Appendix LIC-1

Reading Borough Council

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I Declan Smyth, on behalf of the Chief Constable of Thames Valley Police
(Insert name of applicant)
apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in part 1 below:

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Yuvrajs Mini Market, 9 Manchester Road,	
Post town Reading	**Post code (if known)** RG1 3QD

Name of premises licence holder or club holding club premises certificate (if known)
Kristine Deo

Number of premises licence or club premises certificate (if known)
LP9000402

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible

authority (please read guidance note 1, and complete (A) or (B) below) ☐

2) a responsible authority (please complete (C) below) ☒

3) a member of the club to which this application relates (please complete (A) below) ☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev)

Surname | **First names**

Please tick ✓ yes

I am 18 years old or over ☐

Current postal address if different from premises address

Post town | **Post Code**

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Thames Valley Police C/O Reading Licensing Dept Reading Police Station Castle Street Reading RG1 7TH
Telephone number (if any) **101**
E-mail address (optional) Licensing@thamesvalley.police.uk

This application to review relates to the following licensing objective(s)

	Please tick one or more boxes ✓
1) the prevention of crime and disorder	☒
2) public safety	☒
3) the prevention of public nuisance	☒
4) the protection of children from harm	☒

Please state the ground(s) for review (please read guidance note 2)

Thames Valley Police (TVP) as a responsible authority under the Licensing Act 2003 and under the objectives of prevention of crime and disorder, public safety, prevention
of public nuisance and the protection of children from harm make an application for the review of Premises Licence No. **LP9000402**, YUVRAJS MINI MARKET, 9 Manchester Road, Reading, Berkshire, RG1 3QD.

The premises is situated on the Manchester Road, Reading in an area which suffers high levels of anti-social behaviour including street drinking and the consumption of super strength alcohol, drug usage and other associated signal crimes such as graffiti and assaults of all levels.

On Wednesday 28th June 2023 at approximately 11:00 hours licensing officers from Thames Valley Police and Reading Borough Council attended the premises known as the YUVRAJS MINI MARKET. The attending officers' intention was to complete a Licensing inspection and to gather evidence in relation to the suspicion of handling stolen goods at the premises.

Mr Jagdeep Sing Deo assisted the officers with the inspection.
During the inspection serious concerns were identified. On entering the rear stock room a number of bottles of spirits, which had security tags still attached to the necks of the bottles were located.

Furthermore a blue plastic bag was located in the same rear stock room area that contained a substantial amount of security tags that had been removed from stolen bottles of alcohol.

This premises does not have a **SECURITY TAGGING** system in place.

Thames Valley Police submit this application for review in order to address the failure of the premises licence holder to promote the licensing objectives via their insufficient measures to ensure due diligence and promote the licensing objectives. The wholesale purchasing of stolen alcohol by the Premises Licence Holder/DPS and staff members at this premises is alarming and steps need to be taken to safe guard the local community.

This behaviour and ongoing business practice supports criminality as well as supporting drug users with their habits leading to their further perpetration of thefts within the Reading Borough in order to sell the stolen goods to this premises. It is imperative for licensed premises to act both responsibly, and in a manner that promotes the licensing objectives. The premises management and staff are currently openly failing to prevent crime and disorder. Instead they are promoting crime and disorder! The deliberate and knowledgeable receiving of stolen goods by the management team and their staff have led to the review of this premises licence.

Thames Valley Police believe that it is imperative for licensed premises to act both responsibly, and in a manner that promotes the licensing objectives.

Therefore and in conclusion the poor processes & practices, poor due diligence, the

handling of stolen goods and the failure by the PLH to promote the licensing objectives has led to review of this premises licence.

Thames Valley Police respectfully ask the Licensing Sub – Committee to consider the immediate revocation of the premises licence relating to YUVRAJS MINI MARKET, 9 Manchester Road, Reading, Berkshire, RG1 3QD as the only proportionate and necessary step available to prevent the undermining of the four licensing objectives.

Appendices currently provided:

23-10-02 Yuvrajs - Refusal and Incidents Registers

As stated within the case law within East Lindsey District Council v Abu Hanif, "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".

It is in response to this scenario that Thames Valley Police are making this application for the review of this premises licence in order that the licensing sub-committee may have the opportunity to assess both the impact of this premises licence and the ability of the premises licence holder to promote the licensing objectives.

