

Name: Jane Brookes

Statement Number: 1

Dated: 8th November 2020

IN THE MATTER OF THE LICENSING ACT 2003

APPLICATION FOR A REVIEW OF THE PREMISES LICENCE

IN RESPECT OF

THE PHEASANT INN, READING

WITNESS STATEMENT OF

JANE BROOKES

I, **JANE BROOKES**, of the Pheasant Inn, 225 Southampton Street, Reading, RG1 2RB, will say as follows:

1. I am the Designated Premises Supervisor and the live-in manager at the Pheasant Inn in Reading. I am employed by Q Inns Limited, who are a pub management company and who have an agreement with the owners, Admiral Taverns, to operate the Pheasant Inn.
2. Prior to working at the Pheasant Inn, I managed a pub in Wokingham and overall, I have around ten years' experience of managing hospitality venues.
3. The responsibilities of my role at the Pheasant Inn include recruiting, training and managing staff; compliance; financial management; maintenance and upkeep of the property; and, supervision and control of customers.

4. I was initially asked to look after the Pheasant Inn on a temporary basis because the Designated Premises Supervisor at the time, John, had to go to look after his father who had been taken ill. Initially, I only expected to be there for a week or two. However, after I had been at the Pheasant Inn for a couple of weeks, there was an incident on 17th March and the Police wanted it to be clear who was in charge at the premises. The management company spoke to John and asked him if he would be back soon and he said that he could not guarantee that due to his father's health. I was therefore asked to manage the premises on a more permanent basis and I agreed, so I became the Designated Premises Supervisor and moved in shortly afterwards when John's belongings had been removed.
5. When I started at the premises, I could see that there were issues there. The customers that I had inherited from John were locals in the main, but they were younger locals and they were not all the kind of locals that I wanted as my customers. I was better placed than John to understand this because he was not from the area whereas I have lived in the area for nearly 30 years, so I know the people. I made some immediate changes when I took over, and in particular I barred quite a lot of people in a short space of time. The people I stopped coming in were the younger ones who seemed to think they could do whatever they liked. Their presence at the premises put off the older locals, who are the people that we do want as our customers.
6. Things were starting to improve and the company I work for were in negotiations to take on the site permanently with me as the manager when the national lockdown happened in March. We wanted to make the most of an undesirable situation during lockdown so I reached an agreement with the company I work for that they would fund me having some work done during lockdown to improve the appearance of the premises, and I would do a lot of the work myself. We worked hard to improve the look of the premises both inside and out, including: painting; deep cleaning the upholstery; cleaning the good furniture and replacing the broken furniture; staining the furniture in the

external area; power-washing the external areas; and, creating flower beds and baskets. It resulted in a completely new look and I have attached photos at Appendix 1 which show parts of the premises before the work, during the work and after the work.

7. The refurbishment has had the desired effect and has brought in more of the older locals that we hoped it would. Some of them have become loyal regulars now they have seen that I have removed some of the younger crowd they did not like. We still have some younger customers, but they are largely students, they are respectful and they do not cause trouble. They are the sort of customers that we want. They are easier to manage and you can see that from the fact we have had very few incidents since we re-opened. I have seen the incidents listed in the Police review, but do not believe they are as bad as they are made out to be.

- a. The application for review says that there were reports of three funerals taking place at the same time and 200 people being in the pub on 21st July. This simply did not happen. I do not know what it refers to and do not recall that there was a funeral on that day at all. Even if there had been, I would be well aware if there had been 200 people at the pub and would definitely remember it. All I can think is that this has been reported by somebody who has an issue with me or the pub. This is quite possible since there was some bad feeling from some of the people I barred.

- b. The application for review says that there were people shouting loudly late at night on 29th July 2020. I know what this relates to and it is not customers from the pub. It relates to a group of men who used to hang around outside the communal toilets at the flats which are near to premises. They are not our customers and they are not anything to do with the pub.

- c. The application for review says the Police were called to a fight at the premises on 28th August. There was no fight. There had been some words exchanged between two individuals, but we managed the situation and stopped it escalating into a fight, exactly as we should have done. The Police acknowledge they found no evidence of violence, but go on to say that they were concerned about there being a lot of people in the beer garden with no social distancing. I accept that there were a lot of people in the beer garden but that was only the case because the police attended. Customers had been sat at tables in the pub and observing social distance requirements all through the evening.

