

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 5 MARCH 2020

Present: Councillors Edwards (Chair), Grashoff and Page.

16. MINUTES

The Minutes of the meetings of Licensing Applications Sub-Committee 2 held on 14, 30 and 31 January 2020 were agreed as a correct record and signed by the Chair.

17. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - FAVOURITE CHICKEN AND PIZZA

The Assistant Director of Planning, Transport and Regulatory Services submitted a report on an application by Thames Valley Police for the review of the Premises Licence in respect of Favourite Chicken and Pizza, 10 St Marys Butts, Reading, RG1 7LN. The review had been requested following a number of violent incidents that had occurred in and around the premises, which included large-scale fights, possession of drugs, a stabbing and use of a Taser to arrest an individual. The most recent of these incidents had happened on 21 December 2019 where a large-scale disorder had taken place outside the premises. Inspection of the premises had also found a number of management failures.

The Sub-Committee considered a request from Jean Champeau, Principal Licensing Officer, to adjourn the hearing until 26 March 2020. He explained that both parties had continued to submit additional evidence following the submission of the review papers and that it had been difficult to provide a coherent report to the Sub-Committee. He added that the adjournment would allow both Thames Valley Police and the Premises Licence Holder (PLH) to resubmit all of their evidence, both written and in other media, in a comprehensive and cross-referenced bundle, which would enable the Sub-Committee to fully comprehend the information and evidence before holding the review.

Jean Champeau added that he would be asking for an adjournment of the review of the Premises Licence for Bar Iguana/Premier, also held by the same PLH, at the Sub-Committee meeting arranged for 12 March 2020. In order for this review to be heard on 26 March 2020, he explained that a separate evidence bundle would also need to be submitted by both parties by the required deadline.

Mr William Donne, the Premises Licence Holder's representative, and Mr Kamal Saleem, the Designated Premises Supervisor, were present at the meeting and addressed the Sub-Committee.

Robert Smalley, Licensing Enforcement Officer, Reading Borough Council and Simon Wheeler, Thames Valley Police, were present and addressed the Sub-Committee. Jason Jones, Thames Valley Police also attended the meeting.

Resolved -

That consideration of the review of the Premises Licence in respect of Favourite Chicken and Pizza, 10 St Mary's Butts, Reading, RG1 7LN be adjourned until 26 March 2020, to allow both parties to resubmit all evidence produced after the review application was served as follows:

- (a) All evidence to be lodged in a bundled form and cross-referenced with any CCTV supplied;

Appendices 2 and 3. The report also stated that at its meeting on 14 February 2019 the Licensing Applications Sub-Committee had decided to adjourn the hearing in order to allow the applicant time to speak to the planning department and a copy of the relevant minute was attached at Appendix 4.

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 amend, alter or refuse an application should it be deemed appropriate for the promotion of the licensing objectives. The Council's Licensing Policy also placed an onus on applicants who wished to open beyond 2300h hours to demonstrate how they would mitigate the issues of crime and disorder and potential public nuisance.

The report set out paragraphs 8.41 to 8.49, 9.11 to 9.13, 14.63 and 14.64 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2017. The report also set out paragraphs 2.2 to 2.7, 3.3, 3.5, 3.6, 9.1 to 9.3, 9.6, 9.7, 12.1 to 12.3, 12.6 to 12.8, 12.10 to 12.15, 12.18 to 12.21, 12.23, 12.24, 12.27 and 12.35 of the Council's Statement of Licensing Policy.

Mr Tim Shield, John Gaunt & Co Solicitors and Mr Stuart Rose, representing the applicant, were present at the meeting and addressed the Sub-Committee on the application.

Robert Smalley, Licensing Enforcement Officer, Reading Borough Council, and Simon Wheeler, Thames Valley Police, were both present and addressed the Sub-Committee on their representations regarding the application as stated in the report.