Thames Valley Police submit the following sections from within the Reading Borough Council statement of licensing policy and the current Secretary of States section 182 guidance as relevant to our review application.

Secretary of States Section 182 Guidance

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.**

Reading Borough Council Statement of Licensing Policy

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.

9.14 Licence holders should be aware that some criminal activity on licensed premises is considered to be of such seriousness to warrant a licence being reviewed straight away. There is certain criminal activity stated within the Secretary of State's Guidance that should be taken particularly seriously and where revocation of a licence, even in the first instance, should be seriously considered. This can include the sale or storage of smuggled alcohol or cigarettes on a licensed premises; the employment of an illegal worker at a licensed premises and the use of a licensed premises to sell or distribute drugs and weapons. Clearly if a premises is found to be committing such serious offences, then the premises and licence holder is severely undermining the licensing objectives. It is likely, under such circumstances, that a licence review will be initiated by the Authority or colleagues within Thames Valley Police, Home Office Immigration Enforcement or the relevant responsible authority with a view to having the licence revoked.

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.

Furthermore Thames Valley Police recommend that 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. Thames Valley Police suggest that 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 and respectfully ask that the licensing Sub-Committee take cognisance of this factor with regards to this review application.

A full transcript of this Case Law is provided:

QBD, ADMINISTRATIVE COURT

Neutral Citation Number: [2016] EWHC 1265 (Admin)

CO/345/2016

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

THE ADMINISTRATIVE COURT

Royal Courts of Justice

Strand

London WC2A 2LL

Thursday, 14 April 2016

B e f o r e:

MR JUSTICE JAY

Between:

EAST LINDSEY DISTRICT COUNCIL

Appellant

v

ABU HANIF

(TRADING AS ZARA'S RESTAURANT AND TAKEAWAY)

Respondent

Computer- Aided Transcript of the Stenograph Notes of

WordWave International Limited trading as DTI

165 Fleet Street London EC4A 2DY

Tel No: 020 7404 1400 Fax No: 020 7404 1424

(Official Shorthand Writers to the Court)

Mr P Kolvin QC & Mr D Dadds (instructed by David Dadds LLP) appeared on behalf of the **Appellant**

The **Respondent** did not appear and was not represented

J U D G M E N T

(Approved)

1. MR JUSTICE JAY: This is an appeal by way of case stated from the decision of the Lincoln Magistrates' Court, District Judge Veits, given on 23 June 2015, whereby he allowed an appeal from the revocation of a premises licence by the licensing authority.

2. The appellant, the East Lindsey District Council, is the licensing authority. The Magistrates' Court in the usual way is not a party to these proceedings. The respondent, Mr Abu Hanif, trading as Zara's Restaurant and Takeaway, is the licence holder. He through a licensing consultant has submitted correspondence making various limited points, but indicating that he would not be taking any part in these proceedings.

3. The premises in question are Zara's Restaurant and Takeaway situated in North Summercoates on the Lincolnshire coast. They are licensed to sell alcohol ancillary to the supply of food. The restaurant is owned and managed by the licensee, Mr Hanif. On 29 April 2014, the premises were the subject of a joint visit by the police and immigration officers, and it was discovered that Mr Miah was working in the kitchen as a chef. It was common ground that Mr Miah had no current entitlement to remain in the UK, let alone to work. I was told that he arrived here illegally some years ago. Furthermore, it was also accepted by the respondent that he (i) employed Mr Miah without paperwork showing a right to work in the United Kingdom; (ii) paid Mr Miah cash in hand; (iii) paid Mr Miah less than the minimum wage; (iv) did not keep or maintain PAYE records; (v) purported to deduct tax from Mr Miah's salary; and (vi) did not account to HMRC for the tax deducted.

4. The police then applied for a review of the respondent's licence under section 51 of the Licensing Act 2003 and the matter came before the appellant's subcommittee on 30 June 2014. The subcommittee decided to revoke the respondent's licence. Its reasons were as follows:

5. "The subcommittee were satisfied that Mr Hanif did not take the appropriate checks of staff members having knowledge that there were problems previously at the other premises with overstayers, and that he continued to allow staff to work at Zara's restaurant without making appropriate checks.

6. The subcommittee were satisfied that Mr Hanif had not undertaken the

relevant checks to ensure the employee concerned was eligible to work in the

United Kingdom. Instead of not allowing employees to work if they had not provided the correct documentation he allowed them to work and paid cash in hand. With all this in mind the subcommittee were satisfied that Mr Hanif had knowingly employed person/s unlawfully in the United Kingdom.

