisance, crime and disorder and anti social

behaviour in respect of premises open late and providing hot food and drink. Operators and potential applicants of late night refreshment venues wishing to open past 11pm will need to demonstrate that there are suitable policies and procedures in place to mitigate any undermining of the licensing objectives from their operation. If suitable practices and policies are not put in place and it is the belief of the Authority that crime and disorder and/or a public nuisance is likely to occur due to the late operation of late night refreshment premises, then the Authority will look at reducing the hours and or (subject to relevant representations being received) removing late night refreshment from an application in its entirety.

7.17 The Authority - whilst taking each application on its own merits - is unlikely to grant excessive hours to any premises if it believes it will undermine the promotion of the licensing objectives in the locality where it proposes to operate. Applicants should ensure that their application takes cognisance of the information available - including crime data - and ensure that the operating scheduled is tailored accordingly. Premises within the Council's town centre Cumulative Impact Area will also need to ensure that they rebut the presumption of refusal against applications in that area.

10. Administration, Exercise and Delegation of Functions

10.1 The powers of the Licensing Authority under the Licensing Act 2003 may be carried out by the Licensing Committee; by a Sub Committee or by one or more officers acting under delegated authority. The Licensing Committee will consist of between 10-15 members and the committee may establish one or more sub-committees consisting of two or three members.

10.3 A Licensing Sub-Committee shall hear all applications where relevant representations have been received and applications for the review of a premises licence that may have been submitted by Responsible Authorities or any other persons.

13. Relevant Case law for consideration:

(R) on the application of Hope and Glory Public House v Westminster City Council (2011) EWCA Civ31 illustrates that licensed premises, and the activities that take place in those premises, exist in a dynamic environment and should not be looked at entirely in isolation and confirms that this can include the impact that licensable activities have on a range of factors such as crime, the quality of life for residents and visitors to the area, and demand for licensed premises.

The British Beer and Pub Association, The Association of Licensed Multiple Retailers, The British Institute of Innkeeping 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."

East Lindsey District Council v Abu Hanif (t/a Zara's Restaurant) (2016) this 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.

R (on application of Daniel Thwaites plc) v Wirral Magistrates' Court and Others (2008) EWHC 838 (Admin) this emphasises the important role that Responsible Authorities have in providing information to decision makers to contextualise the issue before them. The case recognises that Responsible Authorities are experts in their fields, and that weight should be attached to their representations.

Extreme Oyster & Star Oyster Ltd. v Guildford Borough Council (2013) EWHC 2174 (Admin) this case provides some clarity on the subject of 'shadow licences'. Mr Justice Turner explained that s.16(1) of the Licensing Act 2003 does not in any way preclude the possibility for more than one licence to exist in relation to a single premises and that if that had been the intention of Parliament, then they would have made that clear in the s.182 Guidance.

14. Appendices

Appendix RS-1: Copy of Existing Premises Licence (LP9000107)

Appendix RS-2: Premises Licence Application Form

Appendix RS-3: Representation from Thames Valley Police

Appendix RS-4: Representation from Reading Borough Council's Licensing Department

LICENSING ACT 2003
SCHEDULE 12
PART A

PREMISES LICENCE

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

Premises Licence Number	LP9000107
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Premises Details

Premises Name and Address	
The Hut 39 St Marys Butts Reading Berkshire RG2 0QE	
Telephone Number	

Where the Licence is time limited the dates the Licence is valid
N/A

Licensable Activities

Licensable Activities authorised by the Licence
Late Night Refreshment - Outdoor

Authorised Hours for Licensable Activities

The times the licence authorises the carrying out of licensable activities	
Hours for the Provision of Late Night Refreshment	
Monday	from 2300hrs until 0300hrs
Tuesday	from 2300hrs until 0230hrs
Wednesday	from 2300hrs until 0300hrs
Thursday	from 2300hrs until 0300hrs
Friday	from 2300hrs until 0300hrs
Saturday	from 2300hrs until 0330hrs
Sunday	from 2300hrs until 0200hrs

Opening Hours

Hours the Premises is Open to the Public

Monday from 0900hrs until 0300hrs
Tuesday from 0900hrs until 0230hrs
Wednesday from 0900hrs until 0300hrs
Thursday from 0900hrs until 0300hrs
Friday from 0900hrs until 0300hrs
Saturday from 0900hrs until 0330hrs
Sunday from 0900hrs until 0200hrs

Alcohol

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

Premises Licence Holder

Name, (registered) address of holder of premises licence

Name: Murat Emekdar

Address:

Additional Details

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

N/A

Name:

Address:

Telephone Number:

Designated Premises Supervisor

Personal Licence number and issuing authority of personal licence held by the designated premises supervisor where the premises licence authorises the supply of alcohol

N/A

Personal Licence Number:

Issuing Authority:

This Licence shall continue in force from **16/07/2008** unless previously suspended or revoked.

Dated: 16th July 2008

Head of Environment & Consumer Services

Annex 1

Mandatory Conditions

Supply of Alcohol

To be applied where a premises licence authorises the supply of alcohol

- 1 No supply of alcohol may be made under the premises licence:-
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- 2 Every supply of alcohol made under the premises licence must be made or authorised by a person who holds a personal licence.

Film Exhibitions

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

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

Door Supervisors

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

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

Annex 2

Conditions Consistent with the Operating Schedule

1. The CCTV system will be maintained and kept fully operational when the premises are open to the public.
2. The area outside the premises will be cleared of litter at the close of business.

Annex 3

Conditions attached after a hearing by the Licensing Authority

Annex 4

Plans

As attached plan date. 10th August 2005

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, **Mr Kamal Ahmed SALEEM**

(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 The Hut Central Kebabs 39 St Mary's Butts Reading Berkshire RG1 2LG			
Post town	Reading	Postcode	RG12 LG

Telephone number at premises (if any)	N/a
Non-domestic rateable value of premises	£ 4850.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname SALEEM			First names Kamal Ahmed		
Date of birth [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality British					
Current residential address if different from premises address		[REDACTED]			
Post town	Reading			Postcode	[REDACTED]
Daytime contact telephone number		[REDACTED]			
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 type="checkbox"/>		Please tick yes	
Nationality					
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)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

Telephone number (if any)

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	6	112021

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)

Situation

This is an application for the grant of a new Premises Licence (PL) for The Hut located at 39 St Mary's Butts, Reading RG1 2LG by Mr Kamal SALEEM, for authorisation for the provision of late night refreshment off the premises from 23:00 hours until 01:00 hours each day Sunday through to Thursday, and from 23:00 hours through to 02:00 hours the following day on Friday and Saturdays.

'The Hut' is a small kiosk that is located in the central reservation in St Mary's Butts opposite the Church and the site falls within the former Cumulative Impact Policy catchment area.

Food is ordered and served through a service hatch for take away orders only. Customers do not have access to the premises.

The applicant, Mr Saleem has been granted a long term tenancy agreement from the Landlord of the property, the Reading Minster of St Mary the Virgin since July 2019 on a rolling renewable basis.

Current Premises Licence

There is currently a premises licence (PL) in place for The Hut; number LP9000107 which was valid from August 2005 and authorises the provision of Late Night Refreshment off the premises only. The Premises Licence holder being a Mr Murat EMEKDAR who had a tenancy agreement granted by the Church authority for the past twenty years that was rescinded in the year 2018. Prior to the issuing of the premises licence a late night refreshment licence was in place since 1996.

Mr EMEKDAR ceased trading at that location and has vacated the property in 2018. He has chosen not to surrender the existing PL, and, for his own reasons, has refused to transfer the licence to anyone else despite not having any beneficial interest nor a right to occupy the site

I understand that each year, Mr EMEKDAR has paid the annual fee when due. Of course, he can in law, refuse to transfer the licence, as it is his possession. This creates the situation that he has the PL for The Hut, but Mr EMEKDAR has no longer a legal right to operate a business from that address.

Enquiries have been made with the Licensing department as to whether the PL may be revoked as Mr EMEKDAR no longer has the right of occupancy and therefore cannot trade.

The Licensing Officer has agreed that there is not a provision for revocation under the Licensing Act 2003 in such circumstances. This means that Mr Emekdar cannot use the PL as he has no right of tenure on the property, and Mr Saleem cannot operate under the existing PL.

Under Section 26 of the Licensing Act 2003 a PL remains in force unless S.27 where death, insolvency, lack of capacity of the PL holder occurs, under S.28 the PL is surrendered, or the PL revoked under S.52.

I understand that the existing Premises Licence has not been subject to any review hearings or performance reviews during Mr EMEKDAR's ownership.

On the current Premises Licence there only two simple conditions in relation to CCTV system being maintained and operational and litter picking at the end of the shift.

Can a Premises Licence be granted where one already exists?

It is possible to apply for the Grant of a new Premises Licence where another premises licence is in existence.

The principle of a second licence (or more) for a premises is based on a High Court ruling and I cite Poppleston and Allen:

'The term "shadow licence" describes the situation where a premises licence is granted to one party in respect of a premises where another party already holds a separate licence. Although they are not explicitly referred to in the Licensing Act 2003, the concept of shadow licences was approved under the modern licensing regime in a 2013 High Court case between Extreme Oyster & Star Oyster Ltd. v Guildford Borough Council.'

Indeed, the Reading Borough Council's statement of licensing policy (SLP) in S9.23 identifies that case law indicates that a shadow premises licence is possible under the LA. The SLP goes on to suggest that 'typically' the applicant for a shadow licence is the Landlord of the building where an existing premises licence exists.

It is believed that the case law the RBC SLP refers to is the 'Extreme Oyster & Anor v Guildford Borough Council (2013) heard before Mr Justice Turner, and that the RBC policy, in our view, is narrow interpretation of the outcome of the case.

The facts of the case were that the Landlords of the building and their trading Company made applications for a series of premises licences for the same or similar footprint of the buildings that they owned and operated their business from. The buildings had been leased to a third party, namely Luminar Leisure, which were a national late-night bar and nightclub operator who already were operating in the same building with the premises licence in their name..