AGREED:

- (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 Premier Inn, 20 Hosier Street, be granted as follows:

Hours for the Sale of Alcohol (on and off the premises)

Monday to Sunday 1000 hours until 0000 hours

(24 hours for residents)

Films

Monday to Sunday 1000 hours until 2330 hours

- (2) That the premises be open to the public as follows to align with the hours permitted within the planning permission granted on 4 November 2019:

Hours Open to the Public

Monday to Sunday 0600 hours until 0000 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 system cameras shall continually record whilst the premises are open to the public and recordings shall be kept for a minimum of 31 days with time and date stamping. The entire licensable area shall be covered by the CCTV. There shall be at least one camera positioned at each entry and exit point to monitor any external areas to the premises. This includes any areas designated for tables and chairs and/or a designated smoking area. 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. 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) Signs shall be based in prominent positions on the premises notifying customers that CCTV is in operation;
 - (c) When employed, a register of Door Supervisors shall be kept. The register must include the following details:
 - Full SIA registration number;
 - Date and time that the Door Supervisor commenced duty, countersigned by the Designated Premises Supervisor or Duty Manager;
 - Date and time that the Door Supervisor finished work, countersigned by the Designated premises Supervisor or Duty Manager;
 - Any occurrence or incident of interest involving crime and disorder or public safety must be recorded giving names of the Door Supervisor involved;
 - The Door Supervisor register shall be kept at the premises and be available for inspection by an authorised officer of Thames Valley Police or an authorised officer from Reading Borough Council and shall be retained for a period of six months
 - (d) When Door Supervisors are employed at the premises they shall be easily identifiable and display their badges in high visibility arm bands. One Door Supervisor shall also be equipped with a body worn camera to record any incident that undermines the promotion of any of the four licensing objectives. A door register shall also be kept and maintained at the premises and produced to authorised officers of Reading Borough Council and Thames Valley Police upon request.
 - (e) A closure and dispersal policy for controlling the closure of the premises and the departure of customers from the premises at the conclusion of licensed activities shall be put in place and shall be actively operated. At the end of licensable activities, staff shall be available to disperse customers away from the premises in line with the dispersal policy.

- (f) 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 area quietly. After 0000hrs staff shall be available to ensure that customers disperse quietly.
- (g) 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:
 - (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;
- (h) 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;
- (i) The premises age verification policy shall be in a written form and displayed in a prominent position on the premises;
- (j) Notices advertising the premises' Challenge 25 scheme shall be displayed in prominent positions on the premises;
- (k) 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;

- (l) The Premises Licence Holder and/or Designated Premises Supervisor shall ensure that all staff complete training in Child Sexual Exploitation that is of a standard agreed with Thames Valley Police and Reading Borough Council training package within 28 days of employment and a signed record of their training shall be maintained. Refresher training in relation to CSE shall formally take place once every six months and signed records of this training shall be maintained. These records shall be kept for a minimum of two years of the date of training and shall be made available to any authorised officer of Thames Valley Police or an authorised officer of Reading Borough Council.
- (m) 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 whyThis book/register will be available for inspection by a Police Officer or authorised Officer of Reading Borough Council upon request;
- (n) The Premises Licence Holder or nominate representative shall actively participate in the Local Town Radio Scheme when the premises are open for licensable activities Monday to Sunday inclusive;
- (o) Signs shall be displayed at all exits informing customers that the area outside of the premises is an Alcohol Exclusion Zone;
- (p) No alcohol shall be removed from the premises or consumed outside. The only exception to this would be for service of alcohol to tables in any external area under the control of the Premises Licence Holder;
- (q) No person under the age of 16 will be permitted on the premises after 2000hours unless dining in the restaurant or a resident of the hotel. Any person under the age of 16 who is on the premises after 2100 hours shall be accompanied at all times.
- (r) No externally promoted events that involve the sale of alcohol or the provision of regulated entertainment shall take place at the premises at any time.
- (s) All cash transaction and hotel bookings shall require photographic identification from the person making the booking. Only a valid Driving Licence showing the photograph of the person, valid passport, Proof of Age card showing the PASS” hologram or other identification

document agreed with the Licensing Authority or Police shall be valid for the purposes of this condition.

(The meeting started at 9.35am and finished at 11.45 am)