

To: Councillors Woodward (Chair), Edwards
(Vice-Chair) and G Dennis

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31 October 2022

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NOTICE OF MEETING - LICENSING APPLICATIONS SUB-COMMITTEE - 8 NOVEMBER 2022

A meeting of the Licensing Applications Sub-Committee will be held on Tuesday, 8 November 2022 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 22 September 2022 as a correct record.		
3. APPLICATION FOR THE VARIATION OF A PREMISES LICENCE, THE JOLLY ANGLERS, 314-316 KENNETSIDE, READING		7 - 118
To consider an application for the variation of a Premises Licence in respect of The Jolly Anglers, 314-316 Kennetside, Reading, RG1 3EA.		

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Present: Councillor Woodward (Chair); Edwards (Vice-Chair) and G Dennis

5. MINUTES

The Minutes of the meeting of Licensing Applications Sub-Committee 2 held on 20 June 2022 were confirmed as a correct record and were signed by the Chair.

6. APPLICATION FOR THE GRANT OF A PREMISES LICENCE, READING WINTER WONDERLAND, HILLS MEADOW CAR PARK, GEORGE STREET, READING, RG4 8DH

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 Reading Winter Wonderland, Hills Meadow Car Park, George Street, Reading, RG4 8DH.

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

Provision of Recorded Music

Monday to Sunday from 1100hrs until 2200hrs

Sale by Retail of Alcohol (On the Premises)

Monday to Sunday from 1100hrs until 2200hrs

Hours the Premises is Open to the Public

Monday to Sunday from 1100hrs until 2230hrs

The application was for a 6-year, limited duration licence, to be valid for 54 consecutive days per year between November and January commencing in November 2022 and ending in January 2028.

A copy of the Premises Licence Application Form was attached to the report at Appendix RS-1.

A copy of the agreed conditions between Reading Borough Council's Licensing Team, Thames Valley Police and the Applicant were attached to the report at Appendix RS-2.

During the 28-day consultation period for the application three representations were received by Reading Borough Council (RBC) from:

- Ms Clare Smith - Director of Kingfisher Place Management - attached at Appendix RS-3;
- Ms Helen Lambert - Caversham and District Residents' Association (CADRA) - attached at Appendix RS-4;
- Reading Borough Council, Environmental Protection Team - attached at Appendix RS-5.

Further information, including reference to the updated terms and conditions for the use of the Hills Meadow site, was provided by Reading Borough Council's Leisure & Recreation Team and was attached to the report at Appendix RS-6.

LICENSING APPLICATIONS SUB-COMMITTEE 2 MEETING MINUTES - 22 SEPTEMBER 2022

The following additional information, submitted after the agenda had been published on 13 September 2022, was also provided to the Sub-Committee:

- Additional information provided by the applicant (pages 75-129)
- Further information provided by Helen Lambert, CADRA (page 131)
- A list of complaints received in 2021 by RBC's Environmental Protection and Nuisance Team (page 133)
- A copy of correspondence between RBC's Environmental Protection Team and the applicant (pages 135-141)

A sound recording was also circulated to members of the Sub-Committee via email.

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 also stated that any conditions placed on the premises licence should be appropriate and proportionate with a view to promoting the licensing objectives and that the Licensing Authority could grant (subject to appropriate conditions to promote the licensing objectives), amend, alter or refuse an application should it be deemed appropriate for the promotion of the licensing objectives.

The report set out paragraphs 8.41, 8.42, 8.44, 8.45, 8.46, 8.47, 8.48, 8.49, 9.12, 9.39, 9.40, 9.42 and 9.43 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2018. The report also set out paragraphs 1.6, 3.1, 3.2, 5.6, 5.7, 6.1, 6.2, 6.5, 7.2, 7.6, 7.8, 7.11, 7.12, 8.6, 10.1 and 10.3 from the Council's Statement of Licensing Policy.

Sue Dowling of Blandy & Blandy LLP, the solicitor for the applicant, and Billy Williams and William Williams from Premier Winter Wonderland Event Ltd, the applicant, were present at the meeting, addressed the Sub-Committee on the application and answered questions.

Rebecca Moon, RBC Environmental Protection & Nuisance Team, also attended the meeting, addressed the Sub-Committee on the application and answered questions.

Robert Smalley, RBC Licensing Enforcement Officer, presented the report to the Sub-Committee.

The Sub-Committee heard that the applicant had been in correspondence with the Council's Leisure & Recreation Team regarding changes to the terms and conditions of hire for the site. This included the Council imposing a lower noise level limit for the site, set at 63dBa LAeq 15 minutes as measured 1-metre from the façade of any noise sensitive property, which the applicant was willing to agree to.

The Sub-Committee adjourned at 10.40 am to allow the applicant and the Council's Environmental Protection & Nuisance Team time to draft mutually acceptable conditions relating to production of a noise management plan and also arrangements for a letter drop to residents living near to the site. The Sub-Committee resumed at 10.53 am and the proposed draft wording was presented to the Sub-Committee.

The Sub-Committee noted that the previous year's event appeared to have been well-run and commended the applicant for their cooperation.

Resolved -

That, in order to promote the four licensing objectives and having regard to the oral and written representations made in advance and at the meeting, the Secretary of State's guidance issued under section 182 of the Licensing Act 2003 (April 2018), the Council's Statement of Licensing Policy, the application for the grant of a Premises Licence in respect of Reading Winter Wonderland, Hills Meadow Car Park, George Street, Reading, RG4 8DH, be granted to permit:

Provision of Recorded Music

Monday to Sunday from 1100hrs until 2200hrs

Sale by Retail of Alcohol (On the Premises)

Monday to Sunday from 1100hrs until 2200hrs

Hours the Premises is Open to the Public

Monday to Sunday from 1100hrs until 2230hrs

Subject to the agreed conditions as set out in Appendix RS-2 of the report and the following further conditions:

1. The premises licence holder shall ensure that the noise level measured at least 1m from the façade of the nearest and all other noise sensitive premises (being premises where occupants are likely to suffer from excessive noise) shall not exceed 63dBa over a 15-minute period (Laeq 15 min).
2. That the Premises Licence Holder shall submit to the Environmental Protection Team, at least 28-days prior to the event, a noise management plan setting out clearly all the on-site noise sources and how they will be controlled.
3. That the Premises Licence Holder shall conduct a letter drop to residents of Kingfisher Place and Cardinal Close providing contact details for the Designated Premises Supervisor.

The Applicant was advised of their right to appeal.

(The meeting closed at 11.10 am)

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LICENSING ACT 2003 HEARING TUESDAY 08 NOVEMBER 2022 @ 0930HRS

APPLICATION FOR THE VARIATION OF A PREMISES LICENCE

1. Premises:
The Jolly Anglers
314-316
Kennetside
Reading
Berkshire
RG1 3EA

2. Applicant:
The application was submitted o.b.o the premises licence holder, Mrs Susan Bates by Mr William Donne, of Silver Fox Consultants. Following an agreement with Mr William Donne, this hearing was moved from 25.10.2022 to this date.

3. Premises Licence:

The premises is located in Thames Ward in east Reading, fronting onto the Kennet & Avon Canal, with a rear garden accessed via the building or via Avon Place/ Cumberland Road. The premises is a pub and currently has the benefit of a premises licence number LMV000406 held by Mrs Susan Bates which authorises:

Hours for the Provision of Regulated Entertainment
(Performance of Plays, Exhibition of Films, Indoor Sports, Performance of Live Music, Recorded Music, Performance of Dance, Anything similar to Live Music, Recorded Music & Performance of Dance)

Sunday to Thursday	from 1000hrs to 2300hrs
Friday to Saturday	from 1000hrs to 2330hrs

Unamplified acoustic music permitted in the garden no more than once a month

Monday to Sunday	from 1000hrs to 2100hrs
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Hours for the Provision of Late Night Refreshment

Sunday to Thursday	from 2300hrs to 2330hrs
Friday to Saturday	from 2300hrs to 0000hrs

Hours for the Sale by Retail of Alcohol

Sunday to Thursday	from 1000hrs to 2300hrs
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Friday to Saturday from 1000hrs to 2330hrs

Hours the Premises is Open to the Public

Sunday to Thursday from 1000hrs to 2330hrs

Friday to Saturday from 1000hrs to 0000hrs

It is important to note that the premises licence contains the following condition that restricts the use of the garden:

Condition 4 'The beer garden shall be completely cleared of patrons, plates and glasses and the lighting shall be switched off from 2130hrs and shall not be used between 2130hrs and 1000hrs.'

A copy of the Premises licence - is attached at **Appendix LIC-8**

4. Proposed licensable activities and hours:

The application is for the variation of a premises licence for the following:

1)Removal of the following current conditions relating to the use of the garden area located at the rear of the premises:

Conditions agreed following a Licensing Committee Hearing - Variation Application - June 2011

***1 (e). No music or speech shall be relayed via external speakers;
Conditions Post Hearing:***

4. The beer garden shall be completely cleared of patrons, plates and glasses and the lighting shall be switched off from 2130hrs and shall not be used between 21:30hrs and 10:00hrs.

6. Events involving live music in the beer garden shall only be of an acoustic nature and shall not be amplified. Such events shall only take place at a maximum frequency of once per month.

2)And the addition of the following conditions:

(i). All music in the rear garden area will cease at 23:00 hours

(ii) The rear beer garden shall be completely cleared of patrons by 23:30hrs.

Please

5. Temporary Event Notices

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

6. Date of receipt of application: 31.08.2022

A copy of the application form are attached as **Appendix LIC-1**

7. Date of closure of period for representations: 28.09.2022

8. Representations received:

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

The RBC Licensing Team (attached at **Appendix LIC-2**)

The RBC Environmental & Nuisance Team (attached at **Appendix LIC-3**)

Thames Valley Police (attached at **Appendix LIC-4**)

Councillor Barnett-Ward (attached at **Appendix LIC-5**)

Resident J.Brown (attached at **Appendix LIC- 6**)

Resident (attached at **Appendix LIC- 7**)

9. Licensing Objectives

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

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

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

The Council's licensing policy also places an onus on applicant's who wish to

open past 11pm to demonstrate how they will mitigate the issues of crime and disorder and potential public nuisance.

Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018)

Licensing Objectives and Aims:

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

They include:

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

Steps to promote the licensing objectives

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

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

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

8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific

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

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

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

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

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

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

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

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

measures that are proposed to promote each of the licensing objectives.