The Licensing Officer from Guilford BC rejected the application without the matter going before the Licensing Committee on the grounds that the applicants Extreme Oyster Ltd did not, in his view, meet the criteria required as an applicant under S.16 of LA 2003.

Mr Justice Turner found that in fact the applicants did meet the said criteria and ruled that the application should have been accepted by Guildford BC and that the applications should proceed.

Whilst in this case the applicants were the Landlords Mr Justice Turner did go on to say that if Parliament had wished to preclude the making of second or subsequent licence applications on anything but identical near identical bases to those contained in first licences then this could have been made clear in the Guidance (S.182). It was not.

He goes on to say that situations may arise, in any event, in which one set of premises was

covered by a number of licences. “Even on a narrow approach, a multiplicity of licences is not precluded in respect of any given premises”.

Part 1, Licensable Activities, LA 2003, 2 (3) states; ‘Nothing in this Act prevents two or more authorisations having effect concurrently in respect of the whole or part of the same premises or in respect of the same person’.

S.182 Guidance to the Act states under 8.19 “There is nothing in the 2003 Act which prevents an application being made for a premises licence at premises where a premises licence is already held”.

It is recognised that the Statutory Authorities have concern that in the event of review proceedings and/or performance reviews being instigated against the premises licence holder where two licences co-exist which one does action be taken against.

We respectively suggest that should the premises licence be granted to Mr Saleem then it is that premises licence that should be taken to review if necessary or by default both licences could be taken to review simultaneously.

It is this new licence that will be relevant. The Premises Licence held by Mr EMEKDAR will in effect, is redundant..

Cumulative Impact Policy

It is recognised that the location of the premises fall within the Reading Borough Council’s former Cumulative Impact Policy area which has now lapsed and the presumption of rebuttal no longer applies.

Every application for a premises licence therefore is based on its own merits.

This application has proposed conditions within the operating schedule in respect of promoting the four licensing objectives that should address any concerns that the responsible authorities may have in respect of the operation.

These conditions listed in the operating schedule reflect current best practice and are considered proportionate for the size, style and proposed trading hours of the business.

There has been similar scenario’s in Reading where the Licensing Committee have rightly, granted a Premises Licences where they have been lost either through surrender, or insolvency of the holding companies ie the Po Na Na, Bridge Street and the Sahara Bar in Gun Street.

In Conclusion

There is nothing in the Licensing Act that precludes the grant of a new premises licence for the same building where another premises already exists. This application has included conditions that should ensure the promotion of the four licensing objectives.

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 and 14 and Schedules 1 and 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)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

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	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
			<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)		

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 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					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
			<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)		

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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
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)			<u>Will the performance of live music 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	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
			<u>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</u> (please read guidance note 6)		

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 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 playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<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)		
Sat					
Sun					

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	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
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 checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	01:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23:00	01:00			
Wed	23:00	01:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) None		
Thur	23:00	01:00			
Fri	23:00	02:00	<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) None		
Sat	23:00	02:00			
Sun	23:00	01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

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):

me NOT APPLICABLE	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

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

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p> <p>None</p>
Day	Start	Finish	<p><u>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</u> (please read guidance note 6)</p> <p>None.</p>
Mon	09:00	01:00	
Tue	09:00	01:00	
Wed	09:00	01:00	
Thur	09:00	01:00	
Fri	09:00	02:00	
Sat	09:00	02:00	
Sun	09:00	01:00	

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)

b) The prevention of crime and disorder

1. The premises licence holder shall ensure the premises' digitally recorded CCTV system cameras shall continually record whilst the premises are open to the public and recordings shall be kept for a minimum of 31 days with time and date stamping. The entire licensable area shall be covered by 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 midnight through to 02:00 hours.
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:
 - Full SIA registration number.
 - Date and time that the Door Supervisor commenced duty, countersigned by the Duty Manager.
 - Date and time that the Door Supervisor finished work, countersigned by the Duty Manager.
 - Any occurrence or incident of interest involving crime & disorder or public safety must be recorded giving names of the Door Supervisor involved.

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.

8. 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.
9. When tabards are worn, hi visibility armbands must also be worn that incorporate displaying SIA badges. If hi visibility full sleeved jackets are worn the PLH must ensure that all door supervisors badges are also displayed via an easily visible arm band.
10. Whilst a Door Supervisor is employed at the premises they shall where a recording Body Worn Video (BWV). 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.
11. 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.
12. 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.
13. 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.
14. 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.
 - (b) A weekly review of the incident register shall also be carried out by the Designated Premises Supervisor.

c) Public safety

1) The venue management shall have suitable risk assessments in place relating to slips, trips and falls.

d) The prevention of public nuisance

- 1) A sign shall be displayed by the front door exit requesting patrons to leave the area quietly.
- 2) 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.

e) The protection of children from harm

- 1) Staff shall be trained on the procedures for conflict management and that training shall be recorded on the staff training records.

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	<i>William Donne</i>
Date	28 th October 2021
Capacity	Licensing Agent, Silver Fox Consultants

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)			
W. Donne Silver Fox Consultants 61 St Mary's Butts Reading RG1 2LG			
Post town	Reading	Postcode	RG1 2LG
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[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.

Division/Station : Reading Police Station Licensing Dept

From : C2107 Declan Smyth

To : Reading Borough Council

Ref : 39 St Mary's Butts, Reading, Berkshire, RG1 2LG

Date : 23rd November 2021

Subject :

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 Mr Kamal Ahmed SALEEM in relation to The Hut Central Kebabs, 39 St Mary's Butts, Reading, Berkshire, RG1 2LG.

Late night refreshment:-

Monday 23:00 to 01:00
Tuesday 23:00 to 01:00
Wednesday 23:00 to 01:00
Thursday 23:00 to 01:00
Friday 23:00 to 02:00
Saturday 23:00 to 02:00
Sunday 23:00 to 01:00
None Standard Timings - None

Hours premises are open to the public:-

Monday 23:00 to 01:00
Tuesday 23:00 to 01:00
Wednesday 23:00 to 01:00
Thursday 23:00 to 01:00
Friday 23:00 to 02:00
Saturday 23:00 to 02:00
Sunday 23:00 to 01:00
None Standard Timings - None

The Reading Borough Council Licensing Policy Statement includes detail which exists in order to address the late night licensed premises within the defined area of Reading Town Centre.

This cumulative impact police which expired in October 2021 was determined within the policy to have a negative impact on crime and disorder within the town due to the sheer volume and concentration of licensed premises which has a negative impact on the four licensing objectives.

Thames Valley Police recognise that the Cumulative Impact Policy (CIP) has not been renewed but maintain that the detail contained within it is still relevant.

TVP Appendix 1 - Copy of CIP updated stats to Sept 2021**TVP Appendix 2 - Cumulative Impact Stats 2021**

It is felt that if this application is granted it will likely lead to the licensing objectives being undermined, with specific regard to the Prevention of Crime and Disorder,

Public Safety and Prevention of Public Nuisance. All four licensing objectives are of equal importance.

The Council Licensing Policy Statement states:-

Late Night Refreshment (takeaways) and Conditions – General Approach

6.19 Late night food outlets are a major contributor to crime and disorder and anti-social behaviour within Reading. **Applicants who wish to provide hot food or drink after 2300hrs and up to 0500hrs, will need to demonstrate that their proposed operation will not exacerbate issues of crime and disorder in that locality.**

6.20 Applicants for late night refreshment are expected to take cognisance of the Secretary of State's Guidance and to include appropriate and proportionate measures within their operating schedule to assist in actively promoting the licensing objectives.

6.21 The licensing authority will expect all applicants who wish to provide late night refreshment to include measures for adequate staff training; measures to ensure that no public nuisance occurs from the premises as well as additional measures to assist in crime prevention such as CCTV and door supervisors.

6.22 Public nuisance can often occur from takeaways being sited in residential areas. This could be in relation to the use of delivery vehicles and the congregating of customers outside the premises. Applicants are expected to make an assessment of their proposed locality and implement measures to avoid disturbing local residents such as the use of electric bikes and the implementation of a dispersal policy.

6.23 Where it is practical, the authority will also look to ensure that all packaging used for the provision of hot food and drink shall be made of recyclable materials or be biodegradable. This will include all fixed premises and static vans.

The Secretary of States Guidance issued under Section 182 Licensing Act 2003 states:

“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.”

The conditions offered in the operating schedules are not comprehensive enough for the hours applied for and Thames Valley Police do not consider that any type or number of conditions will be appropriate to mitigate the potential undermining of the licensing objectives.

The application states that it is for a “shadow licence” of an existing premises licence currently held by an individual that no longer has access to the premises. It is also suggested that the outgoing individual is refusing to transferred or sell the current licence on. The application then makes reference to the high court case of Extreme Oyster & Star Oyster Ltd. v Guildford Borough Council which provides legal weighting to the matter of shadow licences. However, this case highlights a ‘shadow licence’ being applied for by a **landlord** to protect their interests in any future business. The applicant is not the landlord of this property that this licence is being

applied for, therefore the above case is not relevant in this premises licence application other than providing that shadow licences may be permissible.

On the 31st October 2021 - Niche No. 43210491012 - Assault with Injury & Niche No. 43210491031- Concern For Safety / Collapse / Injury / Illness / Trapped
Summary - The victim has been in a premises located at St Mary's Butts with his friend when a male has bumped into him and started an altercation with the victim. The four suspects in this case have then gathered around the victim, punching and kicking him. At one point the victim is lying unconscious on the floor and the four suspects continue to punch and kick him on the head. The victim attended Royal Berkshire Hospital and has suffered GBH level injuries, namely bleed to the brain, bleed on the sinuses, neck pain, multiple lumps to head, bruising to jaw, and eye socket. This appears at present to be a random assault, no motive known by police.
– Ongoing Investigation.

Thames Valley Police are supplying for further consideration a full list of URN's relating to the specific area of St Mary's Butts which dates back to 1st October 2020 and may provide evidence which the Sub-Committee feel of assistance in relation to the types of incident that Thames Valley Police have recorded as calls for service from the St Mary's Butts area. **(SEE: TVP Appendix 3 - DAVIM Addresses & TVP Appendix 4 - DAVIM Stats - Calls - Timings)**. The reports provide basic information in relation to the amount of incidents that have been reported, as well as some indication as to the type of incidents that have been notified to us as occurring in this specific area historically.

