

## LICENSING APPLICATIONS SUB-COMMITTEE 2 MEETING MINUTES - 15 JULY 2021

**Present:** Councillor Maskell (Chair);  
Councillors Rynn and Skeats

### 1. APPOINTMENT OF CHAIR FOR THE MEETING

Councillor Maskell was nominated by Councillor Skeats and seconded by Councillor Rynn. As there were no other nominations, Councillor Maskell was appointed Chair for the meeting.

### 2. MINUTES

The Minutes of the meetings of Licensing Applications Sub-Committee 1 held on 16 March 2021 were agreed as a correct record and signed by the Chair.

### 3. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - 8A RICHFIELD AVENUE, READING, RG1 8EP

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 Gorilla's.8A Richfield Avenue, Reading, RG1 8EP.

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

#### Hours for the Sale of Alcohol for Consumption Off the Premises

Monday to Sunday 0800 hours until 0000 hours

#### Opening Hours

Monday to Sunday 0800 hours until 0000 hours.

The report explained that the premises would be operating as an on-line only, remote home delivery grocery business and that the premises would not be open to the public.

A copy of the licensing application form was attached to the report at Appendix DF1.

The report stated that during the 28-day consultation period, representations had been received from RBC Licensing, Thames Valley Police (TVP) and RBC Trading Standards which were attached to the report at Appendices DF2, DF3 and DF4 respectively. Peter Narancic, RBC Licensing, had set out a list of suggested conditions in his representation at Appendix DF2. The applicant's agent had responded to the suggested conditions, including an example condition that had been agreed with another local authority in an email dated 24 June 2021, attached to the report at Appendix DF5.

## LICENSING APPLICATIONS SUB-COMMITTEE 2 MEETING MINUTES - 15 JULY 2021

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 7.15, 8.11, 8.14, 8.16 to 8.19, 9.1, 9.3 to 9.5 and 9.8 to 9.11 of the Council's Statement of Licensing Policy. The report also set out paragraphs 1.5, 8.41 to 8.49, 9.11 to 9.13, 10.46, 10.49 to 10.50 and 14.63 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2018.

Mr Craig Bayliss of Bryan, Cave Leighton Paisner Partnership, representing the applicant, attending the meeting remotely by phone, addressed the Sub-Committee and responded to questions.

Peter Narancic, RBC Licensing, Ian Savill, RBC Trading Standards and Declan Smyth, TVP, attending the meeting, addressed the Sub-Committee and responded to questions.

Robert Smalley, Licensing Enforcement Officer, presented the report at the meeting.

The Sub-Committee noted that this was a new type of operation within Reading, and were concerned to ensure that appropriate conditions were attached to the licence. In particular they felt that conditions regarding age verification at the point of delivery, the provision of CCTV to act primarily as a deterrent and to ensure that counterfeit alcohol was not sold from the premises would help the Premises Licence Holder to promote the four licensing objectives.

### **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 to a Premises Licence in respect of Gorilla's, 8A Richfield Avenue, Reading, RG1 8EP, be granted to permit:

Sale by retail of Alcohol

## LICENSING APPLICATIONS SUB-COMMITTEE 2 MEETING MINUTES - 15 JULY 2021

Monday to Sunday 0800 hours until 0000 hours

### Opening Hours

Monday to Sunday 0800 hours until 000 hours

and that the following conditions shall apply:

1. The supply of alcohol can only be done, boxed and dispatched for delivery from this named premises.
2. No customers shall be permitted to attend the premises at any time.
3. All sales of alcohol must be completed within the hours authorised on the licence. Alcohol must be paid for at the time of ordering by payment card. Orders and payments must be done online or via the company's app only.
4. Alcohol shall only be delivered to a bona fide residential or commercial address. Deliveries shall not be made to public places. Alcohol must not be delivered to an address other than as per the order.
5. Staff making deliveries of alcohol must be at least 18 year of age.
6. The Premises Licence Holder or nominated representative shall ensure that delivery records for any sales including the sale of alcohol are retained for a period of one year and be made available to an authorised officer of Reading Borough Council or Thames Valley Police upon request.
7. The Premises Licence Holder shall ensure that all staff employed in the sale (and delivery) of alcohol shall be trained in their responsibilities pertinent to the Licensing Act 2003, specifically in regard to age-restricted sales. 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 Reading Borough Council or Thames Valley Police upon request.
8. All staff involved in the sale (and delivery) of alcohol shall be trained to record refusals of sales and deliveries of alcohol in a refusals log (whether written or electronic). The log shall contain
  - (i) Details of the date, time and address where the refusal was made;
  - (ii) The identity of staff member refusing the sale or delivery
  - (iii) The reason for the refusal.