The role of responsible authorities

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

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

Licensing authorities acting as responsible authorities

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

Proposed conditions

10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.

10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.

10.15 Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

Public Nuisance

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

Integrating strategies

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

Licensing Act 2003

The Licensing Act 2003 under Section 35 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.

The Council's Statement of Licensing Policy (October 2018)

Licensing and Planning Integration

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

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

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

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

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

Other Legislation that the Licensing Authority will consider:

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

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

Temporary Event Notices

5.31 An event organiser who wishes to arrange a one off event or extend the hours for licensable activities at a premises, may notify the Authority of the proposed event. The application (or notice) needs to be submitted to the Licensing Authority with the fee of £21. The application must be submitted electronically via the gov.uk portal or via hardcopy. If submitted via hardcopy then it must also be sent to Thames Valley Police and the Council's Environmental Protection and Nuisance team.

5.32 A temporary event notice must be submitted to the authority at least ten clear working days before any event. This does not include the day of the application; the date the application is submitted; weekends or bank holidays. Failure to adhere to these timescales may invalidate the application.

5.33 An applicant who also holds a Personal Licence may apply to hold 50 events per year. An applicant who does not hold a Personal licence may only apply for 5 events.

5.34 Each Temporary Event may last for up to 168 hours and an individual premises may hold up to 15 events totalling 21 days. There must be a gap of 24 hours between the end of one temporary event and the start of another one.

5.35 If the Police or the Environmental Protection and Nuisance team make a representation in regard to a temporary event notice then the Licensing Authority will arrange a hearing before the Licensing Application Committee in the required timescales.

5.36 Applicants are encouraged to submit Temporary Event notices as far in advance as possible to allow issues to be worked out and for any required hearing to be held in good time before any proposed event.

Late Temporary Event Notices

5.37 Late notices can be given no later than five working days before an event but no earlier than nine working days before an event. If there is an

objection to the proposed event from either Thames Valley Police or the Council's Environmental Protection and Nuisance team then the authority will issue a counter notice. This means that the event will not be permitted to go ahead.

5.38 The number of late notices that can be given in any one calendar year is limited to ten for personal licence holders and two for non personal licence holders. Late notices count toward the total for the number of events per year held at a single premises and for the number of events per year applied for by the applicant.

Mandatory Conditions

6.7 There are conditions that are imposed on all premises licences and club premises certificates. These are mandatory conditions and will apply to all licences and certificates that authorise the sale or supply of alcohol. These conditions will apply even if they are not contained on the physical copy of any licence.

6.8 The mandatory conditions are laid out in the Secretary of State's guidance. Licence holders must ensure, for example, that irresponsible drink promotions do not take place on the premises. Licence holders must also ensure that any drink measurement is compliant and that all sales meet the minimum permitted pricing. Licences that permit alcohol to be sold and consumed on the premises must also provide free potable water to customers. The licensing authority considers irresponsible drinks promotions and alcohol being sold below the permitted minimum price as extremely serious offences that only promote excessive and irresponsible alcohol consumption and which then go on to cause alcohol related crime; anti social behaviour and poor health outcomes. Any premises found engaging in such activity is likely to face appropriate enforcement action for undermining the promotion of the licensing objectives.

6.9 The mandatory conditions stipulate that no sale of alcohol may be made under a premises licence at any time when there is no Designated Premises Supervisor or when the proposed Designated Premises Supervisor does not have a valid Personal licence. Every supply of alcohol made under the premises licence must be made or authorised by a person who holds a personal licence. Any premises found to be in breach of this is likely to face appropriate enforcement action for conducting unlicensed activity and undermining the promotion of the licensing objectives.

6.10 The mandatory conditions also stipulate that the holder of any premises licence or club premises certificate must ensure that a suitable age verification policy is adopted at the premises in respect to the sale or

supply of alcohol. All sales must then be carried out in relation to that policy and only then when suitable photographic identification is produced. Any premises found operating without a valid policy is likely to face appropriate enforcement action for conducting unlicensed activity and undermining the promotion of the licensing objectives.

Alcohol led bars and clubs with regulated entertainment - General Approach to conditions

6.27 The licensing authority is of the opinion that premises that are alcohol led; provide limited seating for customers; provide little food and provide entertainment facilities have the strongest potential to undermine the promotion of the licensing objectives. The licensing authority believes that venues that encourage up right vertical drinking and the sale of alcohol - often at cheap prices - leads to a negative impact on the town and only serves to promote drunkenness and crime and disorder. Any applicant who wishes to operate such a venue will have to demonstrate that it's proposed use does not undermine the promotion of the licensing objectives and the authority would expect any operating schedule to contain stringent policies and procedures to achieve this. Measures such as CCTV, employment of door supervisors and the use of a club scan device will be expected as a minimum requirement. Door staff will also be expected to wear high visibility jackets and armbands so that they can be easily identified as well utilising - where appropriate - body worn video to help promote the prevention of crime and disorder licensing objective. The use of breathalysers is also to be encouraged in venues that are alcohol led and should - where appropriate - be advertised as a condition of entry to a licensed premises - particularly given the current prevalence for pre-loading.

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.

7.5 All applicants and licence holders are expected to achieve and to adhere to any relevant planning permissions - including hours of operation. Applicants are expected to achieve planning permission before applying for any licence. Where the planning authority have set a terminal hour on a premises planning permission, the licensing authority will generally only grant a licence to that hour. This is to ensure consistency and integration between licensing and planning as detailed in section 2 of this policy.

Licensed Premises in Residential Areas

7.6 When dealing with applications and issuing licences, the authority is likely to impose stricter conditions on premises operating in residential areas if it considers it appropriate and proportionate to do so. This will apply to all premises types.

7.7 Generally, any licensed premises looking to open past 11pm (2300hrs) in a residential area will need to demonstrate clearly in their operating schedule that public nuisance will not result from later operation. As part of the operating schedule, applicants should read the Secretary of State's Guidance, this policy and any other relevant document and ensure that robust measures are included in any application.

7.9 Premises with outdoor areas such as beer gardens and smoking areas may also be subject to further restrictions in regard to their operation and use.

Background Papers

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.

Reading Borough Council's Statement of Licensing Policy (2018)

Licensing Act 2003 S182 Guidance

10. Appendices

Appendix LIC-1: Application

**Appendix LIC-2: Representation from Reading Borough Council -
Licensing team - Robert Smalley**

**Appendix LIC-3: Representation from Reading Borough Council -
Environmental Protection - Rebecca Moon**

**Appendix LIC-4 : Representation from Thames Valley Police -
Declan Smyth**

Appendix LIC-5 : Representation from Councillor Barnett -Ward

Appendix LIC-6 : Representation from resident J Brown

Appendix LIC-7: Representation from resident

Appendix LIC-8: Premises licence

Lic/08/11.11.2022jollyanglersvariation/report/pn

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Application to vary a premises licence 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 Mrs Susan Bates

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LMV000406

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Jolly Farmers 314-316 Kennet Side Reading RG1 3EA			
Post town	Reading	Postcode	RG1 3EA

Telephone number at premises (if any)	0118 327 4852
Non-domestic rateable value of premises	£2,275

Part 2 – Applicant details

Daytime contact telephone number	[Redacted]		
[Redacted]	[Redacted]		
[Redacted]	[Redacted]		
[Redacted]	[Redacted]		
Post town	Reading	Postcode	[Redacted]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY

--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

1. Removal of conditions relating to the use of the rear beer garden
2. Addition of conditions relating to the management of the rear beer garden.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue			<u>State any seasonal variations for performing plays (please read guidance note 6)</u>		
Wed					
Thur			<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 (please read guidance note 7)</u>		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here (please read guidance note 5)</u>		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
Thur					
Fri			<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 (please read guidance note 7)</u>		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			State any seasonal variations for indoor sporting events (please read guidance note 6)
Thur			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 (please read guidance note 7)
Fri			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 (please read guidance note 7)
Sat			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 (please read guidance note 7)
Sun			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 (please read guidance note 7)

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur			<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 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Wed					
Thur			<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 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Tue					
			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 (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue			State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed			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 (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Fri					
Sat			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 (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)	Both	<input type="checkbox"/>
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)	Both	<input type="checkbox"/>
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)					
Mon								
Tue								
Wed								
Thur						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 (please read guidance note 7)		
Fri								
Sat								
Sun								

K

<p>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 10).</p> <p>None</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon			<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Removal of the following current conditions relating to the use of the garden area located at the rear of the premises:

Conditions agreed with TVP:

1 (e). No music or speech shall be relayed via external speakers;

Conditions Post Hearing:

4. The beer garden shall be completely cleared of patrons, plates and glasses and the lighting shall be switched off from 2130hrs and shall not be used between 21:30hrs and 10:00hrs.

6. Events involving live music in the beer garden shall only be of an acoustic nature and shall not be amplified. Such events shall only take place at a maximum frequency of once per month.

The addition of the following conditions:

1. All music in the rear garden area will cease at 23:00 hours

2. The rear beer garden shall be completely cleared of patrons by 23:30hrs.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

None identified

b) The prevention of crime and disorder

None identified

c) Public safety

None identified

d) The prevention of public nuisance

All music in the rear garden area will cease at 23:00 hours

The rear beer garden shall be completely cleared of patrons by 23:30hrs

e) The protection of children from harm

None identified

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>William Donne</i>
Date	31 st August 2022
Capacity	Licensing Agent-Silver Fox Consultants

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Bill Donne			
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
billdonne107@hotmail.com

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. 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.
 9. 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 consume alcohol off the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. 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.
 11. Please list here steps you will take to promote all four licensing objectives together.

