



Name of Officer	Robert Smalley						
Type of Application	Review of a Premises Licence - Licensing Act 2003						
Name of Premises	The Pheasant Inn						
Address	225 Southampton Street						
	Reading						
	RG1 2RB						
Premises Licence No.	LP2002603						
Licensable Activities	Exhibition of Films						
	Indoor Sporting Events						
	Playing of Recorded Music						
	Anything similar to Recorded Music						
	Late Night Refreshment						
	Sale of Alcohol by Retail - On & Off the Premises						
Finish Times	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	2330	2330	2330	2330	0030	0030	2300
Content of Application:							
<p>The application was submitted on 20/09/2020 by PC Simon Wheeler on behalf of the Chief Constable of Thames Valley Police (TVP) for the review of the premises licence at the above address. The review has been submitted in relation to serious concerns held by Thames Valley Police that the Premises Licence Holder's (PLH) inability to ensure compliance with the conditions of their premises licence and poor standards of delivering and maintaining due diligence are undermining the licensing objectives of Prevention of Crime and Disorder, Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm. These failings have led to a number of serious incidents which include: assaults using weapons and glassware, anti-social behaviour and concerns of drug use supported by drug swab results. Thames Valley Police submit that this review is necessary in order to promote all 4 licensing objectives but highlight Prevention of Crime and Disorder and Public Safety as areas of particular concern.</p> <p>The police are a named responsible authority under the Licensing Act 2003.</p>							
Licensing Officer's Comments:							
<p>Reading Borough Council, acting as a responsible authority, fully support the application to review the premises licence for The Pheasant Inn. We also support the recommendation that the premises licence be revoked in the first instance to prevent further undermining of the licensing objectives. This is recommended because of the serious nature and frequency of assaults and other crimes in relation to anti-social behaviour and drugs, coupled with the</p>							

inability of the premises licence holder to address these issues, despite a number of attempts by Thames Valley Police and Reading Borough Council to work with them in order to promote the licensing objectives. If the committee are not minded to revoke the premises licence, then we further support the alternative recommendations submitted by Thames Valley Police in their application for review, which will be provided in full at the end of this representation.

The premises currently has the benefit of a premises licence (**LP2002603** attached as **Appendix RS-1**) held by Admiral Taverns Ltd that authorises Exhibition of Films, Indoor Sporting Events, Playing of Recorded Music, Late Night Refreshment, Sale of Alcohol by Retail for Consumption On & Off the Premises. The premises utilises this licence to operate as a pub which serves alcohol:

Monday to Thursday	from 1000hrs to 2330hrs
Friday to Saturday	from 1000hrs to 0030hrs
Sunday	from 1000hrs to 2300hrs

The premises has seen 3 changes of designated premises supervisor (DPS) in the last 2 years, none of whom have been able to address the historic issues found at this premises and have consistently undermined the licensing objectives. Reports from local residents, in fact, appear to identify previous DPS's as being facilitators to some of these issues, including being drunk themselves and allowing drug taking to occur openly in the bar area (TVP appendices 3 & 4). Following a police visit on 17/03/2020, Jane Brooker, who at the time was not the DPS, but has since become so, told officers that the then DPS, John Aitken had 'gone missing' and that she was told to manage the premises (TVP appendices 22 & 23). This is particularly worrying as it suggests that Admiral Taverns may have been operating a premises licence that was conducting unauthorised activities by way of not having a DPS at the premises, a very serious offence under section 136 of the Licensing Act.

Admiral Taverns Ltd typically use a business model of leasing out their premises to management companies to operate, so it may be possible that Admiral Taverns do not know what is happening at their premises, however, as they have, and continue to hold the licence in their name, they are ultimately responsible and therefore should have effective practices in place to ensure that the use of their licence does not undermine the licensing objectives.