The incidents have not been interrogated or changed or updated and we ask that you place as much or as little weight on the evidence contained within these reports as you see fit.

In summary Thames Valley Police believe strongly that no evidence has been provided within the application to provide assurances that may lead the licensing sub-committee to rule in favour of this application. The conditions offered by the applicant in the operating schedules are not comprehensive enough for the hours applied for and Thames Valley Police do not consider that any type or number of conditions will be appropriate to promote the licensing objectives.

We therefore respectfully ask the Licensing Sub-Committee to refuse this application.

APPENDICES

- TVP Appendix 1 - Copy of CIP updated stats to Sept 2021
- TVP Appendix 2 - Cumulative Impact Stats 2021
- TVP Appendix 3 - DAVIM Addresses
- TVP Appendix 4 - DAVIM Stats - Calls - Timings

TVP Appendix 1

	Arson	Criminal Damage	Public Order Offences	Violence with Injury	Violence without Injury	All Listed Offences
CA CHALVEY / UPTON / TOWN	8	182	288	196	405	1079
EA ABBEY / BATTLE	4	181	304	307	457	1253
EG WOKINGHAM TOWN	4	54	76	56	132	322
FA NEWBURY TOWN CENTRE	8	57	84	43	96	288
LA WINDSOR CENTRAL	3	64	99	88	116	370
LC MAIDENHEAD CENTRAL	3	87	123	89	209	511
LF BRACKNELL TOWN CENTRE		14	24	19	33	90

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		CA CHALVEY / UPTON / TOWN	EA ABBEY / BATTLE	EG WOKINGHAM TOWN	FA NEWBURY TOWN CENTRE	LA WINDSOR CENTRAL	LC MAIDENHEAD CENTRAL	LF BRACKNELL TOWN CENTRE
2015/2016	April	65	84	21	18	30	24	8
2015/2016	May	41	110	11	24	27	33	4
2015/2016	June	53	87	17	29	39	31	4
2015/2016	July	51	96	16	17	54	22	10
2015/2016	August	31	95	22	28	42	38	7
2015/2016	September	45	92	15	21	30	38	9
2015/2016	October	40	86	16	19	27	27	6
2015/2016	November	42	105	24	35	56	35	5
2015/2016	December	40	89	19	32	39	34	4
2015/2016	January	46	70	14	21	38	32	3
2015/2016	February	37	82	22	20	32	24	11
2015/2016	March	22	75	18	17	33	43	6
2016/2017	April	47	87	17	13	40	25	7
2016/2017	May	45	81	14	22	30	18	6
2016/2017	June	37	85	24	26	31	19	5
2016/2017	July	36	87	33	33	36	27	14
2016/2017	August	53	72	25	22	36	26	13
2016/2017	September	57	89	17	25	14	23	6

2016/2017	October	34	86	19	29	29	24	14
2016/2017	November	38	85	10	27	31	20	9
2016/2017	December	31	105	17	35	47	41	6
2016/2017	January	40	76	11	19	29	19	7
2016/2017	February	31	68	15	21	36	23	16
2016/2017	March	46	85	17	19	31	34	14
2017/2018	April	35	78	20	36	35	35	13
2017/2018	May	46	102	19	21	30	32	6
2017/2018	June	30	94	22	26	20	28	11
2017/2018	July	46	109	17	23	34	26	8
2017/2018	August	65	107	14	28	36	43	4
2017/2018	September	34	85	23	27	33	16	11
2017/2018	October	45	131	15	33	52	16	12
2017/2018	November	53	96	20	27	23	25	6
2017/2018	December	46	100	29	23	32	34	10
2017/2018	January	54	102	24	17	32	21	8
2017/2018	February	52	86	22	14	29	32	4
2017/2018	March	73	92	26	30	48	37	11
2018/2019	April	61	120	17	24	36	37	7
2018/2019	May	80	112	23	25	35	28	18
2018/2019	June	69	110	19	35	43	38	6
2018/2019	July	81	114	25	40	51	44	8
2018/2019	August	79	95	21	31	43	34	5
2018/2019	September	71	133	25	31	24	36	5
2018/2019	October	54	98	22	32	30	38	5
2018/2019	November	70	114	28	37	36	31	5
2018/2019	December	76	128	29	37	31	31	9
2018/2019	January	54	92	27	37	27	15	7
2018/2019	February	75	92	23	23	36	27	5
2018/2019	March	64	86	22	25	29	39	6
2019/2020	April	53	109	29	24	42	23	9
2019/2020	May	82	111	16	24	32	37	2
2019/2020	June	75	114	23	28	34	26	6

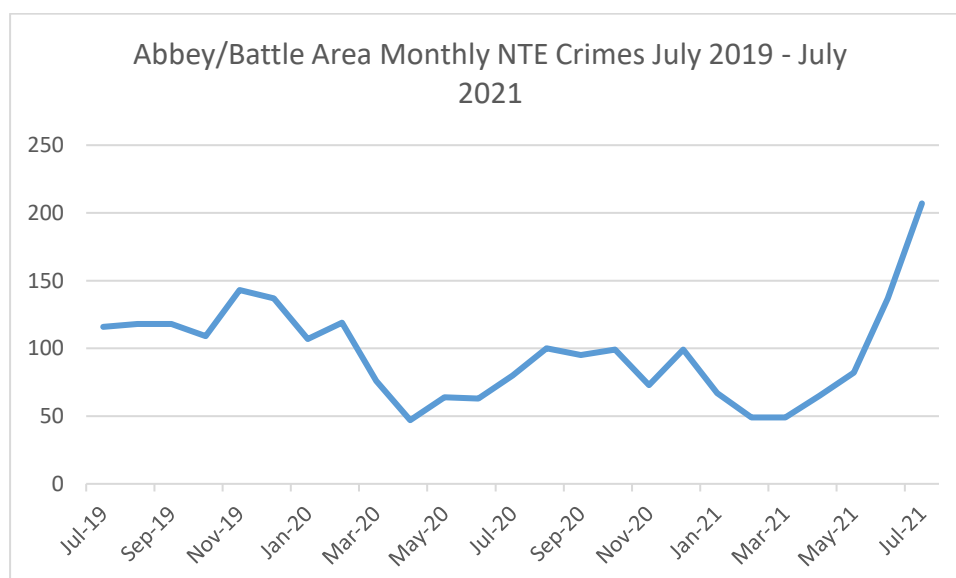
2019/2020	July	75	116	25	20	50	40	7
2019/2020	August	76	118	38	26	41	53	3
2019/2020	September	67	118	34	25	38	50	6
2019/2020	October	66	109	25	22	34	32	3
2019/2020	November	63	143	22	21	37	39	4
2019/2020	December	90	138	32	32	52	33	8
2019/2020	January	63	107	40	32	48	44	4
2019/2020	February	77	119	31	29	35	36	8
2019/2020	March	70	75	21	19	28	38	3
2020/2021	April	69	47	6	9	9	24	1
2020/2021	May	88	61	39	16	12	33	
2020/2021	June	65	61	21	10	20	27	3
2020/2021	July	95	80	33	14	22	41	2
2020/2021	August	105	100	37	26	39	41	9
2020/2021	September	81	95	29	18	22	54	7
2020/2021	October	87	99	23	32	28	32	8
2020/2021	November	81	73	12	20	6	30	2
2020/2021	December	65	99	19	15	15	29	1
2020/2021	January	67	69	14	10	14	35	1
2020/2021	February	43	48	9	6	11	34	6
2020/2021	March	61	48	20	13	15	43	5
2021/2022	April	72	65	24	17	18	33	6
2021/2022	May	89	80	37	32	30	36	9
2021/2022	June	121	126	43	27	34	59	6
2021/2022	July	150	195	38	31	56	58	6
2021/2022	August	117	176	40	45	74	62	15
2021/2022	September	126	175	43	40	69	60	25

1. Summary of Night Time Economy (1800 – 0600 hours) crimes in Berkshire town centres in last twelve months*

	Arson	Criminal Damage	Public Order Offences	Violence with Injury	Violence without Injury	All Listed Offences
EA ABBEY / BATTLE	3	179	263	275	402	1122
CA CHALVEY / UPTON / TOWN	7	183	245	197	405	1037
EG WOKINGHAM TOWN	4	63	65	52	127	311
FA NEWBURY TOWN CENTRE	8	51	60	42	88	249
LA WINDSOR CENTRAL	3	54	77	63	91	288
LC MAIDENHEAD CENTRAL	3	94	106	91	195	489
LF BRACKNELL TOWN CENTRE	1	15	14	9	30	69

* Twelve months to July 2021. Source: TVP - Berks NTE Data.

2. Monthly NTE Crimes for Abbey/Battle Area for the past two years illustrating the effects of lockdown*



* Source: TVP - Berks NTE Data.