12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Name of Officer	Robert Smalley						
Type of Application	Premises Licence - Variation - Licensing Act 2003						
Name of Premises	The Jolly Anglers						
Address	Kennet Side						
	Reading						
	RG1 3EA						
Licensable Activities	Performance of Plays						
	Exhibition of Films						
	Indoor Sporting Events						
	Performance of Live Music						
	Playing of Recorded Music						
	Performance of Dance						
	Anything similar to Live Music, Recorded Music & Performance of Dance						
	Late Night Refreshment						
Licensable Activities Finish Times	Sale of Alcohol by Retail - On & Off the Premises						
	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Premises Closing Times	2300	2300	2300	2300	2330	2330	2300
Premises Closing Times	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	2330	2330	2330	2330	0000	0000	2330
Content of Application:							
<p>The application was submitted by Silver Fox Consultants o.b.o the premises licence holder, Mrs Susan Bates.</p> <p>The premises currently has the benefit of a premises licence (No. LMV000406), which can be viewed at Appendix RS-1. The application, which can be viewed at Appendix RS-2, seeks to vary the premises licence in order to remove some of the current conditions which apply to the use of the garden which is located to the rear of the property. The applicant proposes to remove the following conditions currently attached to the licence which preclude: the use of external speakers to relay music or speech (Condition 2(e) on page 10 of the licence), use of the beer garden between 2130hrs and 1000hrs (Condition 4 on page 10 of the licence), the use of the beer garden to host events involving live music, other than acoustic music at a frequency of 1 event per month (Condition 6 on page 10 of the licence). Furthermore, the application seeks to add the following 2 conditions:</p> <ol style="list-style-type: none"> 1. All music in the rear garden area will cease at 23:00 hours. 2. The rear beer garden shall be completely cleared of patrons by 23:30hrs. 							

The premises is located in Thames Ward at the end of Cumberland Road, Reading East. The premises borders the Kennet to the front, with the rear garden located at the top of an incline. The rear garden can be accessed by entering through the front door and exiting through a side door before climbing a set of stairs. The garden can also be accessed directly from Avon Place. The premises is located in a residential area, surrounded by terraced properties and with 2 primary schools sited within 120 metres.

Licensing Officer's Comments:

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, prevent public nuisance, to protect children from harm and to ensure public safety. All four licensing objectives are of equal importance.

The Licensing team wish to make representation in relation to the above application submitted by Silver Fox Consultants o.b.o the premises licence holder, Mrs Susan Bates, in relation to the following:

1. We do not believe the measures outlined in the operating schedule are adequate to ensure the promotion of the four licensing objectives. Sections 8.41 to 8.49 of the Secretary of State's Guidance (2018) outline what applicants should consider when they are filling out their operating schedule - including sufficient measures and why those measures are deemed sufficient. Section 18 (6) of the Licensing Act 2003 makes clear that representations should be about the likely effect of granting a licence on the promotion of the licensing objectives. The case law of East Lindsey DC v Abu Hanif also clearly outlines that the licensing objectives require a prospective consideration of what is warranted in the public interest having regard to the twin interests of prevention and deterrence. In other words, responsible authorities do not have to wait for the licensing objectives to be undermined before considering taking action to prevent and deter that action from occurring in the first place.
2. The current manager, Mr Xhemail Zeqiri, has been in situ since 2019. Mr Zeqiri has invested a lot of time and money to rejuvenate the property, including the garden, resulting in a lot of positive press attention and an increase in customer numbers. The rear garden resembles a bar that one might expect to see at a party destination on a coastal holiday in Europe. Mr Zeqiri, through the use of many Temporary Event Notice's (TEN's), has also been hosting some DJ led functions in the garden, playing bass heavy genres of music, including dance, drum & bass and other 'club'

genres. Unfortunately, the location of this premises is not appropriate for such activities when considering the large number of residential properties in the surrounding area. One must take into account that, due to the garden not being enclosed, there is very little to prevent noise leak. The low frequencies present in many 'club' genres of music are very difficult to control in terms of spread and, without specialised equipment, hard to monitor for likely potential nuisance. In 2022, the premises has, thus far, submitted 7 TEN's, covering a total of 10 days. These 10 days have generated 17 complaints to Reading Borough Council and are currently being investigated by the Environmental Protection Team. There is currently a cause and effect between the TEN's the venue submits and the nuisance related complaints received by Reading Borough Council. Some of the complaints that have been received highlight nuisance caused by patrons of the premises after they have left the premises at closing. A number of customers loiter outside the premises, continuing to cause a nuisance in the form of shouting, revving of car engines, and alleged drug dealing/taking. These customers can take more than an hour to leave the vicinity of the premises. With this variation seeking to remove the current nuisance safeguards in place, and without any proposal from the applicant of how they will prevent noise from the garden causing a public nuisance to local residents, it is hard to envisage any reality in which the premises having the potential to be able to hold open-air club nights until 2300hrs in a residential suburb, any night of the week, will not have the likely effect of undermining the licensing objective of Prevention of Public Nuisance.

3. There have been a number of incidents of crime and disorder related to this premises since Mr Zeqiri has been managing the venue, as can be viewed at **Appendix DS-1**. These incidents include disorder, assaults, drugs and anti-social behaviour.

Secretary of State's Guidance (April 2018)

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

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

Reading Borough Council - Statement of Licensing Policy 2018

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.

7.6 When dealing with applications and issuing licences, the authority is likely to impose

stricter conditions on premises operating in residential areas if it considers it appropriate and proportionate to do so. This will apply to all premises types.

7.7 Generally, any licensed premises looking to open past 11pm (2300hrs) in a residential area will need to demonstrate clearly in their operating schedule that public nuisance will not result from later operation. As part of the operating schedule, applicants should read the Secretary of State's Guidance, this policy and any other relevant document and ensure that robust measures are included in any application.

7.8 Premises that wish to provide regulated entertainment may be subject to additional conditions to ensure that residents are not disturbed. This may include the use of sound limiters; keeping doors and windows closed and restricting the hours when music is played.

7.9 Premises with outdoor areas such as beer gardens and smoking areas may also be subject to further restrictions in regard to their operation and use.

7.10 Where any outside area is used for drinking and/or smoking - including the public highway outside of a licensed premises - and complaints of public nuisance or noise are received the authority will consider controls to limit the disturbance.

7.11 Premises that are planning to put on events that involve regulated entertainment may be required to provide the authority with a detailed event management plan of that event which may include a detailed noise risk assessment.

7.12 The licensing authority will seek the input of the Council's Environmental Protection and Nuisance team when looking at measures that may be appropriate for the prevention of public nuisance. This will include taking cognisance of any representations that are submitted as part of the application process or any enforcement action they have taken under their own legislation - such as noise abatement notices.

Summary

The Jolly Anglers pub has, over the previous 2 years, received some much needed investment and the innovations of Mr Zeqiri and his team have led to an increase in customer numbers at a time when pubs are closing in record numbers. Further, I appreciate that it may be argued by Mr Zeqiri that it is the new look and activity schedule that have been key to the success of the premises, however, running the venue in a manner that is unbecoming for a pub in a quiet, terraced road backstreet, has, understandably, led to

increased volumes of complaints from surrounding neighbours. In 2011, the premises licence holder applied to have the garden included on the premises licence. This application received a number of representations and progressed through to a Licensing Sub-Committee 2 hearing in June of that year. When making their decision, the members of the sub-committee included conditions on the licence in order to assist the premises licence holder in promoting the licensing objectives, particularly the Prevention of Public Nuisance, so that neighbours were not negatively impacted. There has been no substantial change in the locality surrounding this premises in the past 11 years and I am of the opinion that the conditions applied in 2011 were appropriate and proportionate for the type of licensed premises, namely a suburban pub. Therefore, I see no justification for the removal of the conditions as proposed by the premises licence holder, in fact, if this application is granted as applied for, I believe the likely effect will be an increase in public nuisance, contrary to the promotion of the licensing objectives.

For the above stated reasons, I respectfully ask that members refuse this application to vary the premises licence for The Jolly Anglers.

Case Law

The case of British Beer and Pub Association (and others) v Canterbury City Council (2005) EWHC 1318 (Admin) is clear on the importance of the licensing policy; it's importance in setting out its expectations regarding licensing and guiding applicants in relation to those expectations. Mr Justice Richards stated:

(Para 82) A policy relating to the decision-making stage under s 18(3) not only guides the decision-maker but also serves to inform an Applicant about what he should consider in preparing his application.... An application that takes account of the matters set out in the policy, for example by including what is referred to in the policy or by giving a reasoned justification for not doing so, is less likely to give rise to relevant representations and more likely to be granted without additional conditions, whether under the administrative procedure in the absence of relevant representations or on a decision by the council under s 18(3) in the event of relevant representations.

(Para 83) 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.

The Licensing Authority must consider each application on its own merits with a view to assessing the likely effect of granting such a licence on the promotion of the licensing objectives which is reasonably acceptable in a particular location (Paragraph 18 (6) of the Licensing Act 2003). This is confirmed in (R) on the application of Hope and Glory Public House v

Westminster City Council (2011) EWCA Civ31 where Lord Justice Toulson stated:

(Para 42) Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance.

Although such questions are in a sense questions of fact, they are not questions of the 'heads or tails' variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact.

The above approach to grant applications and the prospective nature of the licensing objectives was confirmed in East Lindsey DC v Abu Hanif (2016) EWHC 1265 Admin, where Mr Justice Jay stated:

(Para 18) 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.

Date Received	31/08/2022	Date Due	28/09/2022
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Date	27	09	2022
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LICENSING ACT 2003 PREMISES LICENCE - PART A

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

Premises Licence Number	LMV000406
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Premises Details

Trading name of Premises and Address	
The Jolly Anglers 314-316 Kennet Side Reading Berkshire RG1 3EA	
Telephone Number	0118 376 7823

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

Licensable Activities

Licensable Activities authorised by the Licence
Performance of Plays - Indoor Exhibition of Films - Indoor Indoor Sporting Events Performance of Live Music - Indoor & Outdoor Playing of Recorded Music - Indoor Performance of Dance - Indoor Anything similar to Live Music, Recorded Music & Performance of Dance - Indoor Provision of Facilities for Making Music - Indoor Late Night Refreshment - Indoor Sale of Alcohol by Retail - On & Off the Premises

Authorised Hours for Licensable Activities

The times the licence authorises the carrying out of licensable activities	
Hours for the Performance of Plays	
Monday	from 1000hrs until 2300hrs
Tuesday	from 1000hrs until 2300hrs
Wednesday	from 1000hrs until 2300hrs
Thursday	from 1000hrs until 2300hrs
Friday	from 1000hrs until 2330hrs
Saturday	from 1000hrs until 2330hrs
Sunday	from 1000hrs until 2300hrs

Hours for the Exhibition of Films

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Hours for Indoor Sports

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Hours for the Performance of Live Music

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Unamplified acoustic music permitted in the garden no more than once a month:

Monday to Sunday from 1000hrs until 2100hrs

Hours for the Playing of Recorded Music

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Hours for the Performance of Dance

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Hours for anything similar to Live Music, Recorded Music & Performance of Dance

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Hours for the Provision of Facilities for Making Music