7. The subcommittee considered the evidence by Mr Kheng on behalf of Mr Hanif and the Home Office section 182 Guidance to Licensing Authorities. The subcommittee were of the view that the premises licence should be revoked and that revocation was an appropriate step with a view to promoting the crime prevention licensing objective."

8. The respondent then appealed to the Magistrates' Court. There was a hearing on 27 March 2015, and on 23 June the district judge decided to allow the respondent's appeal. On 1 September 2015, the district judge determined the issue of costs and on 7 January 2016 he stated the case. The appeal to the district judge was de novo, but he accepted that he could only allow the appeal if the subcommittee's decision was "wrong", the burden being on the appellant before him to establish that.

9. Looking now at the stated case, the district judge noted that the respondent had received a civil penalty for employing an illegal worker under section 15 of the Immigration, Asylum and Nationality Act 2006. An immigration officer gave evidence to the effect that although by virtue of section 21 a criminal offence was committed, such proceedings were rarely brought. The district judge also noted that the police and the Council's licensing officer were no longer saying that the respondent was a serial offender, but a redacted report which was placed before the subcommittee still gave the impression that he "was in a much worse position than he actually was". As for the failure to pay the minimum wage, the district judge said this:

A. "In his evidence before me Mr Hanif accepted that he had not paid the minimum wage and this in itself can be a criminal offence. I found that this was not the main basis of the subcommittee's decision however and again there was no evidence that he had been reported for that alleged offence. It would appear from their reasons that the subcommittee used the evidence of paying cash in hand as justification for the finding that he knowingly employed Mr Miah. The prosecuting authority however appear to have taken a different view in offering the civil penalty."

10. The district judge's core reasoning was that no crime had been committed. As he put it:

A. "It appeared to me that no crime had been committed as a result of the visit to the premises in April of last year. A civil penalty had been imposed rather than prosecution for the section 21 offence and no other crime had been reported in

relation to not paying the minimum wage."

11. In the district judge's view, the crime prevention objective was not engaged.

12. The district judge also criticised the subcommittee for adopting an inconsistent approach because in other similar cases only warnings were issued. Finally, he considered that the subcommittee may have been influenced by comments in the police report, leading them to believe that they were dealing with a serial offender.

13. At the conclusion of the stated case, the district judge posed two questions for my determination. I will address these at the end of my judgment.

14. I was taken by Mr Philip Kolvin QC to various provisions of the Licensing Act 2003 as amended. Under section 4(1)and(2) a licensing authority must carry out its licensing functions with a view to promoting the licensing objectives, which include "the prevention of crime and disorder". The provisions dealing with the review application brought by the police are contained in sections 51 and 52. Under section 52(3), the licensing authority (and on appeal the Magistrates' Court):

A. "... must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives."

15. The epithet "appropriate" was introduced by amendment in 2011. Previously the test had been stricter. In my judgment, it imports by necessary implication the concepts of proportionality and relevance.

16. Mr Kolvin submitted that the district judge erred in a number of respects. First, he wrongly held that, given that criminal proceedings were never brought, the crime prevention objective (see section 4(2)) was not engaged. The statute is concerned with the prevention rather than the fact of crime. Secondly, and in any event, the interested party had committed criminal offences in relation to tax evasion, the employment of an illegal worker, and employing an individual at remuneration below the minimum wage. As for the employment of an illegal worker, Mr Kolvin accepted that this requires knowledge on the part of the employer, and he also accepted that it is not altogether clear whether the district judge found as a fact that the respondent possessed the requisite knowledge. However, the core question is the promotion of the licensing objectives, not the fact of anterior criminal activity, and in this regard a deterrence approach is appropriate.

17. Thirdly, Mr Kolvin submitted that there was no evidence of an inconsistent approach by the subcommittee in giving warnings in some cases because all

cases turn on their own facts. Finally, Mr Kolvin submitted that there was no basis for the district judge's conclusion that the subcommittee may have been

influenced by a suggestion that the respondent was a serial offender.

18. I accept Mr Kolvin's submissions. In my view the district judge clearly erred. The question was not whether the respondent had been found guilty of criminal offences before a relevant tribunal, but whether revocation of his licence was appropriate and proportionate in the light of the salient licensing objectives, namely the prevention of crime and disorder.