This refusals log shall be made available for inspection by an authorised officer of Reading Borough Council or Thames Valley Police upon request. A weekly review of the refusals log shall also be carried out and signed off by the Designated premises Supervisor.

## LICENSING APPLICATIONS SUB-COMMITTEE 2 MEETING MINUTES - 15 JULY 2021

9. A Challenge 25 age verification policy will be used at the delivery address. Acceptable forms of ID for production at the delivery address are a passport, a photocard driving licence, a card bearing the "PASS" hologram, Military ID (or any other nationally accredited scheme) or other form or method of identification that complies with any mandatory condition that may apply to this licence are to be accepted as identification.

If a customer is unable to produce identification confirming they are of legal age to purchase alcohol, then the sale will be refused and that refusal will be logged in the refusals log.

10. All staff to be trained to record all incidents which have an impact on any of the four licensing objectives, or instances when authorised officers from Reading Borough or Thames Valley Police have attended the premises. A record shall be used, maintained and kept on or be accessible at the premises. It should be marked Incidents. It must be completed within 24 hours of the incident and will record the following:

- all crimes relating to the premises;
- any complaints received;
- any incidents of disorder;
- any visit by a relevant authority or emergency service.

The Incidents record shall be made available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police upon request.

11. The premises licence holder shall display in a prominent position on their website and/or app a copy of their policy on checking proof of age.
12. All alcohol products shall only be purchased from outlets registered with HMRC's Alcohol Wholesale Registration Scheme. The Premises Licence Holder shall have available on the premises, for inspection by an authorised officer of Reading Borough Council or Thames Valley Police at any reasonable time, true copies of invoices, receipts or other records of transactions for all alcohol products purchased in the preceding three months.
13. The Premises Licence Holder shall ensure the premises digitally recorded CCTV system cameras shall continually record and recordings shall be kept for a minimum of 31 days with time and date stamping. The entire licensable area shall be covered with the CCTV. There shall be at least one camera positioned at each entry and exit point to monitor any external areas to the premises. Data recordings shall be made immediately available for viewing to an authorised officer of Thames Valley Police or Reading Borough Council together with facilities for viewing upon request, subject to the provisions of the Data Protection Act and GDPR legislation. 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.

## LICENSING APPLICATIONS SUB-COMMITTEE 2 MEETING MINUTES - 15 JULY 2021

14. Signage advising that CCTV is in use shall be positioned in prominent positions.
15. If the CCTV system fails for any reason, then the designated premises supervisor or nominated representative are required to contact both Thames Valley Police [licensing@thamesvalley.pnn.police.uk](mailto:licensing@thamesvalley.pnn.police.uk) and the Licensing Team at Reading Borough Council at [licensing@reading.gov.uk](mailto:licensing@reading.gov.uk) outlining the reason if known and when it is likely to be repaired. This is to be done within 24hrs of the failure.
16. When the CCTV system has been repaired the designated premises supervisor or nominated representative are required to contact both Thames Valley Police at [licensing@thamesvalley.pnn.police.uk](mailto:licensing@thamesvalley.pnn.police.uk) and the Licensing Team at Reading Borough Council at [licensing@reading.gov.uk](mailto:licensing@reading.gov.uk) informing them of the repair. This is to be done within 24hrs of the repair.
17. 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 and businesses. This includes noise from any amplified music or speech played at the premises.
18. Delivery bikes, or any other vehicle used for the delivery of orders, shall be used and stored in a way that does not cause undue disturbance to neighbouring residents or businesses.
19. Clearly legible and suitable notices shall be displayed at all exits requesting staff to respect the needs of neighbouring residents and businesses and to keep noise levels to a minimum.

The Sub-Committee considered that these conditions were appropriate and proportionate, particularly to ensure that children were protected from harm by preventing them from gaining access to alcohol at the point of delivery.

(The meeting closed at 1.06 pm)