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Hours for the Provision of Late Night Refreshment

Monday from 2300hrs until 2330hrs
Tuesday from 2300hrs until 2330hrs
Wednesday from 2300hrs until 2330hrs
Thursday from 2300hrs until 2330hrs
Friday from 2300hrs until 2400hrs
Saturday from 2300hrs until 2400hrs
Sunday from 2300hrs until 2330hrs

Hours for the Sale by Retail of Alcohol

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Opening Hours**Hours the Premises is Open to the Public**

Monday from 1000hrs until 2330hrs
Tuesday from 1000hrs until 2330hrs
Wednesday from 1000hrs until 2330hrs
Thursday from 1000hrs until 2330hrs
Friday from 1000hrs until 2400hrs
Saturday from 1000hrs until 2400hrs
Sunday from 1000hrs until 2330hrs

All licensable activities permitted from 1000hrs on New Year's Eve until 0200hrs on New Year's Day

Alcohol

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

Sale of Alcohol by Retail - On & Off the Premises

Premises Licence Holder

Name, (registered) address of holder of premises licence

Name: Mrs Susan Bates

Address:

Registered number of holder, for example company number or charity number [where applicable]

N/A

Additional Details

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

Name: Ms Valentina-Elena Filip

Address:

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

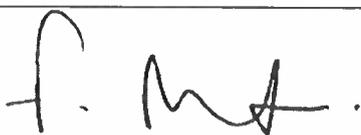
Personal Licence Number: LP7003269

Issuing Authority: Reading Borough Council

This Licence shall continue in force from 31/03/2022 unless previously suspended or revoked.

Dated: 6 April 2022

Signed on behalf of the issuing licensing authority



Frances Martin
Executive Director for Economic Growth and Neighbourhood 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.

Responsible Drink Promotions (commencement date 01/10/2014)

1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Supply of Tap Water (commencement date 01/10/2014)

1. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification Policy (commencement 01/10/2014)

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Drink Measurements (commencement date 01/10/2014)

1. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Minimum Permitted Pricing (commencement 28th May 2014)

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

4. (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions Consistent with the Operating Schedule

N/A

Annex 3

Conditions attached after a hearing by the Licensing Authority

Conditions agreed with Thames Valley Police:

1 (a) 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 name of the person recording the information and the names of members of staff who dealt with the incident shall also be recorded and, where known, any offenders names shall be recorded;

(b) The Designated Premises Supervisor shall ensure a system is maintained for preventing customers from taking alcoholic and non alcoholic beverages in open containers e.g. bottles, glasses or cans, from the licensed premises, unless confined within a current street café pavement licensed area for the premises, and in any case not between 2330 hours and 0800 hours Monday to Sunday inclusive;

(c) Clear signage is to be displayed at the premises to state that the premises is within an Alcohol Exclusion Area and thus drinking is not permitted outside the premises;

(d) The premises shall at all times operate a Challenge 25 Policy to prevent any customers who attempt to purchase alcohol and who appear to the staff members to be under the age of 25 years without having first provided identification. Only a valid British driver's licence showing a photograph of the person, a valid passport or proof of age card showing the 'Pass' hologram are to be accepted as identification;

(e) Notices advertising the Challenge 25 Policy shall be displayed in a prominent position on the premises;

(f) The Designated Premises Supervisor shall conduct a risk assessment of every event held at the premises, Sunday to Saturday inclusive, to establish if door staff shall be required;

Conditions agreed with Environmental Protection

2 (a) 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 disturbances to local residents;

(b) All external doors and windows must be kept closed, other than for access and egress, when events involving amplified music or speech are taking place. Where doors and windows must remain shut to ensure neighbours are not disturbed, a suitable ventilation system may be required allowing a minimum of eight air changes/hour. Any new plant associated with this system shall be suitably guarded and maintained and should not result in an increase in

the background noise level (L90) as measured at the nearest noise sensitive premises;

(c) The placing of refuse - such as bottles - into receptacles outside the premises shall only take place between the hours of 0800 hours and 2000 hours;

(d) Clearly legible and suitable notices shall be displayed at all exits requesting customers to respect the needs of local residents and to leave the premises and area quietly. After closing staff shall be available to ensure that customers disperse quietly;

(e) No music or speech shall be relayed via external speakers;

(f) During operating hours, the licensee or a nominated representative, shall be available to receive and respond to nuisance related complaints. A contact number shall be readily available to residents upon request;

Additional Conditions

3 (a) Staff shall ensure that customers do not congregate outside the premises;

(b) Children shall not be permitted on the premises unless accompanied by an adult.

Conditions agreed after a Hearing of the Licensing Authority - Variation Application - June 2011

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 28 days with time and date stamping. Data recordings shall be made immediately available to an authorised officer of Reading Borough Council or a Thames Valley Police officer together with facilities for viewing upon request. Recorded images shall be of such a quality as to be able to identify the recorded person.

2. Children shall not be permitted in the garden unless accompanied by a responsible adult.

3. Signage indicating public nuisance will not be tolerated shall be displayed.

4. The beer garden shall be completely cleared of patrons, plates and glasses and the lighting shall be switched off from 2130hrs and shall not be used between 2130hrs and 1000hrs.

5. When the beer garden is in use, at least every hour, observation of the noise level in the beer garden and the likelihood that it will cause disturbance shall be undertaken by a member of staff. When the level of noise is considered unsatisfactory and likely to cause disturbance, this shall be recorded in an incident book and action taken to resolve the situation shall also be recorded. The incident book shall be made available for inspection by an authorised officer of Reading Borough Council or a Police Officer.

6. Events involving live music in the beer garden shall only be of an acoustic nature and shall not be amplified. Such events shall only take place at a maximum frequency of once per month.

7. The licensee shall maintain a boundary fence in good condition at all times and of a minimum height of two meters to enclose the beer garden.
8. Lighting in the beer garden, except for the steps accessing the garden where greater visibility is required, shall be of low intensity and of a low energy variety contained within the garden.

Annex 4

Plans

As attached ground floor plan drawing no. A-P-01 dated 29/01/2022 & garden plan received 16/03/2022.

Appendix RS-2

Application to vary a premises licence 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 Mrs Susan Bates

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LMV000406

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Jolly Farmers 314-316 Kennet Side Reading RG1 3EA			
Post town	Reading	Postcode	RG1 3EA

Telephone number at premises (if any)	0118 327 4852
Non-domestic rateable value of premises	£2,275

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]	
[REDACTED]		
[REDACTED]		
[REDACTED]		
Post town	Reading	Postcode [REDACTED]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

1. Removal of conditions relating to the use of the rear beer garden
2. Addition of conditions relating to the management of the rear beer garden.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed					
Thur			<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 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Wed					
Thur			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 (please read guidance note 7)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			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 (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)</u>		
Wed					
Thur			<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 (please read guidance note 7)</u>		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 5)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the <u>performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Wed					
Thur					
Fri					
Sat			<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 (please read guidance note 7)</u>		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			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 4)	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 5)		
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 6)		
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 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Wed					
Thur			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 (please read guidance note 7)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			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 (please read guidance note 7)		

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 10).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Removal of the following current conditions relating to the use of the garden area located at the rear of the premises:

Conditions agreed with TVP:

1 (e). No music or speech shall be relayed via external speakers;

Conditions Post Hearing:

4. The beer garden shall be completely cleared of patrons, plates and glasses and the lighting shall be switched off from 2130hrs and shall not be used between 21:30hrs and 10:00hrs.

6. Events involving live music in the beer garden shall only be of an acoustic nature and shall not be amplified. Such events shall only take place at a maximum frequency of once per month.

The addition of the following conditions:

1. All music in the rear garden area will cease at 23:00 hours

2. The rear beer garden shall be completely cleared of patrons by 23:30hrs.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

None identified

b) The prevention of crime and disorder

None identified

c) Public safety

None identified

d) The prevention of public nuisance

All music in the rear garden area will cease at 23:00 hours
The rear beer garden shall be completely cleared of patrons by 23:30hrs

e) The protection of children from harm

None identified

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>William Donne</i>
Date	31 st August 2022
Capacity	Licensing Agent-Silver Fox Consultants

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Bill Donne
 [Redacted]
 [Redacted]
 [Redacted]
 [Redacted]

[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. 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.
 9. 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'.
 10. 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.
 11. Please list here steps you will take to promote all four licensing objectives together.

12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

INTERNAL MEMORANDUM

APPENDIX LIC-3

To: Licensing

From: Rebecca Moon

Dept: Licensing

Dept: **Environmental Protection & Nuisance**

Cc: applicant
sjsbates@#####

Date: 20 September 2022

Urgent 0 Response required 0 Further action (see below) 0

Subject: Application for Variation to Premises Licence: our ref - 741914
Premises: The Jolly Anglers, Kennet Side, RG1 3EA

I refer to the above application.

I have reviewed the application and consulted our records and would like to make representation against the application.

This pub is in a residential area. It is likely that any increase in the playing of music in the beer garden will result in a public nuisance. No measures have been proposed in section P (d) regarding how public nuisance will be prevented other than the ceasing of music at 11 pm and the clearing of the beer garden at 11:30 pm which are not really controls considering that these are simply the proposed extended hours for the variation, which seeks to significantly relax the controls that are currently in place.

The pub currently has the following restrictions in place relating to the beer garden, in order to prevent public nuisance:

- No music or speech shall be relayed via external speakers;
- The beer garden shall be completely cleared of patrons, plates and glasses and the lighting shall be switched off from 2130hrs and shall not be used between 21:30hrs and 10:00hrs;
- Events involving live music in the beer garden shall only be of an acoustic nature and shall not be amplified. Such events shall only take place at a maximum frequency of once per month.

Removal of these restrictions will allow the pub to play amplified music in the garden every day until 11 pm. It is inappropriate in a residential area for music to be regularly played in an outdoor area of a licensed premises, because it means that residents have to listen to the music also, as it can never be contained within the boundaries of the pub premises if it is in the

open air. This may be acceptable very occasionally for special events, but not as a matter of course as part of the everyday running of the pub.

The pub has the following conditions on their licence:

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

These are basic normal conditions placed on other premises to prevent public nuisance, and they are placed on many premises licences, because the escaping of music noise from a premises is very likely to cause a public nuisance. With the playing of DJ music in the pub garden, I cannot see how the Jolly Anglers would never be able to comply with the first of these, and it makes the second condition moot.