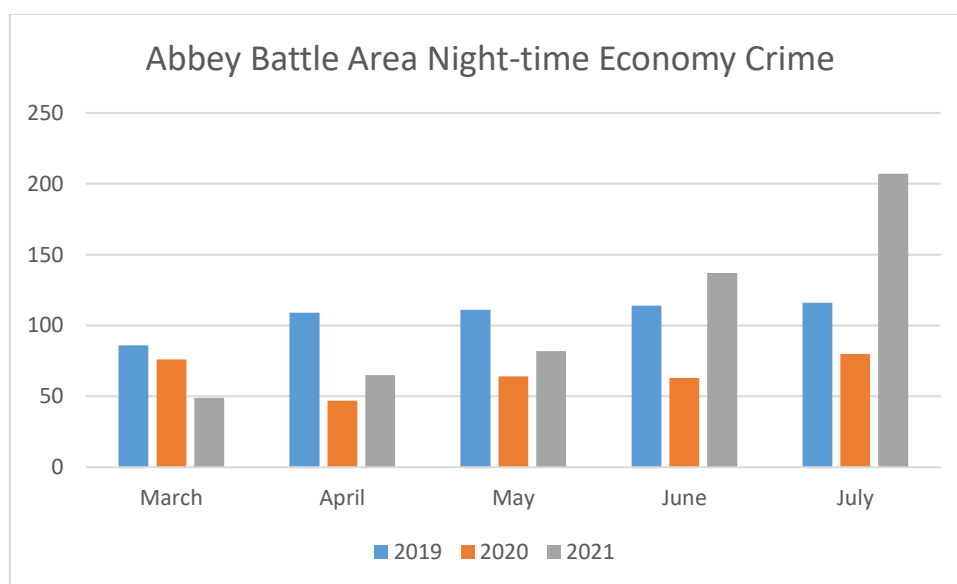
3. Month by month of Night-time Economy Crimes (1800 – 0600 hours) across Berkshire Town Centres the past two years*

		EA ABBEY / BATTLE	EG WOKINGHAM TOWN	FA NEWBURY TOWN CENTRE	LA WINDSOR CENTRAL	LC MAIDENHEAD CENTRAL	LF BRACKNELL TOWN CENTRE
2019/2020	July	116	25	20	50	40	7
2019/2020	August	118	38	26	41	53	3
2019/2020	September	118	34	25	38	50	6
2019/2020	October	109	25	22	34	32	3
2019/2020	November	143	22	21	37	39	4
2019/2020	December	137	32	32	52	33	8
2019/2020	January	107	39	32	48	44	4
2019/2020	February	119	31	29	35	36	8
2019/2020	March	76	21	19	28	38	3
2020/2021	April	47	6	9	9	24	1
2020/2021	May	64	39	16	12	33	
2020/2021	June	63	21	10	20	27	3
2020/2021	July	80	33	14	21	41	2
2020/2021	August	100	37	26	39	41	9
2020/2021	September	95	29	18	22	54	7
2020/2021	October	99	23	32	28	32	8
2020/2021	November	73	12	20	6	30	2
2020/2021	December	99	19	15	15	31	1
2020/2021	January	67	14	10	14	34	1
2020/2021	February	49	9	6	11	34	6
2020/2021	March	49	20	14	16	43	5
2021/2022	April	65	24	18	18	32	7
2021/2022	May	82	41	32	32	38	10
2021/2022	June	137	44	27	36	60	6
2021/2022	July	207	40	32	55	62	8

* Source: TVP - Berks NTE Data.

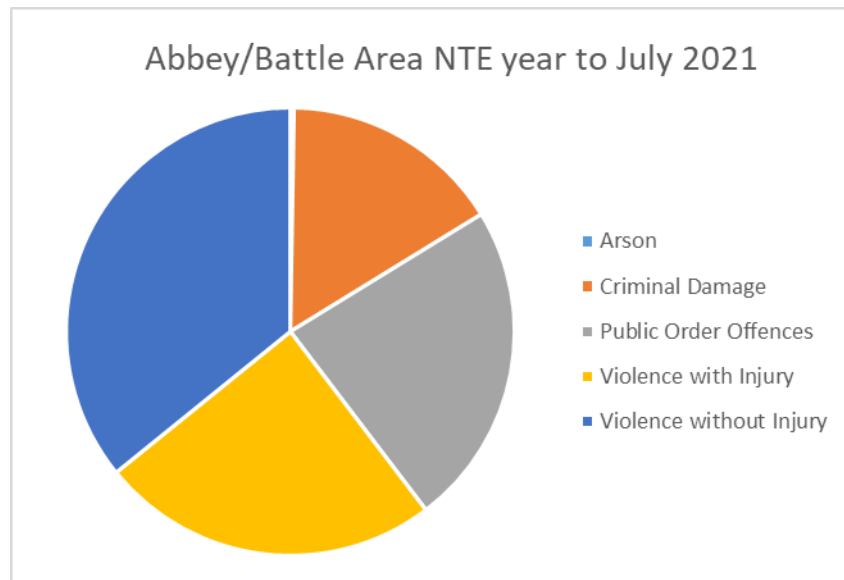
4. Night-time Economy Crime (1800 – 0600 hours) Reading Abbey/Battle area comparison for the four month periods March - June for the years 2019 – 2021 showing the effects of pre-, during and post-lockdown*

	EA ABBEY / BATTLE		
	2019	2020	2021
March	86	76	49
April	109	47	65
May	111	64	82
June	114	63	137
July	116	80	207



* Source: TVP - Berks NTE Data.

5. Categorisation of NTE Crimes (1800 – 0600) in Abbey/Battle in the last 12 months*



* Source: TVP - Berks NTE Data.

6. Details of NTE Crimes in Abbey/Battle in the last 12 months*

		Hospita lity	Leisure	Public building	Public/ open place	Shop	Not Recorded	Beach hut
Arson	Arson not endangering life				1		2	
Criminal Damage	Criminal damage endangering life vehicle				1			
Criminal Damage	Criminal damage under £5000 - Residential	1			1		32	
Criminal Damage	Other criminal damage under £5000 - Business and Community buildings	4	1				23	
Criminal Damage	Other criminal damage under £5000 other	1			1	2	50	
Criminal Damage	Other criminal damage under £5000 vehicle	1	1		3		57	
Public Order	Affray	1			1	1	18	
Public Order	Breach of a Criminal Behaviour Order				1		5	
Public Order	Breach of nonmolestation order						3	1
Public Order	Committing or conspiring to commit an act outraging public decency				1		4	
Public Order	Public Order: Cause intentional harassment alarm distress	2			6	1	46	
Public Order	Public Order: Fear or provocation of violence	3			5	4	53	
Public Order	Public Order: Harassment alarm or distress	3	1	1	7	2	71	
Public Order	Racially and/or religiously aggravated fear/provocation of violence 9B				2	1	2	
Public Order	Racially and/or religiously aggravated harassment alarm or distress 9B						7	
Public Order	Racially and/or religiously aggravated intentional harassment alarm or distress						8	
Public Order	Use of words or behaviour or display of written material intended or likely to stir up racial hatred						2	
Violence with Injury	Administering poison with intent to injure or annoy						2	
Violence with Injury	Assault occasioning actual bodily harm	9			22	1	211	
Violence with Injury	Assault on emergency Worker (Not Police): Assault occasioning actual bodily harm						1	
Violence with Injury	Assault on emergency Worker (Not Police): Wound/cause GBH w/l to GBH or resist arrest						1	
Violence with Injury	Assault on Police: Assault occasioning actual bodily harm				4		10	
Violence with Injury	Racially and/or religiously aggravated ABH						1	
Violence with Injury	Wounding with intent to do GBH	2					4	
Violence with Injury	Wound or inflict GBH with or without weapon				3		4	
Violence w/out Injury	Assault on other emergency service worker: Common assault and battery						1	
Violence w/out Injury	Assault on police: Common assault and battery				1		28	
Violence w/out Injury	Assist offender by impeding his apprehension or prosecution in a case of murder						1	

Violence w/out Injury	Breach conditions of injunction against harassment						1	
Violence w/out Injury	Breach of restraining order	1					3	
Violence w/out Injury	Common assault and battery	17	1		24	8	237	
Violence w/out Injury	Harassment protection from harassment etc						31	
Violence w/out Injury	Harassment: Putting people in fear of violence	1					5	
Violence w/out Injury	Pursue course of conduct in breach of S1 1 which amounts to stalking						13	
Violence w/out Injury	Racially and/or religiously aggravated common assault or beating						1	
Violence w/out Injury	Racially and/or religiously aggravated harassment						1	
Violence w/out Injury	Stalking involving fear of violence					1	2	
Violence w/out Injury	Stalking involving serious alarm/distress						14	
Violence w/out Injury	Threats to kill				1		9	

* Source: TVP - Berks NTE Data.

7. Night-time Economy Crime (1800 – 0600 hours) for the Oxford Area –which is most comparable to Reading in terms of size and Night-time Economy*

	Arson	Criminal Damage	Public Order Offences	Violence with Injury	Violence without Injury	All Listed Offences
BA OXFORD CENTRAL	3	95	220	92	233	643
BA OXFORD EAST	3	61	95	77	163	399
JA BANBURY TOWN	9	128	117	164	305	723
JC WOODSTOCK		39	35	18	49	141
JD KIDLINGTON	2	40	43	43	110	238
JE CHIPPING NORTON	2	65	23	31	114	235
JF BICESTER TOWN	10	94	94	89	188	475
JW WITNEY	6	103	77	99	168	453
MD DIDCOT	1	80	76	85	175	417
ME ABINGDON TOWN	5	123	130	88	252	598
MF WALLINGFORD / BERINSFIELD / CHOLSEY	8	82	59	46	102	297
MW WANTAGE / GROVE	7	98	76	84	186	451

* Source: TVP - Oxon NTE Data.