Thames Valley Police have provided an account detailing incidents at the premises since January 2018. TVP appendix 10 is a GEN40 report from February 2018 that found a male with deep lacerations to his face as a result of being glassed. This amounted to GBH. The premises' response at the time was, according to the attending officers, non-existent. The DPS (Martin Forristal) had allowed customers to spill out of the pub and then proceeded to the lock the door. No attempt was made to contact the police and the attending officers suspected that attempts were made to wash the blood

away. This is just one example of a serious incident that led to the undermining of the licensing objectives due to poor and ineffective management put in place either by Admiral Taverns or their appointed management company. In April 2018, the licence was varied to state John Aitken as the DPS. Within 2 months there was another serious incident at the premises involving an assault on a male with a bottle causing head injuries. As with the incident in February 2018, neither the DPS, or any other staff, had contacted the police and cleaning up of the blood had begun which reduces the potential for forensic evidence.

Licensing team interactions with the premises:

Admiral Taverns Ltd has been the licence holder since February 2012. During their time as licence holder, 3 licensing inspections have been conducted by licensing officers from Reading Borough Council. All of these inspections have highlighted areas of non-compliance and poor due diligence practices as detailed below:

Appendix RS-2 contains a letter sent by licensing enforcement officer Peter Narancic to the licence holder following an inspection in January 2013. This inspection identified a number of breaches and concerns, including conditions on drugs policy, fire safety, lack of signage asking customers to respect the needs of local residents and leave the area quietly and no re-entry policy.

Appendix RS-3 contains a letter sent by licensing enforcement officer Peter Narancic to the licence holder following an inspection in January 2018. This inspection identified similar issues to those reported in January 2013 and includes further failings, including a lack of part A of the licence available, no part B on display, no section 57 notice on display and lack of risk assessments for music events among other breaches. The premises also received a 'high' grading for cocaine. In the 5 years since the previous inspection the premises had failed to improve standards and, in fact, was performing worse, further undermining the licensing objectives.

Appendix RS-4 contains a letter sent by licensing enforcement officer Robert Smalley to the licence holder following an inspection in October 2020. This inspection found many improvements in comparison to the previous 2 inspections conducted by Reading Borough Council licensing officers. It should be noted, however, that these improvements are likely as a direct response to TVP's inspection conducted 09/09/2020, which itself found many of the same issues as had been identified during previous inspections. It is positive to finally see some improvement after many years of poor performance, however, this should not detract from the history of the licence holder's inability to effectively manage the premises.

The approach of the Licensing Team:

The Responsible Authorities named in the Licensing Act 2003 must ensure that the licensing objectives are all actively promoted to prevent crime and

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

Secretary of State's Guidance (April 2018)

11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.

11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this cooperation.

11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement - either orally or in writing - that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- remove the designated premises supervisor, for example, because they

- consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
 - revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

The Council's Statement of Licensing Policy:

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

6.5 Any conditions imposed upon a premises licence or club premises certificate will be tailored to that type of premises and the style of operation.

Consideration will also be given to the locality of the premises; issues in the locality; the issues set out in the Guidance and any policy, initiative or other matter the licensing authority wishes to take into account in order to promote the four licensing objectives.

7.14 Premises that provide licensable activity that may undermine the promotion of the four licensing objectives; cause disturbance to residents or in any way exacerbate issues of anti-social behaviour and crime and disorder, are expected to adopt, implement and maintain a robust dispersal policy. Licensed premises in residential areas or within the Council's Cumulative Impact Area are also expected to outline measures such as a suitable wind down time where licensable activities will come to a gradual conclusion before closing time to allow for a gradual and orderly dispersal from the premises and area. It is expected that all staff will be aware of any dispersal policy and wind down times so as to ensure that customers actively leave the premises and area within permitted hours and with the minimum of disturbance to local residents.

8.12 There is an increasing connection between the use of licensed premises and the sexual exploitation of children and vulnerable people. There have been high profile cases nationwide of such abuse. This has included the use of licensed premises to exploit, groom and assault children and vulnerable people as well as exposing them to drugs and alcohol. The authority places the highest priority on the protection of children and vulnerable people from this kind of harm and expects all licence holders and potential licence holders to take cognisance of all national guidance in relation to preventing this kind of activity taking place at their premises.

