

## LICENSING APPLICATIONS SUB-COMMITTEE 1 MINUTES - 14 JANUARY 2020

**Present:** Councillors Edwards (Chair), Maskell and Skeats.

### 7. MINUTES

The Minutes of the meeting of Licensing Applications Sub-Committee 1 held on 23 October 2019 were confirmed as a correct record and signed by the Chair.

### 8. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - L RUSTA

The Assistant Director of Planning, Transport and Regulatory Services submitted a report on an application by L Rusta Limited for the grant of a Premises Licence in respect of L Rusta, 20 Market Place, Reading, RG1 2EG.

The report stated that there was no Premises Licence currently in force at the premises and the application was to grant a Premises Licence to permit the following licensable activities:

#### Sale of Alcohol (on premises only)

Monday to Sunday            1100 hours until 2300 hours

#### Opening Hours

Monday to Sunday            0700 hours until 2300 hours

A copy of the application form was attached to the report at Appendix RS-1.

A representation against the application had been received from a local resident and was attached to the report at Appendix RS-2. A list of conditions proposed by Reading Borough Council Licensing Team were attached to the report at Appendix RS-3.

The report stated that in considering representations received, 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 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 amend, alter or refuse an application should it be deemed appropriate for the promotion of the licensing objectives.

The report set out paragraphs 1.5 and 8.41-8.49 of the Secretary of State's amended guidance issued under Section 182 of the Licensing Act 2003 (April 2018) and paragraphs 3.1-3.2, 5.4, 5.6-5.7, 6.1-6.2, 6.5, 6.24-6.25, 10.1 and 10.3 of the Council's Statement of Licensing Policy (2018).

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Mr Anxhelo Mertiri, the applicant, was present at the meeting and addressed the Sub-Committee on the application and responded to questions. Dr Katherine Brown was also present and addressed the Sub-Committee on her representations regarding the application and responded to questions.

### Resolved -

- (1) That in order to promote the four licensing objectives and having regard to the oral and written representations made, the Secretary of State's guidance and the Council's statement of Licensing Policy, the application in respect of L Rusta, 20 Market Place, be granted as follows:

#### Hours for the Sale of Alcohol (on premises only)

Monday to Sunday                      1100 hours until 2300 hours

- (2) That the premises be open to the public as follows:

Monday to Sunday                      0700 hours until 2300 hours

- (3) That the following conditions, in addition to any mandatory conditions, be attached to the licence:

- (a) The Premises Licence Holder shall ensure the premises' digitally recorded CCTV cameras shall continually record while the premises are open to the public and recordings shall be kept for a minimum of 31 days with time and date stamping. The entire licensable area shall be covered by the CCTV and an appropriate number of cameras shall be installed to cover the external areas immediately outside the premises. Data recordings shall be made immediately available to an authorised officer of Reading Borough Council or Thames Valley Police together with facilities for viewing upon request, subject to the provisions of the Data Protection Act. Recorded images shall be of such quality as to be able to identify the recorded person in any light. At least one member of staff on the premises at any time during operating hours shall be trained to access and download material from the CCTV system;
- (b) A notice advising customers that CCTV is in use shall be positioned in a prominent position;
- (c) The Premises Licence Holder or nominated representative shall keep and maintain all right to work documents for all staff members. Right to work documents shall be kept at the premises and produced to an authorised Officer of Reading Borough Council or Thames Valley Police upon request;
- (d) All incidents which impact on any of the four licensing objectives shall be recorded in a register kept at the premises for this purpose. The names of the person recording the incident and those members of staff who deal with the incident shall also be recorded. Where known, the names of any offenders shall also be recorded;

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1. This record shall be available for inspection by a Police Officer or an authorised officer of Reading Borough Council upon request and shall be retained for one year. The record shall be signed off by the Designated Premises Supervisor or nominated representative at the end of each trading session
  2. A weekly review of the incident register shall also be carried out by the Designated Premises Supervisor;
- (e) The premises shall at all times operate a Challenge 25 age verification policy to prevent any customers who attempt to purchase alcohol and who appear to the staff member to be under the age of 25 years from making such a purchase without having first provided identification. Only a valid driver's licence showing a photograph of the person, a valid passport, Military ID or proof of age card showing the 'Pass' hologram (or any other nationally accredited scheme as set down within the mandatory conditions) are to be accepted as identification;
- (f) The premises age verification policy shall be in a written form and displayed in a prominent position on the premises;
- (g) Notices advertising the premises' Challenge 25 scheme shall be displayed in prominent positions on the premises;
- (h) Staff employed to sell alcohol shall undergo training upon induction. This shall include, but not be limited to:
1. The premises age verification policy
  2. The law relating to underage sales
  3. Dealing with refusal of sales
  4. Proxy purchasing
  5. Recognising valid identity documents not in the English language
  6. Identifying attempts by intoxicated persons to purchase alcohol
  7. Identifying signs of intoxication
  8. Conflict management
  9. How to identify and safeguard vulnerable persons who attend and leave the premises
  10. Identifying signs of drug usage and prevention
  11. The four licensing objectives

Such training sessions are to be documented and refreshed every six months. All training sessions are to be documented in English. Records of training shall be kept for a minimum of one year and be made available to an authorised officer of Thames Valley Police and Reading Borough Council upon request;

- (i) All staff involved in the sale of alcohol shall be trained to record refusals of sale of alcohol in a refusals log (whether written or electronic). The log shall contain:
1. Details of the time and date the refusal was made
  2. The identity of the staff member refusing the sale
  3. Any detail or description of the person refused and the reason why

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This book/register will be available for inspection by a Police Officer or authorised Officer of Reading Borough Council upon request;

- (j) 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;
- (k) During operating hours the licensee or nominated representative shall be available to receive and respond to nuisance related complaints and a contact number shall be readily available to residents upon request;
- (l) Signs shall be placed at all exits informing customers that glassware and any open drink containers shall not be removed from the premises. Staff shall monitor this and take appropriate action to prevent any drinks being removed from the premises;
- (m) 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. Staff shall be available to assist in the dispersal of customers at the cessation of licensable activities each evening;
- (n) The premises and area immediately outside the premises shall be kept clear of all forms of litter whilst the premises is open for licensable activities;
- (o) The premises shall implement, operate and maintain a policy to manage dispersal of customers from the premises. The policy shall be in written form and all staff shall be trained in how to operate it. The policy shall be produced to an authorised Officer of Reading Borough Council or Thames Valley Police upon request;
- (p) The premises shall at all times operate as a restaurant, with waiter and waitress service to tables, serving substantial food where alcohol is only sold ancillary to said food order. There shall be no vertical drinking permitted at the premises.

(The meeting closed at 5.56pm)