Repeat Addresses
x

Select LPA: **Reading**

Neighbourhood: **Abbey / Battle** Type: **Address**

Partial address search: **St Marys Butts**

Weekdays: Mon Tue Wed Thu Fri Sat Sun

Exclude records where no more reduction activity is required or work completed

Exclude TVP addresses

Night time economy toggle on/off

Biggest movers

Chosen Opening sub classification incidents & Responses: **All response and incident types**

Times Between: **00:00** and **23:59**

Count type: **Number of Incidents**

Refresh

Select multiple addresses

Address	Double-click on a column header to sort				Address Activity Log
	October	Aug - Oct	Last 12 Months	Latest Incident	
1) JCT ST MARYS BUTTS / HOSIER STREET St Marys Butts READING	3	18	29	31-Oct-21	
2) STREET RECORD ST MARYS BUTTS READING RG1 2LN	5	12	28	23-Oct-21	
3) JCT WEST STREET / ST MARYS BUTTS West Street READING	2	4	18	30-Oct-21	
4) MARYS BUTTS READING RG1 2LG	1	3	11	30-Oct-21	
5) JCT ST MARYS BUTTS / OXFORD ROAD St Marys Butts READING	1	5	8	20-Oct-21	
6) JCT HOSIER STREET / ST MARYS BUTTS Hosier Street READING	1	4	7	06-Oct-21	
7) JCT ST MARYS BUTTS / CASTLE STREET St Marys Butts READING		3	6	10-Sep-21	
8) JCT GUN STREET / ST MARYS BUTTS Gun Street READING	1	2	6	15-Oct-21	
9) JCT ST MARYS BUTTS / GUN STREET St Marys Butts READING		1	4	17-Sep-21	
10) MARYS BUTTS READING RG1 2LG	1	1	3	21-Oct-21	
11) JCT CASTLE STREET / ST MARYS BUTTS Castle Street READING	1	2	3	10-Oct-21	
12) JCT ST MARYS BUTTS / WEST STREET St Marys Butts READING	1	2	3	31-Oct-21	
13) MARYS BUTTS READING RG1 2LG	2	2	2	13-Oct-21	
14) JCT OXFORD ROAD / ST MARYS BUTTS Oxford Road READING		0	2	06-Jun-21	
15) JCT ST MARYS BUTTS / BROAD STREET St Marys Butts READING	2	2	2	30-Oct-21	
16) ST MARYS BUTTS READING RG1 2LN		0	2	30-Jun-21	
17) ST MARYS BUTTS READING READING UK RG1 2LN (County: BERKSHIRE)		1	1	24-Sep-21	
18) TELEPHONE KIOSK PUBLIC TELEPHONE 20M FROM KALL KVWK. PRINTING 32 ST MARYS BUTTS 6M FROM ST MARY		1	1	29-Sep-21	
19) JUBILEE CROSS ST MARYS BUTTS READING RG1 2LG	1	1	1	15-Oct-21	
20) JCT BROAD STREET / ST MARYS BUTTS Broad Street READING		0	1	24-Mar-21	
21) ST MARYS BUTTS READING RG1 2LS		0	1	02-Jul-21	
22) ST MARYS BUTTS READING RG1 2LG		1	1	24-Aug-21	
23) STREET RECORD ST MARYS BUTTS READING READING UK RG1 2LN (County: BERKSHIRE)		0	1	10-Nov-20	
24) JCT ST MARYS BUTTS / BRIDGE STREET St Marys Butts READING		0	1	08-Apr-21	

TVP Appendix 4

Date and Time Figures

Month	Count	%	Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Nov	21	14.8%	00:00 - 00:59							1
Dec	10	7.0%	01:00 - 01:59			1		1		3
Jan		0.0%	02:00 - 02:59	1	2		1			3
Feb	2	1.4%	03:00 - 03:59		2	4			5	5
Mar	4	2.8%	04:00 - 04:59			1			2	2
Apr	9	6.3%	05:00 - 05:59							
May	5	3.5%	06:00 - 06:59					1		
Jun	8	5.6%	07:00 - 07:59				2			
Jul	18	12.7%	08:00 - 08:59			1	1			
Aug	19	13.4%	09:00 - 09:59							
Sep	24	16.9%	10:00 - 10:59	2	1			1	1	1
Oct	22	15.5%	11:00 - 11:59	1	1	3	1	3		1
			12:00 - 12:59			1			1	
			13:00 - 13:59	1	2		1		1	
			14:00 - 14:59	1	1	1	4	3	1	1
			15:00 - 15:59	1			1	1	1	
			16:00 - 16:59		1	3	2	4	2	
			17:00 - 17:59	1	1		2	1	4	4
			18:00 - 18:59		1		1	1		
			19:00 - 19:59	2	1	1	3	4	2	2
			20:00 - 20:59	2	1	1	3	2	2	
			21:00 - 21:59		1	1			2	2
			22:00 - 22:59							
			23:00 - 23:59		2		1	1		

Classification Figures

Sub classification	Count	%	Immediate	Urgent	By Arrangement	By Appointment	Telephone Resolution	Other
CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	17	12.0%	9	4		1		3
ASSAULT WITHOUT INJURY	13	9.2%	7	2	1	1		2
ABANDONED CALL TO EMERGENCY SERVICES	12	8.5%	3			2		7
PUBLIC ORDER	11	7.7%	4	3		1		3
ASSAULT WITH INJURY	10	7.0%	7	1	1			1
SUSPICIOUS - PERSON	9	6.3%	5	1		2		1
POLICE GENERATED RESOURCE ACTIVITY	9	6.3%	2	5		2		
THEFT OF PEDAL CYCLE	8	5.6%						8
THEFT	7	4.9%	1					6
SUSPICIOUS - OTHER	4	2.8%	2	2				
PREVENT BREACH OF THE PEACE	3	2.1%	1	1				1
MESSAGES	3	2.1%				3		
STALKING / HARASSMENT	3	2.1%		1	1			1
HIGHWAY DISRUPTION	3	2.1%	3					
ASB - COMMUNITY	3	2.1%		1				2
CONTACT RECORD	3	2.1%						3
ROBBERY	2	1.4%	2					
CIVIL DISPUTES	2	1.4%		1				1
DOMESTIC INCIDENT	2	1.4%			1			1
GATHERING / BUSINESS BREACH COV19	2	1.4%		1				1
CRIMINAL DAMAGE	1	0.7%	1					
DRUG OFFENCES	1	0.7%		1				
DUPLICATE	1	0.7%						1
MAKING OFF WITHOUT PAYMENT	1	0.7%						1
HATE INCIDENT	1	0.7%						1

Address Figures

Address	Count	%
██████████ ST MARYS BUTTS ██████████ Marys Butts READING	29	20.4%
STREET RECORD ST MARYS BUTTS READING RG1 2LN	28	19.7%
██████████ ST MARYS BUTTS West Street READING	18	12.7%
██████████ ST MARYS BUTTS READING RG1 2LG	11	7.7%
██████████ ST MARYS BUTTS / ██████████ St Marys Butts READING	8	5.6%
██████████ / ST MARYS BUTTS Hosier Street READING	7	4.9%
██████████ ST MARYS BUTTS Gun Street READING	6	4.2%
JCT ST MARYS BUTTS / CASTLE STREET St Marys Butts READING	6	4.2%
JCT ST MARYS BUTTS / GUN STREET St Marys Butts READING	4	2.8%
JCT ST MARYS BUTTS / WEST STREET St Marys Butts READING	3	2.1%
██████████ ST MARYS BUTTS READING RG1 2LG	3	2.1%
██████████ CASTLE STREET / ST MARYS BUTTS Castle Street READING	3	2.1%
██████████ ST MARYS BUTTS / ██████████ St Marys Butts READING	2	1.4%
██████████ ST MARYS BUTTS READING RG1 2LG	2	1.4%
██████████ ST MARYS BUTTS READING RG1 2LN	2	1.4%
██████████ / ST MARYS BUTTS Oxford Road READING	2	1.4%
██████████ ST MARYS BUTTS READING RG1 2LG	1	0.7%
TELEPHONE KIOSK PUBLIC TELEPHONE 20M FROM KALL KWIK PRINTING 32 ST MARYS BUTTS 6M FROM ST MARY	1	0.7%
2 ST MARYS BUTTS READING READING UK RG1 2LN ██████████ (County: BERKSHIRE Neighbourhood: EA ABBEY / BATTLE LPA: READING)	1	0.7%
██████████ ST MARYS BUTTS READING RG1 2LG	1	0.7%
██████████ ST MARYS BUTTS READING RG1 2LS	1	0.7%
██████████ / BRIDGE STREET St Marys Butts READING	1	0.7%
██████████ / ST MARYS BUTTS Broad Street READING	1	0.7%
STREET RECORD ST MARYS BUTTS READING READING UK RG1 2LN (County: BERKSHIRE Neighbourhood: EA ABBEY / BATTLE LPA: READING)	1	0.7%

Data downloaded from the Demand and Vulnerability module on 23/11/2021 10:34:48

URN & Date	Tim	Opening Sub Classification	Response Grade	OSGR
INC-20211031-0344	01:32	SUSPICIOUS - PERSON	Immediate	471291173439
INC-20211031-0996	10:00	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Urgent	471356173315
INC-20211030-1496	16:36	PUBLIC ORDER	Telephone Resolution	471291173439
INC-20211030-0365	03:53	PREVENT BREACH OF THE PEACE	Immediate	471291173439
INC-20211030-0332	03:14	CRIMINAL DAMAGE	Immediate	471412173334
INC-20211023-0317	03:34	POLICE GENERATED RESOURCE ACTIVITY	Urgent	471339173340
INC-20211021-2209	20:46	MESSAGES	By Appointment	471355173376
INC-20211020-0410	08:40	ROBBERY	Immediate	471291173439
INC-20211017-0296	03:53	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Immediate	471339173340
INC-20211017-0211	00:01	POLICE GENERATED RESOURCE ACTIVITY	Urgent	471339173340
INC-20211015-1586	17:25	THEFT	Telephone Resolution	471404173257
INC-20211015-0690	11:08	POLICE GENERATED RESOURCE ACTIVITY	Immediate	471401173295
INC-20211013-1519	16:36	STALKING / HARASSMENT	By Arrangement	471359173351
INC-20211011-0532	10:15	STALKING / HARASSMENT	Urgent	471359173351
INC-20211010-0147	01:18	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Telephone Resolution	471339173340
INC-20211010-0201	01:48	DRUG OFFENCES	Urgent	471381173246
INC-20211010-0242	02:17	ASSAULT WITHOUT INJURY	Immediate	471356173315
INC-20211010-0275	02:40	SUSPICIOUS - OTHER	Immediate	471339173340
INC-20211009-1521	16:25	PUBLIC ORDER	Urgent	471356173315
INC-20211007-1924	19:26	THEFT OF PEDAL CYCLE	Telephone Resolution	471291173439
INC-20211006-0201	04:03	ABANDONED CALL TO EMERGENCY SERVICES	Immediate	471356173315
INC-20211002-0873	12:20	SUSPICIOUS - PERSON	Immediate	471291173439
INC-20210930-2098	20:54	THEFT	Telephone Resolution	471339173340
INC-20210930-0661	11:08	THEFT	Telephone Resolution	471356173315