9.1 It is the responsibility under the Act for all responsible authorities; licence holders and prospective licence holders to actively promote the four licensing objectives. The Council along with partner agencies, has a wider responsibility to protect the public as a whole and prevent crime, harm or nuisance from taking place.

9.15 Licensed premises that have a history of non-compliance over a period of months and years and/or incidents of serious crime taking place at that premises, will likely find that the Authority will initiate a review with a view to asking for the licence to be considered for revocation.

9.16 When considering what enforcement action to take, the Authority will always consider what is the most appropriate and proportionate step to promote the licensing objectives. The Authority is not required to wait for offences to occur before deciding it needs to take appropriate action. Case law - notably *East Lindsey District Council v Abu Hanif* - states that the promotion of the licensing objectives requires a prospective consideration of what is warranted in the public interest having regard to the twin considerations of prevention and deterrence. Similarly, the Secretary of State's Guidance to the Licensing Act makes clear that there is no

requirement for the Authority to wait for the outcome of any criminal proceedings before it initiates any enforcement action. This is the approach that the Authority will take when considering what, if any, action should be taken when condition breaches and other criminal activity is found at licensed premises.

Summary of Representation:

Reading Borough Council Licensing echo the concerns of Thames Valley Police in relation to Admiral Taverns' ability, as the premises licence holder of The Pheasant Inn, to promote the 4 licensing objectives.

Thames Valley Police have supplied a great quantity of evidence with their application that shows consistent failings on behalf of the premises licence holder to comply with the conditions on their premises licence. This is coupled with the poor record of due diligence at the premises, even in basic areas that would be expected of a premises such as this, for example incident and refusal registers and operational CCTV. Many of the failings from the inspections conducted by TVP can also be seen in those inspections conducted by Reading Borough Council Licensing.

It is unfortunate that the premises already attracts some challenging individuals with a propensity to commit crime and conduct anti-social behaviour. This results in the premises being in a self-fulfilling cycle of poor management and procedures that attracts those challenging individuals who are then difficult to remove from the premises and overtime become 'part of the furniture' due to a lack of effective or unimplemented procedures resulting in a poor reputation which attracts more challenging individuals. This cycle must be broken by the use of robust, enforceable conditions that the premises licence holder **needs to comply with** to ensure good procedural standards and promote the licensing objectives.

For the above mentioned reasons, Reading Borough Council respectfully asks that the premises licence be revoked in the first instance due to the inability of the premises licence holder to promote the 4 licensing objectives, with particular failings in relation to Prevention of Crime and Disorder and Public Safety that have led to the serious offences as evidenced.

If the committee is not minded to revoke the premises licence, then we would respectfully ask for you to consider the other options available to you as listed below and in Thames Valley Police's review application.

- **the modification of the conditions of the premises licence;**

If the sub-committee wish to allow the premises licence to continue in force, Reading Borough Council Licensing recommend a number of conditions to be included within the operating schedule and to replace the current conditions that are set out within the licence. The conditions are

designed in order to address the very specific problems which are involved at this premises.

Our recommended conditions shall be included at the end of our submission.

PNB. Please note the concerns of Reading Borough Council Licensing with regards to the abilities of the premises licence holder to ensure compliance with any licence conditions.

- **the exclusion of a licensable activity from the scope of the licence;**

Reading Borough Council Licensing recommend the consideration for the reduction of the hours for both the sale of alcohol and regulated entertainment if made in tandem with the imposition of relevant conditions as set out above. Recommended reductions below.

- Removal of all non-standard timing extensions.
- Reduce the hours for sale by retail of alcohol to 1000 until 2230 (Mon - Sun)
- Reduce the hours open to the public to 1000 until 2300 (Mon - Sun)
- Remove the provision of late night refreshment due to the premises closing at 2300
- Reduce all provisions of regulated entertainment to 1000 until 2230 (Mon - Sun)

- **Revocation of the licence;**

Reading Borough Council Licensing would highly recommend that the sub-committee seriously considers the revocation of this premises licence in the first instance as the most appropriate and proportionate measure in order to prevent this premises continuing to undermine the licensing objectives. There has been a history of poor management and processes linked to this premises licence and numerous incidents of crime and disorder involving both individuals and groups resulting in serious crimes and serious injuries.