The Police arrived expecting to have to deal with a fight so they came in quickly and some of them came in through the front door of the pub whilst others came in through the entrance to the beer garden at the back. As part of our covid measures, we have a one-way system in place whereby customers enter through the front door and leave through the back. It was closing time, so people were being ushered out of the back door as usual and ordinarily, they would then have been encouraged out of the beer garden and away from the premises. However, customers could not get out of the beer garden because the Police came in through the exit and would not allow people to leave. That meant they had nowhere to go. They were stuck, so there were a lot of people were standing around in the beer garden but it was not the case they had been there during all the time they had spent at the pub. Some of them had, but most had come from inside and were leaving when the Police arrived and stopped them.

- d. The last issue in the review application relates to a licensing inspection on 9th September. I accept that, at the time, I did not have my house in order to the extent that I should have done in terms of record-keeping and due diligence. I do not believe the criticism was warranted for not having a Summary of the licence displayed because I had not

received a copy of the Premises Licence from the Council following the application to put me down as the Designated Premises Supervisor, but I do acknowledge that I had not attended to things like joining the Pubwatch and having written policies available for production.

It is not an excuse, but by way of explanation, we were operating under covid-restrictions and those restrictions kept changing, so took a lot of time and effort. I think my focus had been too much on those things and not enough on the licensing side of things. After the inspection, I liaised with Admiral to get these things attended to. I have attached an e-mail at Appendix 2 from Admiral Taverns with template policies, etc., that I had asked for. The improvement was noted at a subsequent inspection by the Council on 8th October 2020.

8. I was surprised when I learned that the Police had submitted an application for review of the premises licence. After the incident in March, Admiral Taverns had told me that they were speaking to the Police about a minor variation to add some conditions to the Premises Licence before the national lockdown and I had talked to Mick Sheridan, the Business Development Manager at Admiral, about those conditions.
9. I don't understand how the Police have gone from asking for those conditions to asking for the licence to be revoked when so little has happened in the meantime. Using the conditions that the Police proposed in March as a starting point, I have been involved in coming up with a set of conditions that we are proposing should be added to the licence. I have attached those at Appendix 3. I have already introduced a lot of the things the conditions require and I believe the measures are working because we have not been having serious issues.
10. I urge the committee to impose the conditions that we are proposing. They are a proportionate response to the recent issues the Police have outlined, and it can already be seen that they are working.

STATEMENT OF TRUTH

I believe that the contents of this Witness Statement are true.

Dated this 8th Day of November 2020.

Signed:
(Jane Brookes)

APPENDIX 1



















APPENDIX 2

Malcolm Ireland

From: [REDACTED]@AdmiralTaverns.co.uk>
Sent: 26 October 2020 14:44
To: Malcolm Ireland
Subject: [External] FW: Pheasant, Reading - Signage
Attachments: (RE-VAMP) - Age Verification Policy - Current.pdf; (RE-VAMP) - Challenge 21 Age Verification Staff Policy - Current.pdf; (RE-VAMP) - Challenge 25 Age Verification Staff Policy - Current.pdf; (RE-VAMP) - DPS Authorisation Sheet - Current.pdf; (RE-VAMP) - Mandatory Conditions 2014 Provision Of Small Measures - Current.pdf; Anti-Drugs Poster (1).doc; CCTV SIGNS.doc; Challenge 21 Poster (CURRENT).pdf; Challenge 25 Poster (CURRENT).pdf; Drug Risk Assessment.doc; General Dispersal Policy - Main.rtf; General Dispersal Policy (Current).rtf; NOISE - LEAVE PREMISES QUIETLY POSTER.doc; Pubwatch - Don't Get Banned Poster.pdf; Pheasant - Part A.pdf; Pheasant - Part B.pdf

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Rebecca Farley
Licensing Paralegal
T: 01244 505402

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From: [REDACTED]@AdmiralTaverns.co.uk>
Sent: 11 September 2020 15:08
To: '[REDACTED]@gmail.com' <[REDACTED]>
Subject: Pheasant, Reading - Signage

Hi Jane,

Please see attached documents as discussed along with the updated premises licence. I know that you have now rectified the issues identified further to police licensing inspection and CCTV is now installed, however please do let me know if you have any issues. I have emailed Declan further to the visit to ask for confirmation of the agreed actions at the time of the visit.