INC-20210929-0213	03:26	DUPLICATE	Telephone Resolution	471412173334
INC-20210929-0211	03:24	THEFT	Telephone Resolution	471378173288
INC-20210926-0390	03:22	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Urgent	471356173315
INC-20210925-0407	03:47	HIGHWAY DISRUPTION	Immediate	471366173320
INC-20210924-1457	16:17	MAKING OFF WITHOUT PAYMENT	Telephone Resolution	471288173388
INC-20210920-2214	20:44	HATE INCIDENT	Telephone Resolution	471356173315
INC-20210919-2072	0:9	CIVIL DISPUTES	Telephone Resolution	4.71366E+11
INC-20210919-1841	19:51	ABANDONED CALL TO EMERGENCY SERVICES	Telephone Resolution	471366173320
INC-20210919-1720	19:02	ASSAULT WITH INJURY	Immediate	471291173439
INC-20210919-1565	17:53	PUBLIC ORDER	Immediate	471366173320
INC-20210918-1875	19:20	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Immediate	471339173340
INC-20210917-0778	11:21	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Telephone Resolution	471404173257
INC-20210915-0104	01:14	ASSAULT WITHOUT INJURY	Immediate	471366173320
INC-20210913-1936	19:14	DOMESTIC INCIDENT	Telephone Resolution	471356173315
INC-20210912-0394	03:51	RAPE	Immediate	471356173315
INC-20210912-0358	03:20	PREVENT BREACH OF THE PEACE	Urgent	471339173340
INC-20210911-1833	17:22	ASSAULT WITHOUT INJURY	Immediate	471356173315
INC-20210910-2071	20:30	STALKING / HARASSMENT	Telephone Resolution	471381173246
INC-20210910-2038	20:16	PUBLIC ORDER	Telephone Resolution	471381173246
INC-20210907-2680	23:46	ABANDONED CALL TO EMERGENCY SERVICES	Telephone Resolution	471291173439
INC-20210903-1439	16:33	ABANDONED CALL TO EMERGENCY SERVICES	Telephone Resolution	471356173315
INC-20210902-1106	14:38	PUBLIC ORDER	Immediate	471291173439
INC-20210830-1463	17:02	THEFT OF PEDAL CYCLE	Telephone Resolution	471291173439
INC-20210830-0217	02:34	ABANDONED CALL TO EMERGENCY SERVICES	Immediate	471404173257
INC-20210829-0277	02:12	ASSAULT WITHOUT INJURY	Immediate	471412173334
INC-20210828-0320	03:18	ASSAULT WITHOUT INJURY	By Appointment	471356173315
INC-20210827-1948	19:42	ASSAULT WITHOUT INJURY	By Arrangement	471339173340
INC-20210827-0332	06:47	THEFT OF PEDAL CYCLE	Telephone Resolution	471291173439
INC-20210825-0760	11:26	SUSPICIOUS - PERSON	By Appointment	471291173439

INC-20210824-1653	17:01	ASB - ENVIRONMENTAL	Telephone Resolution	471351173386
INC-20210823-1140	14:02	SUSPICIOUS - PERSON	Immediate	471381173246
INC-20210822-1645	17:58	THEFT	Telephone Resolution	471339173340
INC-20210821-2009	20:22	ASSAULT WITH INJURY	Urgent	471356173315
INC-20210813-1926	19:34	ROBBERY	Immediate	471356173315
INC-20210813-1157	14:38	ASSAULT WITH INJURY	Immediate	471356173315
INC-20210812-0170	02:15	ASSAULT WITHOUT INJURY	Telephone Resolution	471356173315
INC-20210811-0236	03:31	ASSAULT WITHOUT INJURY	Immediate	471381173246
INC-20210810-0230	03:49	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Immediate	471356173315
INC-20210808-0410	04:16	ASSAULT WITHOUT INJURY	Urgent	471339173340
INC-20210808-0378	03:43	ASSAULT WITH INJURY	Immediate	471291173439
INC-20210804-2090	20:55	ASSAULT WITHOUT INJURY	Immediate	471339173340
INC-20210731-1858	17:58	ABANDONED CALL TO EMERGENCY SERVICES	By Appointment	471356173315
INC-20210731-0414	04:47	ASSAULT WITHOUT INJURY	Telephone Resolution	471412173334
INC-20210731-0400	04:21	ASSAULT WITH INJURY	Immediate	471412173334
INC-20210730-0112	01:20	OFFENSIVE WEAPON	Immediate	471291173439
INC-20210730-1868	19:46	ASSAULT WITHOUT INJURY	Immediate	471356173315
INC-20210730-1750	18:53	ASSAULT WITH INJURY	By Arrangement	471404173257
INC-20210721-0212	03:03	THEFT	Immediate	471366173320
INC-20210720-2386	19:55	SUSPICIOUS - PERSON	By Appointment	471291173439
INC-20210720-0221	02:50	POLICE GENERATED RESOURCE ACTIVITY	Immediate	471381173246
INC-20210715-0915	13:04	THEFT OF PEDAL CYCLE	Telephone Resolution	471339173340
INC-20210712-1224	13:54	THEFT OF PEDAL CYCLE	Telephone Resolution	471291173439
INC-20210710-2256	21:32	PUBLIC ORDER	Urgent	471412173334
INC-20210708-1360	15:23	THEFT OF PEDAL CYCLE	Telephone Resolution	471291173439
INC-20210707-2003	19:44	POLICE GENERATED RESOURCE ACTIVITY	Urgent	471412173334
INC-20210705-1160	15:11	POLICE GENERATED RESOURCE ACTIVITY	Urgent	471339173340
INC-20210702-1171	14:31	ASB - COMMUNITY	Urgent	471356173315
INC-20210702-0679	11:04	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	By Appointment	471374173256

INC-20210702-2708	23:15	ASSAULT WITH INJURY	Telephone Resolution	471291173439
INC-20210630-0967	12:41	PUBLIC ORDER	Immediate	471327173322
INC-20210625-1400	16:16	POLICE GENERATED RESOURCE ACTIVITY	Urgent	471404173257
INC-20210617-2073	19:55	PUBLIC ORDER	Telephone Resolution	471404173257
INC-20210613-0440	04:05	POLICE GENERATED RESOURCE ACTIVITY	By Appointment	471339173340
INC-20210613-1363	14:46	BURGLARY BUSINESS / COMMUNITY	Telephone Resolution	471327173322
INC-20210609-1261	14:58	THEFT	Telephone Resolution	471356173315
INC-20210606-0916	11:59	CONCERN FOR SAFETY/COLLAPSE/INJURY//ILLNESS/TRAPPED	Immediate	471291173439
INC-20210601-1049	13:27	CONTACT RECORD	Telephone Resolution	471381173246
INC-20210520-1563	16:42	SUSPICIOUS - VEHICLE	Telephone Resolution	471356173315
INC-20210520-1086	14:06	RTC DAMAGE ONLY	Telephone Resolution	471356173315
INC-20210517-0629	11:21	HIGHWAY DISRUPTION	Immediate	471356173315
INC-20210516-1947	21:14	PREVENT BREACH OF THE PEACE	Telephone Resolution	471339173340
INC-20210511-2329	21:05	THEFT OF PEDAL CYCLE	Telephone Resolution	471291173439
INC-20210427-2630	23:46	CIVIL DISPUTES	Urgent	471339173340
INC-20210422-1160	14:44	DOMESTIC INCIDENT	By Arrangement	471381173246
INC-20210420-0119	02:26	ASSAULT WITHOUT INJURY	Urgent	471339173340
INC-20210420-1215	14:41	ANIMAL CRUELTY	Telephone Resolution	471291173439
INC-20210417-2502	21:04	PUBLIC ORDER	Urgent	471355173376
INC-20210413-1111	13:58	SUSPICIOUS - PERSON	Immediate	471339173340
INC-20210408-2485	23:18	ABANDONED CALL TO EMERGENCY SERVICES	Immediate	471291173439
INC-20210408-1932	18:56	SUSPICIOUS - PERSON	Telephone Resolution	471404173257
INC-20210403-0587	10:29	MESSAGES	By Appointment	471291173439
INC-20210324-1460	16:15	CONTACT RECORD	Telephone Resolution	471291173439
INC-20210320-2289	19:51	CONTACT RECORD	Telephone Resolution	471412173334
INC-20210318-1785	17:21	ABANDONED CALL TO EMERGENCY SERVICES	Telephone Resolution	471291173439
INC-20210302-0450	10:09	MESSAGES	By Appointment	471356173315
INC-20210225-1653	17:20	ASSAULT WITH INJURY	Immediate	471356173315

INC-20210203-0665	11:26	HIGHWAY DISRUPTION	Immediate	471339173340
INC-20201219-2044	20:25	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Immediate	471291173439
INC-20201218-2005	19:58	POLICE GENERATED RESOURCE ACTIVITY	By Appointment	471339173340
INC-20201218-1145	14:49	RTC MINOR INJURY	Immediate	471404173257
INC-20201217-1947	19:04	SUSPICIOUS - OTHER	Urgent	471339173340
INC-20201214-0482	10:00	ABANDONED CALL TO EMERGENCY SERVICES	Telephone Resolution	471404173257
INC-20201212-1089	14:26	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Urgent	471339173340
INC-20201212-1280	15:49	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Immediate	471291173439
INC-20201209-1265	16:09	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Immediate	471404173257
INC-20201208-1655	18:00	ABANDONED CALL TO EMERGENCY SERVICES	Telephone Resolution	471291173439
INC-20201205-1065	13:45	SUSPICIOUS - OTHER	Urgent	471412173334
INC-20201128-1485	17:14	ASB - COMMUNITY	Telephone Resolution	471355173376
INC-20201127-0512	10:25	LOST/FOUND PROPERTY	By Appointment	471404173257
INC-20201126-1174	14:40	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Immediate	471412173334
INC-20201122-1544	17:51	ABANDONED CALL TO EMERGENCY SERVICES	By Appointment	471339173340
INC-20201121-1501	17:10	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Telephone Resolution	471356173315
INC-20201119-1466	16:15	ASSAULT WITH INJURY	Immediate	471291173439
INC-20201118-0721	11:23	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Immediate	471291173439
INC-20201117-0181	03:40	SEXUAL ACTIVITY	Urgent	471291173439
INC-20201116-2018	20:11	GATHERING / BUSINESS BREACH COV19	Telephone Resolution	471339173340
INC-20201116-1930	19:35	BREACH OF BAIL/COURT ORDER/INJUNCTION	Urgent	471381173246
INC-20201113-1376	16:00	PUBLIC ORDER	By Appointment	471366173320
INC-20201110-2055	20:07	ASB - COMMUNITY	Telephone Resolution	471339173340
INC-20201110-1535	16:49	THEFT OF PEDAL CYCLE	Telephone Resolution	471291173439
INC-20201106-1334	15:23	GATHERING / BUSINESS BREACH COV19	Urgent	471356173315
INC-20201105-2403	20:35	CONCERN FOR SAFETY/COLLAPSE/INJURY/ILLNESS/TRAPPED	Urgent	471412173334
INC-20201105-0427	08:06	SUSPICIOUS - PERSON	Urgent	471339173340
INC-20201105-0383	07:29	PUBLIC ORDER	Immediate	471291173439