We submit that this is the only method that shall both protect public safety and promote the licensing objectives as a whole.

- **the suspension of the licence for a period not exceeding 3 months;**

Reading Borough Council Licensing believe that a suspension of the licence coupled with reductions of hours as set out above and the imposition of licence conditions may provide the premises licence holder a period of time to implement new policies and ensure compliance.

However, as before, Reading Borough Council Licensing would only recommend these options as a secondary measure if the sub-committee were of a mind not to revoke the premises licence.

Reading Borough Council Licensing recommended conditions:

1. The licensee shall participate in any Pub Watch or equivalent scheme if such a scheme is operative

2. 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 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 a Thames Valley Police officer, together with facilities for viewing upon request, subject to the provisions of the Data Protection Act. Recorded images shall be of such a 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.

a) A sign advising customers that CCTV is in use shall be positioned in a prominent position. A fully trained person who can operate the system shall be available at all times when the premises is open to the public.

3. 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 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) are to be accepted as identification.

a) Notices advertising the Challenge 25 policy shall be displayed in prominent positions on the premises.

b) The Premises Licence Holder shall display in a prominent position a copy of their written policy on checking proof of age (age verification policy).

4. An effective written policy against the use and supply of illegal drugs in the premises shall be implemented and signs promoting that policy shall be displayed at the premises. The written policy shall be made available to a Police Officer or authorised officer of the Reading Borough Council upon request;

5. Staff employed to sell alcohol shall undergo training upon induction before they are allowed to sell alcohol. This shall include, but not be limited to:-

- The premises age verification policy
- Dealing with refusal of sales
- Proxy purchasing
- Recognising valid identity documents not in the English language
- Identifying attempts by intoxicated persons to purchase alcohol
- Identifying signs of intoxication

- Conflict management
- How to identify and safeguard vulnerable persons who attend and leave the premises
- Drug Policy and substance awareness and effects
- Search Policy
- Dispersal Policy
- Crime scene preservation
- Child Sexual Exploitation

a) Refresher training shall be provided every 6 (six) months.

b) Signed induction and refresher training records are to be kept for a minimum of 2 (Two) years of the date of training, and made available for inspection by a Police Officer or authorised officer of Reading Borough Council upon request.

c) Staff authorised to sell alcohol shall be accredited to BII Level 1 award in responsible alcohol retailing (ARAR) or any other similarly nationally recognised approved accreditation curriculum within four weeks for existing and subsequent employees.

6. 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 immediate area quietly. Staff shall be available to assist in the dispersal of customers at the cessation of licensable activities each evening.

7. Existing fire safety precautions shall be maintained and the premises licence holder shall ensure that a written fire risk assessment is available upon request for inspection by a Police Officer or authorised officer of Reading Borough Council;

8. 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;

9. Arrangements must be put in place to ensure that waste collection contractors do not collect refuse between 2000 hours and 0800 hours;

10. Noise from the licensable activities shall be monitored to prevent nuisance and a daily written or electronic log shall be maintained and available to a Police Officer or authorised officer of Reading borough Council upon request ;

11. No person under 18 years of age shall be admitted to any part of the Premises at any time;

a) Notices shall be displayed outside the premises or relevant part thereof advising of the restrictions on the admission of children;

12. The licensee shall monitor the number of people on the premises and shall ensure that a maximum permitted occupancy of 80 people, including staff members, is not exceeded;

13. The beer garden shall not be used for the consumption of food and drink between 2200hrs and 2300hrs.

14. All external doors/windows must be kept closed, other than for access and egress, when events involving amplified music or speech are taking place and in any case after 2200 hours whenever the premises is open for licensable activity. Where such doors and windows remain shut, a suitable ventilation system shall be provided allowing a minimum of eight air changes per hour;