The Environmental Protection and Nuisance team is currently investigating complaints of noise nuisance from the Jolly Anglers. The following complaints have been received (all 2022):

Date and times	Location	Details
Sat 14 th May 9 pm	School Terrace	Loud music all day
Fri 24 th June 5 pm - 8:15 pm	School Terrace	Complaint of music noise from pub garden. Recordings submitted, bass beat and bass line tune can be heard
Fri 24 th June 2 pm - 8:30 pm	Kennet Side	Complaint of music noise from pub garden. Recordings of shouting/swearing, music bassline
Sat 30 th July 12 pm - 9 pm	School Terrace	Complaint of music noise from pub garden. Recordings of music bass line and vocal, drill style music and fast club style beats.
Sat 30 th July 4 pm - 7 pm	Kennet Side	Complaint of music noise from pub garden. Recordings of drill style music with very heavy bass.
Sat 6 th Aug 12 pm - 8:30 pm	School Terrace	Complaint of music noise from pub garden. Recordings of club style music.
Sat 6 th Aug all day, louder from 8 pm, until	Kennet Side	Complaint of music noise from pub garden followed by

10:20 pm		anti-social behaviour outside the front of the pub. Recordings of music from residents garden and from inside show loud music, tune and lyrics clearly audible and intrusive. Later recording of the ASB shows raucous shouting and bass beat.
Sat 13 th Aug 12 pm - 8:30 pm	School Terrace	Complaint of music noise from pub garden. Recordings of club style music and bass.
Fri 19 th Aug 4 pm - 7:30 pm	School Terrace	Complaint of music noise from pub garden. Recordings of club style music and bass.
Fri 19 th Aug 4 pm - 8 pm	Kennet Side	Complaint of music noise from pub garden. Recordings of music from garden and inside house, can clearly hear which songs are playing.
Sat 20 th Aug 12 pm - 8 pm	School Terrace	Complaint of music noise from pub garden. Recordings of DJ music, mic shouts and hollers
Sat 20 th Aug 2 pm - 00:20	Kennet Side	Complaint of music noise from pub garden followed by ASB and fireworks. Recordings of loud music - beat, vocal and tune. Recordings of ASB after midnight - loud bangs, screaming, shouting.
Sat 20 th Aug 11 pm - 00:30	School Terrace second resident	Complaint of ASB outside Jolly Anglers. Recording of loud shouting and swearing, bangs.
Fri 26 th Aug 4 pm - 10 pm	School Terrace	Complaint of music noise from pub garden. Recordings of music bassline, getting very loud by 9:15 pm.
Fri 26 th Aug 5 pm - unknown	Kennet Side	Complaint of music noise from pub garden. Recording of loud music.
Sat 27 th Aug 2 pm - 8 pm	School Terrace	Complaint of music noise from pub garden. Recordings of music bass and heavy rap style vocal.

Sat 27 th Aug 2 pm - 7:40 pm	Kennet Side	Complaint of music noise from pub garden. Recording of loud music.
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It should be noted that recordings were made on the Noise App, which is an officially recognised app for recording noise nuisance and submitting to the Council, which includes a GPS locator that pinpoints the recorder's location.

The premises has applied for a number of TENs in recent months to allow them to play music in the pub garden; these are listed below:

1. 14/5/22 1400hrs to 2200hrs
2. 24/6/22 1400hrs to 2359hrs
3. Party 30/7/22 1600hrs to 2100hrs
4. Garden Party 6/8/22 1400hrs to 2100hrs
5. Garden Party 13/8/22 1400hrs to 2100hrs
6. 19.8.22 - 20.8.22 1400HRS - 2100HRS
7. DJ Event - 26.8.22 - 28.8.22 1400hrs - 2100hrs each day

The Environmental Protection and Nuisance team objected to the TEN labelled 2. In the above list due to concerns over outdoor music noise, however the TEN was granted (with reduced hours).

A pattern of regular noise disturbance has now developed as a result of the TENs to the extent that a review of the premises licence and/or a noise abatement notice is currently being considered by the Environmental Protection and Nuisance team should the problem continue. Any worsening of the current situation which would occur should this variation be granted would be completely unreasonable for local residents as it would be allowing these TEN type events to be carried out daily if the premises chooses to.

It is acknowledged that the above complaints are regarding noise during the day and evening and not overnight so will not cause sleep disturbance, however, if they occur regularly they are a clear intrusion into residents' peaceful enjoyment of their properties whatever the time of day because it is loud music being played outside in a residential area which residents are forced to listen to and would prevent them from being able to relax or focus on other activities, and in addition could disturb children trying to sleep.

Complaints are also being made about anti-social behaviour taking place outside the pub following closure time, as it appears that customers are not being effectively dispersed. Noises and behaviour being complained of are engine revving, fireworks, and NOx abuse.

I respectfully request the committee to refuse this variation application and maintain the current restrictions placed on the use of the garden, which are already inadequate in any case due to the ability of the premises to apply for TENs, but are at least this restriction prevents the situation from worsening.

Please contact me if you require any further information.

Kind regards

Rebecca Moon
Senior Environmental Health Officer

Division/Station : Reading Police Station Licensing Dept

From : C2107 Declan Smyth

To : Reading Borough Council

Ref : The Jolly Anglers, 314-316 Kennet Side, Reading, RG1 3EA Date :27th September 2022

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 to vary a premises licence submitted by Mrs Susan Bates in relation to The Jolly Anglers, 314-316 Kennet Side, Reading, RG1 3EA as it is believed that this application in its current format will undermine the four licensing objectives.

The proposal before the Sub-Committee is for:

- Removal of conditions relating to the use of the rear beer garden
- Addition of conditions relating to the management of the rear beer garden.

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

The operating schedule within the application form contains a worrying lack of detail and does not contain sufficient measures wherein we can be satisfied that the four licensing objectives will be actively promoted.

Paragraph 8.41 to 8.49 of the Secretary of States Guidance issued under Sec 182 Licensing Act 2003 states:-

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.**

Thames Valley Police feel that the applicant has failed to submit sufficient detailed measures in their proposed operating schedule to demonstrate that there will be no increase in crime and disorder and Anti-Social behaviour in the local area.

The applicant has proposed the following:

1. All music in the rear garden area will cease at 23:00 hours
2. The rear beer garden shall be completely cleared of patrons by 23:30hrs

The Council Licensing Policy Statement, states:-

Alcohol led bars and clubs with regulated entertainment – General Approach to Conditions

6.27 The licensing authority is of the opinion that premises that are alcohol led; provide limited seating for customers; provide little food and provide entertainment facilities have the strongest potential to undermine the promotion of the licensing objectives. The licensing

authority believes that venues that encourage upright vertical drinking and the sale of alcohol – often at cheap prices – leads to a negative impact on the town and only serves to promote drunkenness and crime and disorder. **Any applicant who wishes to operate such a venue will have to demonstrate that it's proposed use does not undermine the promotion of the licensing objectives and the authority would expect any operating schedule to contain stringent policies and procedures to achieve this.** Measures such as CCTV, employment of door supervisors and the use of a club scan device will be expected as a minimum requirement. Door staff will also be expected to wear high visibility jackets and armbands so that they can be easily identified as well utilising – where appropriate – body worn video to help promote the prevention of crime and disorder licensing objective. The use of breathalysers is also to be encouraged in venues that are alcohol led and should – where appropriate - be advertised as a condition of entry to a licensed premises – particularly given the current prevalence for pre-loading

Licensed Premises in Residential Areas

7.6 When dealing with applications and issuing licences, the authority is likely to impose stricter conditions on premises operating in residential areas if it considers it appropriate and proportionate to do so. This will apply to all premises types.

7.7 Generally, any licensed premises looking to open past 11pm (2300hrs) in a residential area will need to demonstrate clearly in their operating schedule that public nuisance will not result from later operation. As part of the operating schedule, applicants should read the Secretary of State's Guidance, this policy and any other relevant document and ensure that robust measures are included in any application.

7.8 Premises that wish to provide regulated entertainment may be subject to additional conditions to ensure that residents are not disturbed. This may include the use of sound limiters; keeping doors and windows closed and restricting the hours when music is played.

7.9 Premises with outdoor areas such as beer gardens and smoking areas may also be subject to further restrictions in regard to their operation and use.

7.10 Where any outside area is used for drinking and/or smoking – including the public highway outside of a licensed premises – and complaints of public nuisance or noise are received the authority will consider controls to limit the disturbance.

7.11 Premises that are planning to put on events that involve regulated entertainment may be required to provide the authority with a detailed event management plan of that event which may include a detailed noise risk assessment.

7.12 The licensing authority will seek the input of the Council's Environmental Protection and Nuisance team when looking at measures that may be appropriate for the prevention of public nuisance. This will include taking cognisance of any representations that are submitted as part of the application process or any enforcement action they have taken under their own legislation – such as noise abatement notices.

Thames Valley Police believe that an increase in hours directly associated to the garden area/event space at the premises and **the removal of the Thames Valley Police agreed conditions** will likely lead to an increase in frequency and further incidents therefore in turn undermine and not promote the licensing objectives.

~~There are concerns over the current levels of crime and disorder and anti-social behaviour that are linked directly to this premises and its vicinity as caused by the people within the area that are patrons of this premises.~~

Furthermore, and in order to provide the licensing sub-committee with more specific evidence in support of our concerns we have provided the following exhibit relating to the premises:

22-09-27 TVP - DS1 – JollyAnglersPremisesSummary

This document is a Thames Valley Police licensed Premises Summary Report of occurrences/incidents that have required the provision of a recordable crime/incident report for the period between 1st January 2018 and 27th September 2022. Occurrences are created by police

officers or call centre staff whenever a crime is confirmed to have taken place, or an investigation is required to determine the nature of any complaint



Licensed Premises Summary Report

JOLLY ANGLERS

314 Kennet Side, Reading, RG1 3AE

Events dated between 01 January 2018 and 27 September 2022

PLEASE NOTE: The information below is OFFICIAL - SENSITIVE and should not be shared outside of Thames Valley Police without the express consent of the Licensing Team. The records in this summary are derived from a variety of sources. In some cases, multiple records may relate to the same incident and should not necessarily be counted individually. The report relates only to events which have been entered on Amandus at the time of the report being run and may not be a comprehensive list. All data entry is at the discretion of the Licensing Team.