INC-20201105-0377	07:16	SUSPICIOUS - PERSON	Immediate	471356173315
INC-20201104-2320	21:50	ABANDONED CALL TO EMERGENCY SERVICES	Telephone Resolution	471339173340
INC-20201103-0724	11:28	ASSAULT WITH INJURY	Immediate	471291173439
INC-20201101-1795	17:25	SUSPICIOUS - OTHER	Immediate	471339173340

Name of Officer	Peter Narancic - Senior Licensing and Enforcement Officer						
Type of Application	Premises Licence - Grant - Licensing Act 2003						
Name of Premises	The Hut Central Kebabs						
Address	39 St Mary's Butts						
	Reading						
	RG1 2LG						
Licensable Activities	Provision of Late Night Refreshment						
	(Hot food and Drink)						
Finish Times	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	0100	0130	0100	0100	0200	0200	0100

Content of Application:

This is an application for the grant of a new Premises Licence for The Hut Central Kebabs located at 39 St Mary's Butts, Reading RG1 2LG has been submitted on behalf of Mr Kamal Saleem, for authorisation for the provision of late-night refreshment off the premises from 23:00 hours until 01:00 hours each day Sunday through to Thursday, and from 23:00 hours through to 02:00 hours the following day on Friday and Saturdays.

'The Hut' is a small kiosk that is located in the central reservation in St Mary's Butts opposite the Church and the site falls within Reading Borough Council's Cumulative Impact Policy catchment area. For which Reading Borough Council are seeking to renew their CIP, on the basis of that the same crime issues exist, however, that it is currently not in effect. The Licensing team's understanding is the premises is currently open and trading until 23.00hours.

This is the second application for the same premises made on behalf of Mr Saleem. The first application was made on 06.12.2019, and as representations were received, including from Mr Murat Emekdar, the current Premises Licence holder, for these premises. The application was due be heard before Licensing Applications Sub-Committee on 30.01.2020. However, the application was withdrawn without explanation by the applicant on 27.01.2020.

Current Premises Licence

There is currently a Premises licence in place for these premises, Licence number LP9000107 which authorises the provision of Late Night Refreshment off the

premises only. According to the Applicant, the current Premises Licence holder, Mr Murat Emekdar who had a tenancy agreement granted by the Church authority, (St Marys Church) for the past a number of years was rescinded in 2018. A copy of the current premises licence is attached to this representation at **Appendix PN-1**

Mr Emekdar ceased trading in 2018. He has chosen not to surrender the existing Premises licence and has chosen not to transfer the licence to the current tenant Mr Saleem.

The applicant has stated although Mr Emekdar has paid the annual fee when due, he can in law, refuse to transfer the licence, as it is his possession. This creates the situation that he holds the Premises licence for the Hut but Mr Emekdar has no longer a legal right to operate a business from that address.

Licensing Officer's Comments:

As stated, this premises currently has a licence in place. The holder of this licence, Mr Emekdar vacated the premises in 2018 and has decided not to transfer or surrender the licence. The premises requires a premises licence for Late Night Refreshment to operate as a takeaway from 23.00 hours to the terminal hours stated above. These hours in this location have the potential to undermine the Licensing objectives of Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety. The licensing team wish to make representation against the application submitted on behalf of Mr Kamal Ahmed Saleem to licence the premises known as The Hut Central Kebabs, 39 St Marys Butts, Reading , RG1 2LG for the following reasons:

1. As you will be aware St Mary's Butts, although is only 200m long, is a source of great concern due to the numbers of existing licensed premises. In 2020 Thames Valley Police applied to Reading Borough Council to review two premises in St Marys Butts relating to violence and anti-social behavior. Having heard all of the representations the Sub-Committee agreed with Thames Valley Police and considered that the changes in the operating hours were required to reduce the risks of future incidents occurring that would breach the four licensing objectives. The hours for licensable activities and conditions attached to each licence were modified and hours reduced (Pending appeal).

Thames Valley Police have highlighted, there are still high levels of violent crime and anti-social incidents that occur in the St Mary's Butts area of town in 2021. There have been several incidents, including a late night refreshment takeaway and an off- licence.

2. Located immediately next to the premises is a part-time hackney carriage rank. This operates from 20.00 hours to 0800 hours for three to four vehicles. When late night premises shut, eg from Gun Street, potentially the rank will be busy with customers queuing across the front of the serving hatch of the Hut. The licensing team are concerned that the customers queuing for food will mix with the taxi queue in a small space and may lead to confrontations between the two groups. As the outside area is not controlled by the premises it will be left to the Police to deal with.

The other issue that the Licensing team wish to highlight to the Committee and believe is relevant, is when the premises was trading past midnight, it attracted large number of private hire and taxi vehicles from adjoining Authorities to illegally pick up non-booked customers from the Hut area. This area was described as a hotspot when cases were referred to court for prosecution. However, these illegal activities largely ceased in 2018, when the Hut stopped trading.

Also drivers used to illegally park up by the Hut to buy food or drink. The standard reply from these drivers was “ I am only going to be 5 minutes”. Although, St Marys Butts is part of the Council’s Red Route now, the Licensing team can foresee issues with cars parking illegally to buy food or drink from these premises. The Licensing team understand parking enforcement do not regularly operate in the early hours, therefore there will be no Enforcement to deal with this matter. If this was a Street Trading consent application, the Licensing team would likely refuse this application because of these parking issues. I note the Applicant has not mentioned these matters in his Application.

Photographs of the area are attached to this representation at **Appendix PN-2**.

3. The application states that it is for a shadow licence of an existing licence currently held by an individual that no longer has access to the site but has to date not transferred or surrendered the current licence. The application then makes reference to the high court case of ***Extreme Oyster & Star Oyster Ltd. v Guildford Borough Council*** which provides legal weighting to the matter of shadow licences. However, this case highlights a ‘shadow licence’ being applied for by a landlord to protect their interests in any future business at their property. In *the above case* the claimant stated their intentions in respect of the future of its business at the premises were:

“ i) To protect it in the event that its tenants went into liquidation or surrendered its licence, or was the subject of review proceedings.

ii) To protect it in the event that its tenants failed to pay / were late paying their rent.

iii) In the event that it gave notice to quit and retake possession pending redevelopment of the premises, to enable it to run the premises in the meantime.

iv) To enable it to market the premises or parts of the premises should the tenants stay in possession for the full term of the tenancy that had a one - year 'break' clause."

Mr Saleem is not the landlord of the property that this licence is being applied for, therefore the above case is not relevant in this application other than providing that shadow licences may be permissible.

Paragraphs 9.23 and 9.24 of Reading Borough Council's Statement of Licensing Policy provide an explanation of the meaning of the term 'shadow licence' and details the Authority's stance on the matter. Specifically, 9.24 states '*Any application for a 'shadow licence' and any enforcement action that may need to be taken will be dealt with in accordance with this policy and the measures already set out.*

The Licensing team have sought clarification from Reading Borough Council's Legal team regarding the legality of issuing a second 'shadow' licence from a 3rd party not connected to the existing Premises Licence holder or the Landlord of the premises, but at the time of writing this representation, a reply has not been received from them.

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) of the Licensing Act 2003. The licensing objectives are prospective as outlined below and given all of the above reasons we respectfully submit that this 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.

Case Law and Secretary of State's Guidance (April 2018)

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'*.

Lastly, the case of the *British Beer and Pub Association v Canterbury City Council* clearly indicates the use of the Council's policy in guiding applicants when applying for a licence. Mr Justice Richards stated that:

"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."

The Secretary of State's Guidance (latest edition of April 2018) at paragraphs 8.41 to 8.49 specifically outline what an applicant should address in order to be able to demonstrate that the proposed use of the premises for licensable activities would not undermine 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 Council's Licensing Policy:

When making an application, the applicant is supposed to have read and had regard to the Council's Statement of Licensing policy. The onus is on the applicant to demonstrate that their proposal promotes the licensing objectives and is compliant with the expectations laid out in the guidance and Council's Statement of Licensing Policy. The application, as submitted, the Licensing team believe is contrary to the following paragraphs:

6.19 Late night food outlets are a major contributor to crime and disorder and anti-

social behaviour within Reading. Applicants who wish to provide hot food or drink after 2300hrs and up to 0500hrs, will need to demonstrate that their proposed operation will not exacerbate issues of crime and disorder in that locality.

6.20 Applicants for late night refreshment are expected to take cognisance of the Secretary of State's Guidance and to include appropriate and proportionate measures within their operating schedule to assist in actively promoting the licensing objectives.

6.21 The licensing authority will expect all applicants who wish to provide late night refreshment to include measures for adequate staff training; measures to ensure that no public nuisance occurs from the premises as well as additional measures to assist in crime prevention such as CCTV and door supervisors.

6.22 Public nuisance can often occur from takeaways being sited in residential areas. This could be in relation to the use of delivery vehicles and the congregating of customers outside the premises. Applicants are expected to make an assessment of their proposed locality and implement measures to avoid disturbing local residents such as the use of electric bikes and the implementation of a dispersal policy.

6.23 Where it is practical, the authority will also look to ensure that all packaging used for the provision of hot food and drink shall be made of recyclable materials or be biodegradable. This will include all fixed premises and static vans.