15. 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;

16. 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;

17. Dancing shall be limited to the public bar area only, providing all furniture has been removed and no drinking shall be permitted in that area during dancing;

18. An entry, re-entry, closure and dispersal policy for controlling the opening and closing of the premises and the departure of customers from the premises at the conclusion of the licensed activities shall be put in place and shall be actively operated. The policy shall be in written format and made available upon request to an authorised officer of Reading Borough Council and Thames Valley Police;

19. A written risk assessment shall be carried out before any licensable activity involving music is carried out. The risk assessment must be available upon request by a Police Officer or authorised officer of Reading Borough Council.

20. The premises licence holder shall ensure that all draught alcoholic, draught non-alcoholic and spirits are served in polycarbonate containers.

All alcoholic and non-alcoholic bottled drinks shall be served in plastic bottles where possible, and where not possible all glass bottles shall be decanted into polycarbonate containers.

21. The premises licence holder shall ensure that a refusal log (either written or electronic) is in operation at the premises. All staff involved in the sale of alcohol shall be trained in how to use and maintain said log. The log shall contain the following:

a) Description of person attempting to purchase alcohol

b) Time said person attempted to purchase alcohol

c) The reason for refusing a person alcohol

d) Name of staff member dealing with the refusal

The log shall be signed off weekly by the designated premises supervisor or nominated representative and shall be made available for inspection to officers of Reading Borough Council and Thames Valley Police.

22. An incident log (either written or electronic) shall be used, maintained and kept at the premises. The log shall record any incident that undermines the promotion of the licensing objectives and any incident that involves police attendance at the premises. The log should contain the following:

- Description of incident
- Time of incident
- Action taken in relation to the incident
- Description of any person involved in the incident

The incident log shall be made available to authorised officers of Reading Borough Council and Thames Valley Police upon request.

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

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

24. A current written authorisation list shall be displayed in a prominent position on the premises confirming the details of all current staff that have been authorised to sell alcohol by a Personal Licence Holder. The authorisation list shall include, the name of the staff member authorised, the name and personal licence details of the person authorising them to sell alcohol. This list shall also contain the date and signature of the staff member authorised and countersigned by the authorising Personal Licence Holder.

25. A section 57 notice shall be displayed in a prominent position detailing the location of the Part A of the premises licence, and a list of staff members that have an awareness of its location and content.

26. The premises shall have **FOUR** SIA approved door supervisors on a Thursday nights trade, Friday nights trade and Saturday nights trade from 1900 hours until the last customer has left the premises at closing time whenever licensable activities are being conducted;

a) The premises shall risk assess the requirement SIA approved door supervisor(s) on a Sunday nights trade, Monday nights trade, Tuesday nights trade and Wednesday nights trade from 1900 hours until the last customer has left the premises at closing time whenever licensable activities are being conducted.

The risk assessment must take cognisance of local events such as, Bank Holiday weekends, Christmas and New Year's Eve as non-exhaustive examples. The risk assessment must be in writing and available immediately upon request to authorised officers of Reading Borough Council and Thames Valley Police.

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

(i) Full SIA registration number and name.

(ii) Date and time that the Door Supervisor commenced duty, countersigned by the Duty Manager.

(iii) Date and time that the Door Supervisor finished work, countersigned by the Duty Manager.

(iv) Any occurrence or incident of interest involving crime & disorder or public safety must be recorded giving names of the Door Supervisor involved.

(v) A record will be kept on site of all monthly SIA checks that are made via the register of licence holders via the www.sia.homeoffice.gov.uk website to check the validity of all door staff licences. A scan, photocopy or photographic image of the SIA badge held by each door supervisor shall be recorded and retained in a register along with an ID photo of the individual to ensure that the badge is held by the "correct" person. All records to be retained for twelve months in line with (vi) below.

(vi) The Door Supervisor register shall be kept at the premises and be available for inspection by an authorised Officer from Reading Borough Council or Thames Valley Police upon request, and shall be retained for a period of twelve months.

