

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 13 DECEMBER 2018

Present: Councillors Woodward (Chair) and Skeats.

22. APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - SHINFIELD FILLING STATION

The Head of Planning, Development and Regulatory Services submitted a report on an application by Motor Fuel Ltd for the variation of the Premises Licence in respect of Shinfield Filling Station, 211 Shinfield Road, Reading, RG2 8HA.

The report stated that the premises currently had a Premises Licence in force, which permitted the following:

Provision of Late Night Refreshment

Monday to Sunday from 2300hrs until 2400hrs

Sale by Retail of Alcohol, Off the Premises

Monday to Sunday from 0600hrs until 2400hrs

Opening Hours

Monday to Sunday from 0000 hours until 2400 hours

A copy of the Premises Licence was attached to the report at Appendix 4.

The application was seeking to vary the Premises Licence to allow:

Provision of Late Night Refreshment

Monday to Sunday from 2300hrs until 0500hrs

Sale by Retail of Alcohol, Off the Premises

Monday to Sunday from 0000 hours until 2400 hours

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

The report stated that during the 28 day consultation process for the application, representations had been received from Reading Borough Council's Trading Standards Team (attached to the report at Appendix 2) and Reading Borough Council's Environmental Protection and Nuisance Team (attached to the report at Appendix 3).

The report stated that in considering 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

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 13 DECEMBER 2018

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, 8.41-8.49, 9.11-9.13, 10.4-10.5, 10.15, 2.15-2.16 and 14.63 from the Secretary of State's guidance issued under Section 182 of the Licensing Act 2003 (April 2018) and paragraphs 2.3-2.7, 3.7, 6.11-6.16, 7.1-7.7, 7.9, 7.13 and 7.16-7.17 from the Council's Statement of Licensing Policy (October 2018).

Rebecca Moon, Reading Borough Council's Environmental Protection and Nuisance Team, was present at the meeting and addressed the Sub-Committee on her representation.

The applicant was not present but was represented by Mr Chris Mitchener, Licensing Solutions, who addressed the Sub-Committee on 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 as set out in the report and the Council's Statement of Licensing Policy as set out in the report, the application for the variation of the Premises Licence in respect of Shinfield Filling Station, 211 Shinfield Road be granted, and in accordance with paragraph 2.4 of the Council's Statement of Licensing Policy (October 2018) in respect of planning consent, there were exceptional circumstances for departing from the policy on this occasion and to do so would not undermine the promotion of the four licensing objectives. The licence was granted to permit the following:

Provision of Late Night Refreshment

Monday to Sunday 2300 hours until 0500 hours

Sale by Retail of Alcohol, Off the Premises

Monday to Sunday 0000 hours until 2400 hours

- (2) That the following conditions be attached to the licence:

Closed Circuit Television

- a) The Premises Licence holder shall ensure the premises' digitally recorded CCTV system cameras shall continually record whilst the premises are undertaking licensable activities and recordings shall be kept for a minimum of 31 days with time and date stamping. The entire licensable area and forecourt shall be covered by the CCTV. Data recordings shall be made 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 a quality as to be able to identify the recorded person;
- b) Signage advising customers that CCTV is in use shall be positioned in prominent positions;

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 13 DECEMBER 2018

Age Verification Policy

- c) 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 as set down within the mandatory conditions) are to be accepted as identification. A copy of the age verification policy shall be displayed in a prominent position on the premises;
- d) Signage advertising the Challenge 25 scheme and age shall be displayed in prominent positions on the premises;

Staff Training

- e) All cashiers shall be trained to record refusals of sales of alcohol in a refusals book or electronic register. The book/ register shall contain:
Details of the time and date the refusal was made;
The identity of the staff member refusing the sale;
Details of the alcohol the person attempted to purchase.
This book /register will be available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police. A four weekly review of the refusal book/register shall also be carried out and signed off by the Designated Premises Supervisor or their nominated representative;
- f) Staff employed to sell alcohol shall undergo training upon induction in utilising the Challenge 25 proof of age checking policy. This shall include, but not be limited to, dealing with refusal of sales, proxy purchasing and identifying attempts by intoxicated persons to purchase alcohol. Such training sessions are to be completed before the employee is permitted to sell alcohol, documented and refreshed every six months. Records of training shall be kept for a minimum of two years and be made available to an authorised Officer of Reading Borough Council or Thames Valley Police upon request;

Incident Register

- g) An incident register shall be used, maintained and kept on the premises to record any incident of crime and disorder or instances when the police have had to attend the premises. The register shall be made available for inspection to an authorised Officer of Reading Borough Council or Thames Valley Police upon request;

Public Nuisance

- h) 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;
- i) Alcohol deliveries to the premises shall only take place between 0700 hours and 2300 hours;

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 13 DECEMBER 2018

Other Initiatives

- j) Spirits (alcoholic drinks), with the exception of spirit mixers and pre-mixed spirit drinks, shall be located behind the counter;
- k) The premises licence holder shall at all times maintain an adequate level of staff;
- l) The external area of the premises and forecourt shall be kept clean and tidy. Adequate waste receptacles for use by the customers shall be provided in and immediately outside the premises;
- m) There shall be no entry to the premises between 0000 hours and 0530 hours and service shall be provided through a service hatch during these hours;
- n) No cans of beer, lager and cider above 6.5% ABV (alcohol by volume) shall be sold on the premises at any time;
- o) The licensable activities of late night refreshment and the sale of alcohol by retail off the premises will not be effective between 0000 hours and 0600 hours until the premises licence holder has applied for and been granted planning permission to operate to these times.

(The meeting started at 9.30am and finished at 10.59am)