7.1 The Licensing Act 2003 gives the licensing authority the power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of this policy. The licensing authority will make appropriate decisions on licensing hours for the locality of each premises. All applications will be considered on its individual merits.

7.2 When an application receives representations, the authority may consider reducing the opening hours and times for licensable activities if it considers it appropriate for the promotion of the licensing objectives.

7.3 As part of the operating schedule submitted with any application, the applicant is expected to take cognisance of the guidance, this policy and any other available data pertaining to their prospective locality and the potential impact their

operation may have on that area.

7.4 Where it is deemed appropriate and proportionate to do so, the authority may seek to reduce the hours for licensable activities in order to promote an orderly and gradual dispersal from a certain area or certain premises.

Late Night Refreshment Premises

7.16 There are concerns about noise, nuisance, crime and disorder and anti-social behaviour in respect of premises open late and providing hot food and drink. Operators and potential applicants of late night refreshment venues wishing to open past 11pm will need to demonstrate that there are suitable policies and procedures in place to mitigate any undermining of the licensing objectives from their operation. If suitable practices and policies are not put in place and it is the belief of the Authority that crime and disorder and/or a public nuisance is likely to occur due to the late operation of late night refreshment premises, then the Authority will look at reducing the hours and or (subject to relevant representations being received) removing late night refreshment from an application in its entirety.

7.17 The Authority - whilst taking each application on its own merits - is unlikely to grant excessive hours to any premises if it believes it will undermine the promotion of the licensing objectives in the locality where it proposes to operate. Applicants should ensure that their application takes cognisance of the information available - including crime data - and ensure that the operating schedule is tailored accordingly. (Premises within the Council's town centre Cumulative Impact Area will also need to ensure that they rebut the presumption of refusal against applications in that area - Not applicable at this time).

The Licensing team believe the conditions offered in the operating schedules are not comprehensive enough for the hours applied for and we do not consider that any type or number of conditions will be appropriate to promote the licensing objectives.

The Licensing Officer has stated previously why the Licensing team believe the application should be refused. If the Committee is satisfied that a shadow licence can be granted to a new applicant and the measures contained within the application are appropriate and proportionate to actively promote the licensing objectives and is satisfied that they will be implemented by the applicant, then we would respectfully ask for the terminal hour for licensable activities be reduced to

0000hrs every day and the following conditions be attached to any licence. These include offered conditions in the application.

Prevention of Crime and Disorder

1. (a) The Premises Licence Holder shall ensure a digitally recorded CCTV camera system is installed which continually records 24 hours a day. Recordings shall be stored 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 including any standing or seating areas to the premises. At least one staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member shall be trained to access, download and provide copies of CCTV images or data recordings 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.

(b) Signage advising customers that CCTV is in use shall be positioned in prominent positions.

(c) The Premises Licence holder shall ensure that licensing activities are only carried out at the premises at times when the CCTV system is fully operational.

(d) The Premises Licence holder or nominated representative are required to contact both Thames Valley Police licensing@thamesvalley.pnn.police.uk and the Licensing Team at Reading Borough Council at licensing@reading.gov.uk within 24 hours of when they become aware that the CCTV system is not functioning correctly, outlining the reason if known and when it is likely to be repaired and confirmation once the CCTV system is repaired.

2. The Premises Licence Holder shall ensure staff employed to work in the premises shall undergo training in relation to the Licensing Act 2003 regarding late night refreshment upon induction. This shall include, but not be limited to

- The Four Licensing objectives
- Identifying signs of intoxication or signs if customer is under the influence of illegal drugs
- 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
- a) Refresher training shall be provided every 6 (six) months
- b) Signed induction and refresher training records are to be kept for a minimum of 2 (Two) years of the date of training and made available for inspection by an authorised officer of Reading Borough Council or Thames Valley Police upon request.
3. The Premises Licence holder shall ensure serving staff can converse with customers and representatives of Statutory Agencies to a level that they are able to satisfactorily meet the four licensing objectives as contained in the Licensing Act 2003.
- I. The Prevention of Crime and Disorder.
II. Public Safety.
III. Public Nuisance.
IV. The Protection of Children from Harm.
4. The Premises Licence holder shall ensure all staff 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:
- a) all crimes relating to the premises
 - b) all ejections of persons
 - c) any complaints received
 - d) any incidents of disorder
 - e) any faults in the CCTV system
 - g) any visit by a relevant authority or emergency service.
- The book/register shall be made available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police upon request.
- (b) a weekly review of the incident register shall also be carried out by the nominated representative.
5. The Premises Licence holder shall participate, as far as is practicable, in the Local Town safe Radio Scheme when the premises are open for licensable activities.

6. Before any person is employed to work at the premises, sufficient checks will be made of their bona fides to ensure they are legally entitled to employment in the UK. Such checks will include:

- Proof of identity (such as a copy of their passport)
- Nationality
- Current immigration status
- Employment checks will be subject of making copies of any relevant documents produced by an employee, which will be retained on the premises. Employment records as they relate to the checking of a person's right to work will be made available to an authorised officer of Reading Borough Council, Thames Valley Police or the Home Office Immigration service upon request.

7. The Premises Licence holder shall ensure that a door supervisor is employed on Friday and Saturday evenings from 22.00 hours to 00.00 (midnight).

8. 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.

9. When employed, a register of Door Supervisors shall be kept. The register must show the following details:

- Full SIA registration number.
- Date and time that the Door Supervisor commenced duty, countersigned by the Duty Manager.
- Date and time that the Door Supervisor finished work, countersigned by the Duty Manager.
- Any occurrence or incident of interest involving crime & disorder or public safety must be recorded giving names of the Door Supervisor involved.

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.

10. 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.

11. When tabards are worn, hi visibility armbands must also be worn that incorporate a visible clear pocket displaying SIA badges. If hi visibility full sleeved jackets are worn the Premise Licence Holder shall ensure that all door supervisors badges are also displayed via an easily visible arm band.

12. Whilst a Door Supervisor is employed at the premises they shall wear a recording Body Worn Video (BWV). 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.

13. 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 Reading Borough Council or Thames Valley Police together with facilities for immediate viewing upon request, subject to the provisions of the Data Protection Act.

Prevention of Public Nuisance

14. The immediate vicinity outside of the premises and in any external areas associated with the premises shall be kept clear of litter.

15. An adequate number of waste receptacles for use by the customers shall be provided immediately outside the premises.

16. All takeaway packaging and utensils for use by customers shall be made of biodegradable or recyclable materials.

17. Clearly legible and suitable notices shall be displayed on the premises requesting customers to respect the needs of local residents and businesses to leave the premises and area quietly.

18. The serving hatch to the premises shall be shut promptly at the end of the time

during which the premises is open to the public.

19. 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 and businesses. This includes noise from any amplified music or speech played at the premises.

20. The playing of recorded music or background music inside or outside the premises will not be permitted.

21. Staff shall actively discourage and disperse all persons who congregate outside the premises so as to minimise disturbance to local residents and businesses. Any incidents shall be recorded in the incident register.

NB: The applicant shall not conduct licensable activities until the above measures are in place and it is confirmed to the Licensing Authority that the conditions are being fully complied with. Any licensable activity that takes place at the premises not in accordance with a licence is an offence under Section 136 (1) of the Licensing Act 2003.

Date Received	28/10/2021	Date Due	25/11/2021
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Date	24	11	2021
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LICENSING ACT 2003
SCHEDULE 12
PART A

PREMISES LICENCE

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

Premises Licence Number	LP9000107
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Premises Details

Premises Name and Address	
The Hut 39 St Marys Butts Reading Berkshire RG2 0QE	
Telephone Number	

Where the Licence is time limited the dates the Licence is valid
N/A

Licensable Activities

Licensable Activities authorised by the Licence
Late Night Refreshment - Outdoor

Authorised Hours for Licensable Activities

The times the licence authorises the carrying out of licensable activities	
Hours for the Provision of Late Night Refreshment	
Monday	from 2300hrs until 0300hrs
Tuesday	from 2300hrs until 0230hrs
Wednesday	from 2300hrs until 0300hrs
Thursday	from 2300hrs until 0300hrs
Friday	from 2300hrs until 0300hrs
Saturday	from 2300hrs until 0330hrs
Sunday	from 2300hrs until 0200hrs

Opening Hours

Hours the Premises is Open to the Public

Monday from 0900hrs until 0300hrs
Tuesday from 0900hrs until 0230hrs
Wednesday from 0900hrs until 0300hrs
Thursday from 0900hrs until 0300hrs
Friday from 0900hrs until 0300hrs
Saturday from 0900hrs until 0330hrs
Sunday from 0900hrs until 0200hrs

Alcohol

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

Premises Licence Holder

Name, (registered) address of holder of premises licence

Name: Murat Emekdar

Address:

Additional Details

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

N/A

Name:

Address:

Telephone Number:

Designated Premises Supervisor

Personal Licence number and issuing authority of personal licence held by the designated premises supervisor where the premises licence authorises the supply of alcohol

N/A

Personal Licence Number:

Issuing Authority:

This Licence shall continue in force from **16/07/2008** unless previously suspended or revoked.

Dated: 16th July 2008

Head of Environment & Consumer Services

Annex 1

Mandatory Conditions

Supply of Alcohol

To be applied where a premises licence authorises the supply of alcohol

- 1 No supply of alcohol may be made under the premises licence:-
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- 2 Every supply of alcohol made under the premises licence must be made or authorised by a person who holds a personal licence.

Film Exhibitions

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

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

Door Supervisors

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

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

Annex 2

Conditions Consistent with the Operating Schedule

1. The CCTV system will be maintained and kept fully operational when the premises are open to the public.
2. The area outside the premises will be cleared of litter at the close of business.

Annex 3

Conditions attached after a hearing by the Licensing Authority

Annex 4

Plans

As attached plan date. 10th August 2005

Appendix PN-2







RED ROUTE

**No stopping
8 pm - 8 am
except taxis**



**8 am - 8 pm
2 hours**

**No return
within 2 hours
Pay at machine
Display ticket**



23 11 2021



RED



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