Incident: Other (specify in notes)

Date/Time: Sunday 04 March 2018 - 14:16

Inc Ref(s): URN 762

41 year old female under influence of drugs/ passed out/ having a fir, officers don't know what they have taken,

Premises Response: Unknown

Incident: Assault - Less Serious

Date/Time: Sunday 24 June 2018 - 00:54

Niche Ref(s): 43180191068 & 43180191081

Inc Ref(s): URN 119

Violent & Intoxicated male involved in a disorder inside the pub- Male has thrown a glass btl hitting another male on the leg and slapped a female , suspected DV

Premises Response: Negative

Incident: Other (specify in notes)

Date/Time: Friday 21 August 2020 - 21:00

COVID - a private party at the premises. Police attended and roads were blocked by cars, loads of very young girls being escorted into the venue by a Asian male , also present was a very well known person to the police , known for possibly dealing

Premises Response: Unknown

Incident: Disorder

Date/Time: Sunday 04 July 2021 - 01:17

Niche Ref(s): 43210294461

Inc Ref(s): INC-20210704-0235

FIP - 10 males and females no weapons seen -

Premises Response: Unknown

Incident: Other (specify in notes)

Date/Time: Sunday 08 August 2021 - 23:28

Niche Ref(s): 43210355020 & 43210360188 & 43210360204

Inc Ref(s): INC-20210808-2216

Suspicious Person - MAN WAVING A SHOTGUN OUTSIDE PUB WHERE THERE IS A PARTY - Large FIP on Hoiser Street resulting in ABH and stabbing - People involved attended the private party at the premises

Premises Response: Unknown

Incident: Assault - Less Serious

Date/Time: Thursday 19 August 2021 - 20:28

Niche Ref(s): 43210372874

Inc Ref(s): INC-20210819-2024

Aggd has had drink thrown over her - A intoxicated male approached caller - he kept flirting and was getting closer, He had a gin glass - Male said if you look at me like that again and I will throw this in her face. He has then thrown his drink at Aggd

Premises Response: Unknown

Incident: Assault - Serious

Date/Time: Thursday 19 August 2021 - 21:09

Niche Ref(s): 43210372900

Inc Ref(s): INC-20210819-2137

A male was heavily flirting with caller. He has told her he would throw a drink at her if she did not stop giving him looks. He then threw the drink and then threw the glass. The glass smashed, causing small cuts and leaving bits of glass in her hair.

Premises Response: Unknown



Licensed Premises Summary Report

JOLLY ANGLERS

314 Kennet Side, Reading, RG1 3AE

Events dated between 01 January 2018 and 27 September 2022

PLEASE NOTE: The information below is OFFICIAL - SENSITIVE and should not be shared outside of Thames Valley Police without the express consent of the Licensing Team. The records in this summary are derived from a variety of sources. In some cases, multiple records may relate to the same incident and should not necessarily be counted individually. The report relates only to events which have been entered on Amandus at the time of the report being run and may not be a comprehensive list. All data entry is at the discretion of the Licensing Team.

Incident: Disorder

Date/Time: Sunday 05 September 2021 - 23:21

Niche Ref(s): 43210399594

Inc Ref(s): INC-20210905-2532

FIP -12/15 PEOPLE FIGHTING - ALL MALES - RB IS LIVING ON SIG ROAD - CAN SEE THE FIGHTING - POLICE ATTENDED, CONFIRM JUST BEING NOISEY THRU ALCOHOL -NO PUB ORDER OR OFFENCES

Premises Response: Unknown

Incident: Drugs

Date/Time: Wednesday 08 September 2021 - 23:59

Niche Ref(s): 43210405036

Inc Ref(s): INC-20210908-2714

CALLER WISHING TO REPORT DRUG TAKING ON THE CORNER OF THE PREMISES - REPORTING THERE IS APPROX 25 PEOPLE AGED BETWEEN 25-30YRS, MIXTURE OF MALES AND FEMALES. DIFFERENT ETHNICITIES -CALLER STATES THEY ARE SMOKING CANNABIS AND DOING NOS

Premises Response: Unknown

Incident: Disorder

Date/Time: Thursday 09 September 2021 - 00:39

Niche Ref(s): 43210405062

Inc Ref(s): INC-20210909-0049

Huge gathering of people from when the pub closed gathering outside. NO2 being used, a lot of weed being smoked. The pub had given them all take away cups and they were all drinking outside

Premises Response: Unknown

Incident: Assault - Serious

Date/Time: Sunday 10 October 2021 - 02:00

Niche Ref(s): 43210461863

Inc Ref(s): INC-20211013-1072

While the victim was outside talking to some females a known male has hit him on the left side of his face with a bottle and hit him on the top of my head causing the bottle to break.

Premises Response: Unknown

Incident: Disorder

Date/Time: Sunday 10 October 2021 - 02:14

Niche Ref(s): 43210456262

Inc Ref(s): INC-20211010-0240

REPORT OF PERSONS FIGHTING OUTSIDE THE PREMISES - UPON POLICE ATTENDING THERE WERE A MASS OF PEOPLE LEAVING THE AREA IN VEHICLES AND ON FOOT - NO FIGHTS AND ALL PERSON WERE IN GOOD SPIRITS AND NO REPORTS OF ANY FIGHTING WERE GIVEN TO POLICE.

Premises Response: Unknown

Incident: Other (specify in notes)

Date/Time: Tuesday 09 November 2021 - 00:20

Niche Ref(s): 43210505771

Inc Ref(s): INC-20211109-0025

ASB - REPORTING PUB/PREMISES SETTING OFF FIREWORKS OUTSIDE

Premises Response: Unknown



Licensed Premises Summary Report

JOLLY ANGLERS

314 Kennet Side, Reading, RG1 3AE

Events dated between 01 January 2018 and 27 September 2022

PLEASE NOTE: The information below is OFFICIAL - SENSITIVE and should not be shared outside of Thames Valley Police without the express consent of the Licensing Team. The records in this summary are derived from a variety of sources. In some cases, multiple records may relate to the same incident and should not necessarily be counted individually. The report relates only to events which have been entered on Amandus at the time of the report being run and may not be a comprehensive list. All data entry is at the discretion of the Licensing Team.

Incident: Other (specify in notes)

Date/Time: Tuesday 09 November 2021 - 08:36

Niche Ref(s): 43210506066

Inc Ref(s): INC-20211109-0362

WEB FORM received 08/11/21 -21:57pm- Reporting her local pub landlord has been setting off fireworks in the street and he has done this on two occasions.

Premises Response: Unknown

Incident: Other (specify in notes)

Date/Time: Saturday 01 January 2022 - 00:00

Niche Ref(s): 43220000892

Inc Ref(s): INC-20220101-1669

ASB - staff at the premises setting off fire works from public space/ bridge - Caller states the manager had prev warned by police

Premises Response: Unknown

Incident: Other (specify in notes)

Date/Time: Sunday 10 April 2022 - 14:10

Niche Ref(s): 43220154440

Inc Ref(s): INC-20220410-0954

Firearms -Caller states they are magnet fishing on the Kennet and Avon Canal by the Jolly Anglers. Caller has fished out a hand gun from the canal, looks like a semi automatic. Caller does not know if it is an air gun or real.

Premises Response: Unknown

Incident: Assault - Serious

Date/Time: Sunday 07 August 2022 - 17:29

Niche Ref(s): 43220351534

Inc Ref(s): INC-20220807-1563

The victim was having a couple of pints whilst watching the football -He was approached by an unknown male who started accusing him of disrespecting his mother at a recent funeral. Victim left the pub followed by SUS and was then assaulted

Premises Response: Unknown

Incident: Other (specify in notes)

Date/Time: Saturday 20 August 2022 - 23:40

Niche Ref(s): 43220374068

Inc Ref(s): INC-20220820-2528

CALLER REPORTING 50-60 PEOPLE OUTSIDE THE PUB SETTING OFF FIREWORKS -CALLER STATES THEY ARE ALSO DEALING DRUGS AS HE CAN HEAR GAS CANISTERS GOING OFF, HE HAS ALSO HEARD VERBAL ARGUMENTS BUT STATES THEY APPEAR TO BE NOTHING SERIOUS.

Premises Response: Unknown

From: [REDACTED]
To: [Licensing](#)
Subject: Objection to Jolly Anglers application
Date: 28 September 2022 19:17:50

Hello,

I am objecting on behalf of the Thames Ward councillors to the application from The Jolly Anglers to allow use of their garden for the full opening hours. This objection is on the grounds of public nuisance and crime and disorder. Under the current terms, nearby residents have had cause to make multiple complaints about noise emanating from the Jolly Anglers garden and from the area around the pub late at night and in the early hours of the morning, as well as fireworks being set off in the street late at night and evidence of nitrous oxide use.

As residents are experiencing disruption and distress under the current license terms, it would not fulfil our licensing objectives to extend the hours of usage of the garden.

Kind regards,
Adele

Cllr Adele Barnett-Ward,
Thames Ward
Lead Councillor for Leisure and Culture

From: [REDACTED]
To: [REDACTED]
Subject: Objection to Jolly Anglers' application for extended license/ use of pub garden
Date: 22 September 2022 23:15:16
Attachments: [Jolly Anglers objection statement September 2022.docx](#)
[JA Facebook January 2022.png](#)
[Jolly Anglers fireworks - August 2022.MOV](#)

This is an EXTERNAL EMAIL. STOP THINK before you CLICK links or OPEN attachments.
Dear Sir/ Madam

Please find attached our written objection to the Jolly Anglers pub's application to extend its hours. We have also attached a video and screenshot with relevant evidence.

Kind regards

Dr Joanna Brown

Jolly Anglers concerns

We would like to submit a formal objection to the request by the Jolly Anglers pub to extend their use of the garden area for the full pub opening hours, beyond the current restriction to 9 pm outside of temporary events. The reason for this objection is the disruption and distress caused the events held by the pub in 2021 and 2022. We have provided a table at the end of this letter which lists the dates of incidents, descriptions of them, and the actions taken. We believe that allowing the Jolly Anglers full/unrestricted use of the garden outside of restricted hours will cause even more unacceptable impact. We are concerned that this is a slippery slope leading to Mr Zeqiri attempting to turn the venue into a nightclub (something he has stated as a desire on a number of occasions). This would be completely unacceptable in a quiet residential area.