The Pubwatch details will follow.

Many Thanks,

[REDACTED]
Licensing Paralegal

APPENDIX 3

IN THE MATTER OF THE LICENSING ACT 2003

APPLICATION FOR A REVIEW OF THE PREMISES LICENCE

IN RESPECT OF

THE PHEASANT INN, READING

CONDITIONS PROPOSED BY THE PREMISES

LICENCE HOLDER

CCTV

1. The premises shall be equipped with a digitally recording CCTV system. The 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. 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.

STAFF TRAINING

2. Any staff who are involved in the sale of alcohol will undergo training prior to employment or during induction. Said training will include, but will not be limited to the premises' Challenge 25 proof of age checking policy, dealing with refusal of sales, proxy purchasing, identifying persons under the influence of drugs, drug prevention training and identifying intoxicated persons to purchase alcohol. Such training sessions are to be documented and refreshed every 12 months. Records of training shall be kept for a minimum of 1 year and be made available for inspection to an authorised officer of Thames Valley Police and Reading Borough Council.

3. The Designated Premises Supervisor shall ensure they and staff who are authorised to sell alcohol, are able to converse with customers and representatives of Statutory Agencies to a level that they are able to satisfactorily meet the four licensing objectives as contained in the Licensing Act 2003.

- i. The Prevention of Crime and Disorder.
- ii. Public Safety.
- iii. Public Nuisance.
- iv. The Protection of Children from Harm.

AGE VERIFICATION AND REFUSALS

4. No person under 18 years of age shall be admitted to any part of the Premises at any time. Notices shall be displayed outside the premises or relevant part thereof advising of the restrictions on the admission of children;

5. 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.

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

7. A refusal log (either written or electronic) shall be 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.

INCIDENT LOG (Which May Be Electronic)

8. 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.

PREVENTION OF PUBLIC NUISANCE

9. 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.

10. 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.

11. 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 22:00 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.

12. During operating hours the Designated Premises Supervisor 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.

13. The placing of refuse, such as bottles, into receptacles outside the premises shall only take place between the hours of 08:00 and 20:00.

14. Arrangements must be in place to ensure that waste collection contractors do not collect refuse between the hours of 20:00 and 08:00.

15. The beer garden shall not be used for the consumption of food or drink between 23:00 and 01:00.

POLICIES AND RISK ASSESSMENTS

16. An 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.

17. 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.

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

19. 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.

SECURITY

20. Prior to each occasion on which the premises carries on licensable activities, the premises shall risk assess the requirement for SIA approved door supervisor(s). An appropriate number of door supervisors will be utilised in accordance with said risk assessment which will 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. *[As a minimum, two door supervisors will be utilised on Friday and Saturday evenings from 20:00 until the last customer has left the premises.]*

21. 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.

22. 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 to authorised officers of Reading Borough Council and Thames Valley Police upon request.

23. It will be ensured 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

24. It shall be ensured 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 12 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 1 year of the date of training.

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

26. A written search policy will be implemented at the premises (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.

27. 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.

OTHER INITIATIVES

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

- Proof of identity (such as a copy of their passport)
- Nationality
- Current immigration status
- Employment checks will be subject of making copies of any relevant documents produced by an employee, which will be retained on the premises 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.

29. The Designated Premises Supervisor or duly nominated representative shall be an active member of the local pub watch scheme if such as scheme is operative.

30. Existing fire safety precautions shall be maintained and it shall be ensured that a written fire risk assessment is available upon request for inspection by a Police Officer or authorised officer of Reading Borough Council.

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

32. All drinks which are served on draught will be served in containers made of toughened glass, plastic, polycarbonate or an equivalent material which is not capable of forming shards when broken.

33. The venue shall actively partake in drugs initiatives run by TVP (including, but not limited to, drug itemiser, passive drug dogs and spiked drinks campaigns).