

## LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 27 APRIL 2023

**Present:** Councillor Woodward (Chair), Edwards (Vice-Chair) and Cresswell

### 22. MINUTES

The Minutes of the meetings held on 13 April 2023 were confirmed as a correct record and signed by the Chair.

### 23. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - TODAY'S EXPRESS, 17 DUKE STREET, READING, RG1 4SA

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 Today's Express, 17 Duke Street, Reading, RG1 4SA.

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

#### **Sale by Retail of Alcohol (Off the Premises):**

Monday to Sunday from 0800hrs until 2300hrs

#### **Hours the Premises is Open to the Public:**

Monday to Sunday from 0600hrs until 2300hrs

A copy of the Premises Licence Application Form was attached to the report at Appendix MG-1.

A copy of the agreed conditions between Reading Borough Council's Licensing Team, Thames Valley Police and the Applicant were attached to the report at Appendix MG-2.

During the 28-day consultation period for the application representations had been received by Reading Borough Council (RBC) from Reading Borough Council Licensing Team and Thames Valley Police and these representations were attached to the report as Appendices MG-2 and MG-3 respectively. The responsible authorities stated that their concerns could be addressed by ensuring that appropriate conditions were attached to the premises Licence.

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.

## LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 27 APRIL 2023

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 applicant and the responsible authorities had been unable to reach agreement on the conditions to be attached to the Premises Licence in order to promote the four Licensing objectives.

The report set out paragraphs 1.2 to 1.5, 8.41 to 8.49, 9.12, 9.38, 9.39, 9.40, 9.42 and 9.43 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2018. The report also set out paragraphs 1.6, 3.1, 3.2, 5.6, 5.7, 6.1, 6.2, 6.5, 7.2, 8.6, 10.1 and 10.3 from the Council's Statement of Licensing Policy.

Mr Chopra (the applicant) and his legal representative, Bill Donne, Silver Fox Consultants, attended the meeting, addressed the Sub-Committee on the application and answered questions. Mr Donne informed the Sub-Committee that the applicant requested that the opening hours be amended from 0600 - 2300hrs to 0800 - 2300 hours. The Sub-Committee were made aware that Mr Chopra had recently purchased the business and had no connection with the previous owner. Declan Smyth, Thames Valley Police Licensing, and Robert Smalley, RBC Licensing, were both present at the meeting, addressed the Sub-Committee and answered questions.

Anthony Chawama, RBC Licensing Officer, presented the report to the Sub-Committee.

### **Resolved -**

That, after taking into consideration the Licensing Act 2003, the Secretary of State's Guidance issued under section 182 of that Act, the Environmental Protection Act 1990, the Equality Act 2010 and Reading Borough Council's Statement of Licensing Policy and the promotion of the four Licensing Objectives:

- the prevention of crime and disorder,
- public safety;
- the prevention of public nuisance;
- the protection of children from harm

and considering the written and oral representations received from the Applicant and their agent and from Reading Borough Council Licensing and Thames Valley Police, the Sub-Committee agreed to grant the premises licence to allow, subject to the conditions set out in Appendix MG-3 to the report:

#### Sale by Retail of Alcohol (Off the Premises)

Monday to Sunday from 0800hrs until 2300hrs

#### Hours the Premises is Open to the Public

Monday to Sunday from 0800hrs until 2300hrs.

Conditions to be attached to the Premises Licence:

## LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 27 APRIL 2023

1. 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 and store room shall be covered by the CCTV and an appropriate number of cameras shall be installed to cover the external areas immediately outside all exits to the premises. Data recordings shall be made immediately available 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. 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.
2. Signage advising customers that CCTV is in use shall be positioned in prominent positions.
3. 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
  - The Four Licensing objectives
  - The law relating to age restricted goods
  - Dealing with refusal of sales
  - Proxy purchasing
  - The procedure for validating documents produced as proof of age
  - Identifying intoxication
  - Conflict management
  - How to identify and safeguard vulnerable persons who attend and leave the premises.
  - a) Refresher training shall be provided every six months;
  - b) Signed induction and refresher training records are to be kept for a minimum of 12 months of the date of training and made available for inspection by a Police Officer or authorised officer of Reading Borough Council upon request;
  - c) All staff authorised to sell alcohol shall be trained in responsible alcohol retailing (ARAR) (or any other similarly nationally recognised approved accredited qualification course within four weeks for existing and subsequent employees. Evidence of such training having been undertaken and completed shall be retained for inspection at the premises for a period of no less than one year from completion. All training shall be provided by an accredited training provider.
4. All staff to 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;

## LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 27 APRIL 2023

- The identity of the staff member refusing the sale;
  - Details of the alcohol the person attempted to purchase;
- a) This book/register shall be available for inspection to an authorised officer of Reading Borough Council or Thames Valley Police. A weekly review of the refusals book/register shall also be carried out and signed-off by the Designated Premises Supervisor or their nominated representative.
5. 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 any incident shall also be recorded. Where known, any offenders name shall also be recorded. It must be completed within 24 hours of the incident and will record the following:
- i. all crimes reported to the venue
  - ii. any complaints received concerning crime and disorder
  - iii. any incidents of disorder
  - iv. any faults in the CCTV system
  - v. any refusal of the sale of alcohol
  - vi. any visit by a relevant authority or emergency service.
- a) this record shall be available for inspection by an Officer of Thames Valley Police or an authorised officer of Reading Borough Council upon request and shall be retained for one year.
- b) a weekly review of the incident register shall be carried out by the DPS.
6. The premises shall at all times operate an age verification policy of at least Challenge 25 to prevent any customers who appear to staff members to be under the age of 25 years from purchasing alcohol without having first provided identification. Only a valid driver's licence showing a photograph of the person, a valid passport, military ID, a proof of age card showing the 'Pass' hologram (or any other nationally accredited scheme) or a national ID card that contains an ultraviolet feature or holographic mark are to be accepted as identification
7. Posters advertising the premises' Challenge 25 age verification policy shall be displayed in prominent positions on the premises.
8. The Premises Licence Holder shall display in a prominent position a copy of their written policy on checking proof of age.
9. No beers, lagers or ciders above 6.5% ABV shall be sold on the premises at any time.
10. All cans or bottles of alcopops, beers, ales, lagers or ciders shall only be sold in multiples of four or greater.

## LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 27 APRIL 2023

11. The premises licence holder shall implement a policy to actively disperse customers from the premises and the immediate vicinity. The policy must be in written format and be made available for inspection by authorised officers of Reading Borough Council and Thames Valley Police. All members of staff shall be trained in this policy.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses, and to leave the area quietly.
13. Alcohol shall only be delivered to a bona fide residential or commercial address. Deliveries shall not be made to car parks, bus stops, middle of fields, etc. Any order for a non bona fide address shall be refused and the reason for refusal recorded in the refusals book. Alcohol must not be delivered to an address other than as per the order.
14. It shall be a term of any contract or agreement, between the premises licence holder and any third party delivery company, that the delivery company shall require ID verification when orders containing age restricted items are delivered. A Challenge 25 age verification policy must be operated. Only a valid driver's licence showing a photograph of the person, a valid passport, military ID, a proof of age card showing the 'Pass' hologram (or any other nationally accredited scheme) or a national ID card, that contains an ultraviolet feature or holographic mark are to be accepted as identification. Orders must not be left with anyone under the age of 18 years and must be returned to the premises and the reason for refusal recorded in the refusals book.
15. 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 tobacco and alcohol products purchased in the preceding six months.
16. There shall be risk assessments for Health and Safety in place and reviewed annually or sooner if required.
17. There shall be a specified named first aider.
18. The Premises Licence Holder/Designated Premises Supervisor shall ensure that 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
  - the prevention of crime and disorder,
  - public safety;
  - the prevention of public nuisance;
  - the protection of children from harm.

## LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 27 APRIL 2023

19. 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.
20. A current written authorisation list shall be displayed in a prominent position on the premises confirming the details of all the staff that have been authorised to sell alcohol by a Personal Licence Holder. The authorisation list shall include the name of the staff members 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 Person Licence Holder.
21. 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.
22. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to alcohol by both customers and staff.

(The meeting started at 9.30 am and closed at 1.18 pm)