We register our objection on the grounds of public nuisance and crime and disorder. Examples of the behaviour we have experienced include the following:

- Excessive loud music from the pub garden. Under the current restrictions of loud music in the pub garden to 9pm, the pub has often played music excessively loudly for the hours between 2pm and 9pm. The music can be clearly heard in our garden and in the house and is distracting to the point of requiring earplugs. We believe the Mr Zeqiri is unable to effectively control noise when it reaches the prescribed upper level as it is. Indeed, we cannot see how it is possible to limit the sound of live music in an open garden in the middle of a residential area. In addition to this, the 85db level, when adhered to (just below its limit) is sufficient to produce enough noise to penetrate our property. We have measured exceedances of that limit and reported it to the council.
- The events held by the pub have included live rap music performances with profanities being yelled loud enough to be audible in our house. For example, on one occasion the DJ was rapping “Don’t be a fool, get in the f***ing pool!” over and over. Delightful! We do not think this is reasonable or appropriate in a residential area.
- Shouting, swearing and revving of engines: Frequently when the crowds leave the Jolly Anglers at the end of an evening, they congregate in the area between our house and the pub. This leads to the nuisance of drunken crowds shouting, swearing and loudly revving engines when we are trying to sleep.
- Littering outside the pub: We have often found broken glass, particularly from bottles of spirits supplied by the pub to customers during events, outside in the public areas. This is of concern as we walk our dog and have our car parked on this street. Plastic cups are often found strewn about after events/ parties.
- Fireworks: On at least three occasions (06/11/21, 01/01/22, 20/08/22) either Mr Zeqiri himself or patrons of the pub have hand-launched fireworks outside the pub in the street. We believe this is extremely unsafe, and we doubt very much that the landlord had permission to do this. The proximity and noise of the fireworks causes immense distress to our dog and it can take hours for him to recover. In addition, the aftermath includes spent fireworks being left in the space between the pub and our

house, and even on our car on one occasion. On 20 August 2022, my partner had a firework thrown at him by a pub customer when he challenged this behaviour.

- Nitrous oxide: Members of the crowd leaving the pub in the small hours of the morning have also engaged in taking nitrous oxide, which we are aware of from the cannisters left in the morning and the noise of it at night. While not illegal, this behaviour is antisocial and intimidating for members of the public.
- Fights outside the pub: On a number of occasions fights have broken out outside the pub involving pub customers in the hours after the pub should have been closed. On some of these occasions this has involved pub customers congregating around the back of the pub and taking several hours to dissipate. We have had call the police about fights on several occasions (please see the table below).

In addition to registering our objection to the Jolly Anglers' application, we would like to request that the council reviews the current license conditions held, for the reasons given above.

We have also listed some constructive suggestions for how the Jolly Anglers can improve the situation:

- Reduction in permitted noise/decibel levels from 85db to 70db
- Restriction of bass/sub-woofer use and the use of profanities in live rapping events
- Instillation of permanent/continuous decibel loggers with both a commitment to review data after events by the Jolly Anglers and provision of data after events to RBC for monitoring

We would also like to note that events such as the comedy club, the weekly quiz and even some daytime sporting (women's football) events in the garden have been fine. These events have not (as far as we know) impacted the local community and we feel there is no need to restrict these, and this shows that the garden can be used for events more appropriate to a residential neighbourhood.

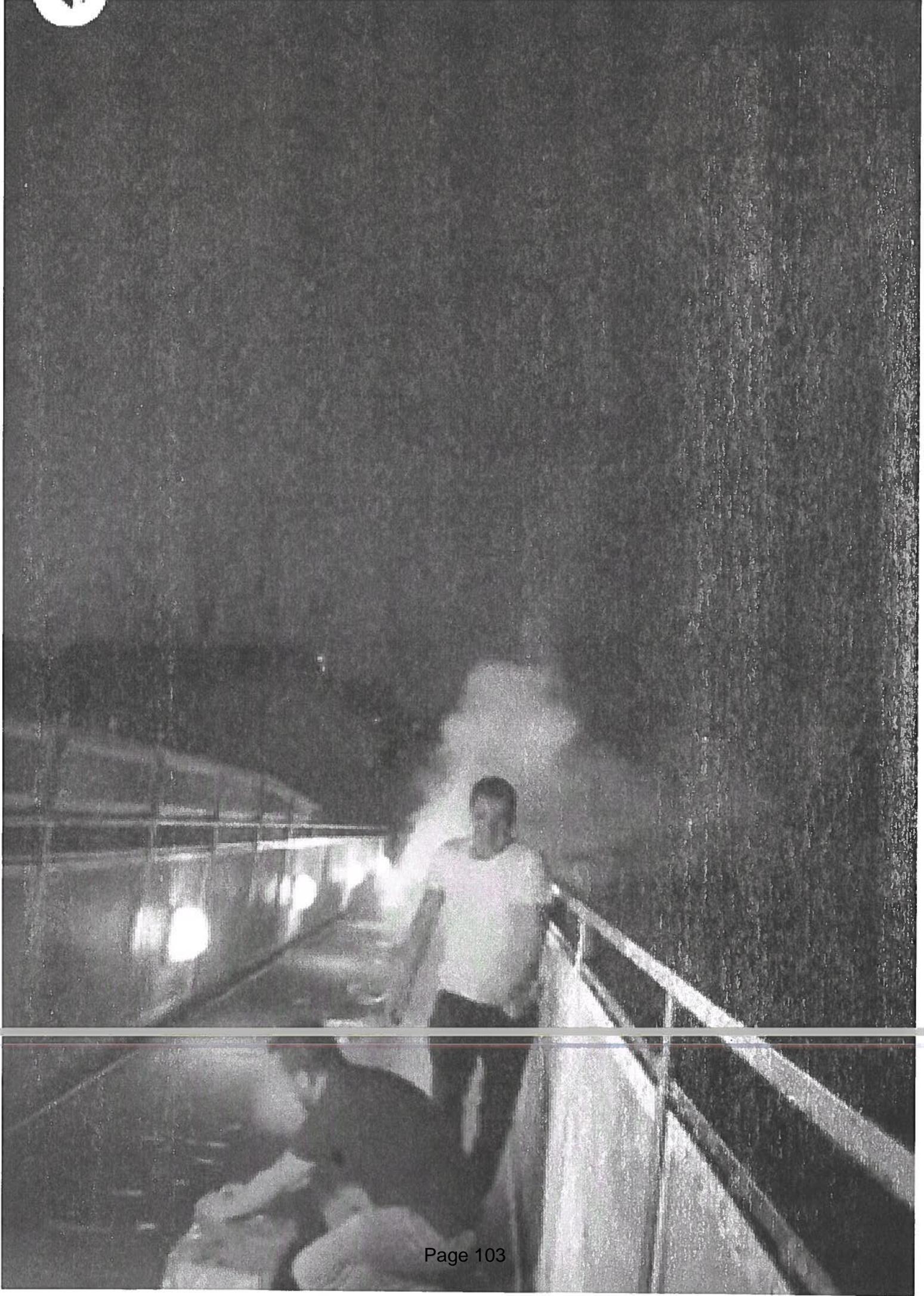
Thank you for listening to our concerns.

Dr Joanna Brown

List of incidents 2021-22

Date	Event	Action taken
17/07/2021	Fight outside pub at 2am. Involved a member of pub staff and associate of pub customer. Both vehicle and golf club used as assault weapons. Partner threatened with golf club when he went out to investigate. Incident arose from irresponsible/excessive sale of alcohol from pub to vulnerable individual/ ex-girlfriend of attacker.	Police investigated the incident.
15/08/2021	Group fighting behind the pub (2.55am)	Called police

04/09/2021	Intoxicated males shouting at each other behind the pub (1-2am)	Reported to council
05/09/2021	Fight behind pub	Called police
07/09/2021	Group of males with boombox, shouting, screeching of motorbikes round back and side of the pub. Attendees to pub event (22:30)	Reported to council
11/09/2021	Loud music from pub, audible in house (4-11pm)	Reported to council
18/09/2021	Loud music from pub, audible in house (4pm onwards)	Reported to council
09-10/10/21	Pub still open around midnight. Car outside house playing very loud music (car owner and passengers entered pub). Fights broke out.	Called police
06/11/2021	Loud music from pub, audible in house. People hand launching fireworks outside (10pm)	Reported to council
11/11/2021	Loud music from pub, audible in house (7pm)	Reported to council
03/12/2021	Loud music from pub, audible in house.	Reported to council
04/12/2021	Loud music from pub, audible in house.	Reported to council
01/01/2022	Mr Zeqiri set off fireworks on the pavement and bridge outside the pub. Jolly Anglers then posted images and video of this on its Facebook site (screenshot provided to council).	Reported to police. Police said they spoke to him and he promised not to repeat these actions.
02/01/2022- end April 2022: pub shut for renovations		
03/06/2022	Loud music from pub, audible in house.	Reported to council
04/06/2022	Loud music from pub, audible in house.	Reported to council
24/06/2022	Loud music from pub, audible in house.	Reported to council
19/08/2022	Loud music from pub, audible in house.	Reported to council
20/08/2022	Loud music from pub, audible in house. Revving of engines until 1am. Nitrous gas used by people outside pub and outside our house. Screaming and arguing from drunken pub customers. Fireworks set off outside pub around 23:50. Mr Zeqiri in the crowd. Firework thrown at my partner by a member of crowd when he confronted them. We have attached a video of the aftermath with firework smoke clearly seen.	Reported to council and police.



From: [REDACTED]
To: [REDACTED]
Subject: The Jolly Anglers, 314-316 Kennet Side, Reading RG1 3EA - objection
Date: 16 September 2022 09:38:02

This is an EXTERNAL EMAIL. STOP THINK before you CLICK links or OPEN attachments.
I object to the Jolly Anglers application to the removal of conditions relating to use of the rear beer garden and addition of conditions relating to management of rear beer garden on the ground of public nuisance, crime and disorder.

Every Friday and Saturdays when the garden is being used, music is blasted out from opening until gone 9pm, with microphones from the DJs to rouse the crowd, drunk cheering.

This music is audible from within the house, with windows closed. We feel hounded out of our own house as a result of this music every weekend.

As the beer garden acts as an outdoor night club, you get all of the public nuisance, crime and disorder associated with it.

As people have been there from 12pm drinking, we don't even get a rest-bite at 9pm, as the music and revelries continue past that time.

What happens after 9pm, to 2am, pub goes then congregate on the corner of Cumberland Road and Avon Pl, and along the river front causing disturbances, taking drugs, urinating in public and meeting up with friends, who then turn up in their cars blasting music and revving their cars. We have them speeding, going the wrong way on one-way streets.