28. The Premises Licence Holder (PLH) shall ensure that all door supervisors whilst employed at the premises shall wear hi visibility jackets/ tabards in bright green, yellow or orange in order that they can be clearly visible and

identifiable at all times to the public and via CCTV both internally and externally. When tabards are worn, hi visibility armbands must also be worn that incorporate displaying SIA badges. If hi visibility full sleeved jackets are worn the PLH must ensure that all door supervisors badges are also displayed via an easily visible arm band of a different hi visibility colour to the jacket that is being worn.

29. Whilst Door Supervisors are employed at the premises ALL Door Supervisors working at the premises will be deployed with digitally recording Body Worn Video (BWV). The BWV will be used to record any incidents which occur both inside and outside of the premises involving customers either entering, exiting or gathering in the vicinity of the premises or in any queue that impact any of the four licensing objectives. 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.

30. All SIA door supervisors employed at the premises will be trained in respect of a Door Supervisors Operational Policy which must be written and provided by the premises licence holder (PLH) and a signed training record to confirm the same will be maintained for production to authorised officers of Reading Borough Council and Thames Valley Police upon request.

31. The Premises Licence Holder (PLH) shall ensure that a written operational policy relating to the safe removal of persons from the premises and/or its immediate vicinity by staff and door supervisors shall be put in place, actively operated and included within the Door Supervisors Operational policy. The policy shall be in written format and made available upon request to an authorised officer of Reading Borough Council and Thames Valley Police.

This shall include but not be limited to:

- (a) Persons who have been identified by staff as being vulnerable or at risk.
- (b) Persons who are refused entry to the premises or refused service within the premises.
- (c) Persons who are ejected from the premises

32. The Premises Licence Holder (PLH) shall ensure that upon induction all door supervisors employed at the premises receive as a minimum standard written training in a) control and restraint techniques and b) legal training covering the powers and policies relevant to their role. Refresher training shall be provided every 6 (six) months and signed records shall be produced upon request to authorised officers of Thames Valley Police and Reading Borough Council. Written records for both induction and refresher training are to be kept for a minimum of 2 (two) years of the date of training.

33. No externally promoted events or bookings shall be undertaken and no external promoters utilised at the premises.

34. The Premises Licence Holder shall implement a written search policy (following discussion with Thames Valley Police), to minimise the risk of illegal weapons and drugs being brought onto the premises, including search, detection, confiscation, storage and disposal of drugs procedures. The search policy shall provide, as a minimum:

(a) For 100% bag search of all customers attempting to enter the premises, whenever door supervisors are employed.

(b) For full “pat down” body searches of all customers entering the premises whenever door supervisors are employed, to prevent weapons and drugs being carried onto the premises.

(c) For the use of “wands” or other metal detection device to search all persons entering the premises whenever door supervisors are employed.

35. Notices shall be displayed advising the public that the right to conduct an outer body search is reserved as a condition of entry, and that Thames Valley Police shall be informed if anyone is found in possession of illegal drugs or offensive weapons.

36. The venue shall also actively partake in drugs initiatives run by TVP (including, but not exclusively, drug itemiser, passive drug dogs and spiked drinks campaigns);

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

Relevant Case law for consideration

The British Beer and Pub Association, The Association of Licensed Multiple Retailers, The British Institute of Innkeeping v Canterbury City Council [2005] EWHC 1318 (Admin)

(R) on the application of Hope and Glory Public House v Westminster City Council (2011) EWCA Civ31

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

R (on application of Daniel Thwaites plc) v Wirral Magistrates’ Court and Others (2008) EWHC 838 (Admin)

Appendices

Appendix RS-1: Copy of the current premises licence

Appendix RS-2: Premises inspection results letter from inspection conducted by Peter Narancic dated February 2013

Appendix RS-3: Premises inspection results letter from inspection conducted by Peter Narancic dated January 2018

**Appendix RS-4: Premises inspection results letter from inspection
conducted by Robert Smalley dated October 2020**

Date Received	20/09/2020	Date Due	18/10/2020
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Date	13	10	2020
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