Allowing the pub to allow access to the garden past 9pm, will only exacerbate the issue.

The pub garden is in the middle of a residential area.

There is a correlation between Friday and Saturday nights at the pub and crime and disorder on those evenings. We have zero issues during the rest of the week. Extending the use of the garden beyond 9pm will only make the situation worse.

I've reported incidents to Thames Valley Police of the anti-social and criminal activities going on at weekends.

INC-20220824-0793 101:0681155

INC-20220816-2159 101:0268032

I report the nuisance noise via the noise app. And reported via the noise app.

If you visited the Pub, you will see that there is only a wooden fence. There is nothing to stop the noise travelling to the residents. You add drunken revellers, loud music, it becomes a public nuisance.

If people want to go clubbing, they should do so in town. Not in a residential area.

The pub garden, attracts the wrong crowd, leading to crime and disorder when they leave.

Allowing the pub to have increased use of the pub garden will only make that situation worse. It will encourage more crime and disorder as even more people pour into the streets on avon place and Cumberland road with their mates, doing drugs and speeding.

We are not the only household being affected, as you will see from this facebook post, other residents were affected recently, with a particularly bad Saturday night and in trying to resolve it had a firework thrown at him:

<https://www.facebook.com/groups/NewtownNRG/permalink/5369601159804044/?flike=scwspnss>

The anti-social and criminal behaviour only happens on Friday and Saturday nights, the thought of the pub having its outside license extended, fills me and my family with dread.

While I appreciate the business is trying to increase its revenue, it shouldn't be at the expense of ruining lives of the local residents, costing Reading Council and the police in more money in policing, (though I've not seen any policing on a Friday or Saturday night around the pub).

I implore you not to extend their license and if anything you should revoke their license to have music, or reduce the time they can use the garden from 9pm to 5pm.

It is a public nuisance during the day every Friday and Saturday, and leads to crime and disorder in the evening.

I know multiple residents have been affected, but don't take silence from them as approval for the Jolly Angler, it is solely a lack of knowledge on who or how to complain about such things.

Ask yourself, would you want a Pub Garden blasting music every day until midnight next to your house, and when the pub closes the garden, all the pub goers just take the party to the street doing drugs and being anti-social, with revving car engines, quad-bikes?

LICENSING ACT 2003 PREMISES LICENCE - PART A

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

Premises Licence Number	LMV000406
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Premises Details

Trading name of Premises and Address	
The Jolly Anglers 314-316 Kennet Side Reading Berkshire RG1 3EA	
Telephone Number	0118 376 7823

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

Licensable Activities

Licensable Activities authorised by the Licence
Performance of Plays - Indoor Exhibition of Films - Indoor Indoor Sporting Events Performance of Live Music - Indoor & Outdoor Playing of Recorded Music - Indoor Performance of Dance - Indoor Anything similar to Live Music, Recorded Music & Performance of Dance - Indoor Provision of Facilities for Making Music - Indoor Late Night Refreshment - Indoor Sale of Alcohol by Retail - On & Off the Premises

Authorised Hours for Licensable Activities

The times the licence authorises the carrying out of licensable activities	
Hours for the Performance of Plays	
Monday	from 1000hrs until 2300hrs
Tuesday	from 1000hrs until 2300hrs
Wednesday	from 1000hrs until 2300hrs
Thursday	from 1000hrs until 2300hrs
Friday	from 1000hrs until 2330hrs
Saturday	from 1000hrs until 2330hrs
Sunday	from 1000hrs until 2300hrs

Hours for the Exhibition of Films

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Hours for Indoor Sports

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Hours for the Performance of Live Music

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Unamplified acoustic music permitted in the garden no more than once a month:
Monday to Sunday from 1000hrs until 2100hrs

Hours for the Playing of Recorded Music

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Hours for the Performance of Dance

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Hours for anything similar to Live Music, Recorded Music & Performance of Dance

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Hours for the Provision of Facilities for Making Music

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Hours for the Provision of Late Night Refreshment

Monday from 2300hrs until 2330hrs
Tuesday from 2300hrs until 2330hrs
Wednesday from 2300hrs until 2330hrs
Thursday from 2300hrs until 2330hrs
Friday from 2300hrs until 2400hrs
Saturday from 2300hrs until 2400hrs
Sunday from 2300hrs until 2330hrs

Hours for the Sale by Retail of Alcohol

Monday from 1000hrs until 2300hrs
Tuesday from 1000hrs until 2300hrs
Wednesday from 1000hrs until 2300hrs
Thursday from 1000hrs until 2300hrs
Friday from 1000hrs until 2330hrs
Saturday from 1000hrs until 2330hrs
Sunday from 1000hrs until 2300hrs

Opening Hours

Hours the Premises is Open to the Public

Monday from 1000hrs until 2330hrs
Tuesday from 1000hrs until 2330hrs
Wednesday from 1000hrs until 2330hrs
Thursday from 1000hrs until 2330hrs
Friday from 1000hrs until 2400hrs
Saturday from 1000hrs until 2400hrs
Sunday from 1000hrs until 2330hrs

All licensable activities permitted from 1000hrs on New Year's Eve until 0200hrs on New Year's Day

Alcohol

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

Sale of Alcohol by Retail - On & Off the Premises

Premises Licence Holder

Name, (registered) address of holder of premises licence

Name: Mrs Susan Bates
Address:

Registered number of holder, for example company number or charity number [where applicable]

N/A

Additional Details

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

Name: Ms Valentina-Elena Filip
Address:

Designated Premises Supervisor

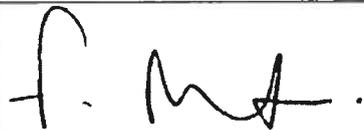
Personal Licence number and issuing authority of personal licence held by the designated premises supervisor where the premises licence authorises the supply of alcohol

Personal Licence Number: LP7003269
Issuing Authority: Reading Borough Council

This Licence shall continue in force from **31/03/2022** unless previously suspended or revoked.

Dated: 6 April 2022

Signed on behalf of the issuing licensing authority



Frances Martin
Executive Director for Economic Growth and Neighbourhood 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.

Responsible Drink Promotions (commencement date 01/10/2014)

1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Supply of Tap Water (commencement date 01/10/2014)

1. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification Policy (commencement 01/10/2014)

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Drink Measurements (commencement date 01/10/2014)

1. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Minimum Permitted Pricing (commencement 28th May 2014)

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

4. (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions Consistent with the Operating Schedule

N/A

Annex 3

Conditions attached after a hearing by the Licensing Authority

Conditions agreed with Thames Valley Police:

1 (a) 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 name of the person recording the information and the names of members of staff who dealt with the incident shall also be recorded and, where known, any offenders names shall be recorded;

(b) The Designated Premises Supervisor shall ensure a system is maintained for preventing customers from taking alcoholic and non alcoholic beverages in open containers e.g. bottles, glasses or cans, from the licensed premises, unless confined within a current street café pavement licensed area for the premises, and in any case not between 2330 hours and 0800 hours Monday to Sunday inclusive;

(c) Clear signage is to be displayed at the premises to state that the premises is within an Alcohol Exclusion Area and thus drinking is not permitted outside the premises;

(d) The premises shall at all times operate a Challenge 25 Policy to prevent any customers who attempt to purchase alcohol and who appear to the staff members to be under the age of 25 years without having first provided identification. Only a valid British driver's licence showing a photograph of the person, a valid passport or proof of age card showing the 'Pass' hologram are to be accepted as identification;

(e) Notices advertising the Challenge 25 Policy shall be displayed in a prominent position on the premises;

(f) The Designated Premises Supervisor shall conduct a risk assessment of every event held at the premises, Sunday to Saturday inclusive, to establish if door staff shall be required;

Conditions agreed with Environmental Protection

2 (a) 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;

(b) All external doors and windows must be kept closed, other than for access and egress, when events involving amplified music or speech are taking place. Where doors and windows must remain shut to ensure neighbours are not disturbed, a suitable ventilation system may be required allowing a minimum of eight air changes/hour. Any new plant associated with this system shall be suitably guarded and maintained and should not result in an increase in

the background noise level (L90) as measured at the nearest noise sensitive premises;

(c) The placing of refuse - such as bottles - into receptacles outside the premises shall only take place between the hours of 0800 hours and 2000 hours;

(d) Clearly legible and suitable notices shall be displayed at all exits requesting customers to respect the needs of local residents and to leave the premises and area quietly. After closing staff shall be available to ensure that customers disperse quietly;

(e) No music or speech shall be relayed via external speakers;

(f) During operating hours, the licensee or a nominated representative, shall be available to receive and respond to nuisance related complaints. A contact number shall be readily available to residents upon request;

Additional Conditions

3 (a) Staff shall ensure that customers do not congregate outside the premises;

(b) Children shall not be permitted on the premises unless accompanied by an adult.

Conditions agreed after a Hearing of the Licensing Authority - Variation Application - June 2011

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 28 days with time and date stamping. Data recordings shall be made immediately available to an authorised officer of Reading Borough Council or a Thames Valley Police officer together with facilities for viewing upon request. Recorded images shall be of such a quality as to be able to identify the recorded person.

2. Children shall not be permitted in the garden unless accompanied by a responsible adult.

3. Signage indicating public nuisance will not be tolerated shall be displayed.

4. The beer garden shall be completely cleared of patrons, plates and glasses and the lighting shall be switched off from 2130hrs and shall not be used between 2130hrs and 1000hrs.

5. When the beer garden is in use, at least every hour, observation of the noise level in the beer garden and the likelihood that it will cause disturbance shall be undertaken by a member of staff. When the level of noise is considered unsatisfactory and likely to cause disturbance, this shall be recorded in an incident book and action taken to resolve the situation shall also be recorded. The incident book shall be made available for inspection by an authorised officer of Reading Borough Council or a Police Officer.

6. Events involving live music in the beer garden shall only be of an acoustic nature and shall not be amplified. Such events shall only take place at a maximum frequency of once per month.

7. The licensee shall maintain a boundary fence in good condition at all times and of a minimum height of two meters to enclose the beer garden.

8. Lighting in the beer garden, except for the steps accessing the garden where greater visibility is required, shall be of low intensity and of a low energy variety contained within the garden.

Annex 4

Plans

As attached ground floor plan drawing no. A-P-01 dated 29/01/2022 & garden plan received 16/03/2022.