This requires a much broader approach to the issue than the mere identification of criminal convictions. It is in part retrospective, in as much as antecedent facts will usually impact on the statutory question, but importantly the prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence. The district judge's erroneous analysis of the law precluded any proper consideration of that issue. In any event, I agree with Mr Kolvin that criminal convictions are not required.

19. To the extent that the analysis must be retrospective, the issue is whether, in the opinion of the relevant court seized of the appeal, criminal offences have been committed. In the instant case they clearly had been: in relation to tax evasion (see the common law offence of cheating the Revenue and the offence of fraudulent evasion of tax contrary to section 106A of the Taxes and Management Act 1970); and the employment of Mr Miah at remuneration below the minimum wage (see section 31 of the National Minimum Wage Act 1998). Moreover, given the evidence that Mr Miah never provided the relevant paperwork, notwithstanding apparent requests, the obvious inference to be drawn is that the respondent well knew that he could not, and that no tax code and National Insurance number had been issued. The corollary inference in my judgment is that the respondent well knew that Mr Miah could not provide the relevant paperwork because he was here illegally.

20. I also accept Mr Kolvin's submission that each case must turn on its own facts. As a matter of law, unless it could be said that some sort of estoppel or related abuse of process arose in the light of warnings given in other cases, the alleged inconsistent approach led nowhere. In my judgment, it could not be so said.

21. Finally, I agree with Mr Kolvin that there is nothing in the point that the subcommittee could have been misled about the interested party being a serial offender. The point that the subcommittee was making was the fact that the respondent had worked at premises where illegal workers were also employed meant that he should have been vigilant to the issue.

22. Thus the answer to the district judge's two questions are as follows:

A. Q. "Was I correct to conclude that the crime prevention objective was not

engaged as no crimes had been proceeded with, the appellant only receiving a civil penalty?"

B. No.

C. Q. "Was I correct in concluding that the respondent had been inconsistent in similar decisions in not revoking the licence [sic]?"

D. No.

23. Having identified errors of law in the district judge's decision, the next issue which arises is whether I should remit this case for determination in the light of my ruling or whether I have sufficient material to decide the issue for myself. I should only adopt the latter course if satisfied that the issue is so obvious that no useful purpose would be served by remission. I am so satisfied. Having regard in particular to the twin requirements of prevention and deterrence, there was in my judgment only one answer to this case. The respondent exploited a vulnerable individual from his community by acting in plain, albeit covert, breach of the criminal law. In my view his licence should be revoked. Another way of putting the matter is that the district judge had no proper basis for overturning the subcommittee's assessment of the merits.

24. It follows in my judgment that the only conclusion open to the district judge in the present case was to uphold the revocation of the respondent's licence. This appeal must be allowed and the respondent's licence must be revoked.

25. MR KOLVIN: My Lord, I'm very grateful. Can I deal with the question of costs, both here and below.

26. MR JUSTICE JAY: Yes.

27. MR KOLVIN: Should I start with here.

28. MR JUSTICE JAY: Yes.

29. MR KOLVIN: My Lord, we would ask for the costs before this court. I just want to pray in aid four very brief points. The first is the result. The second is that the district judge's approach was expressly urged on him by the respondent's legal team. Thirdly, that the respondent was expressly urged to concede this appeal to stop costs running, he was given that opportunity at pages 42 and 43 of the bundle. Fourthly, perhaps a little bit tugging at the heart strings, but there's no reason why the Council Tax payers of East Lindsey should bear the cost of establishing what has been established in this court. So we would ask for the costs up here.

30. There is a schedule and the schedule has been served upon Mr Hanif by letter dated 16 March of 2016. I don't know whether the schedule has found its way to my Lord, if not I can hand up a copy.

31. MR JUSTICE JAY: It has.

32. MR KOLVIN: It has. My Lord, I can see that VAT has been added on. It doesn't need to be because of course the Council can retrieve the VAT, so my application is for £16,185. I know there's not a lot of explanation around my fee, but it was taken on a single fee for all work involved in relation to the case stated; advice, the skeleton argument and attendance today, so it's one single - -

33. MR JUSTICE JAY: What about your junior's fees?

34. MR KOLVIN: My learned junior is also my instructing solicitor, he wears two hats.

35. MR JUSTICE JAY: I see.

36. MR KOLVIN: He has his own firm which is Dadds LLP, and he is also a member of the bar, so although he has appeared as my junior, his fee is wrapped up in the solicitors' fees set out in the schedule.

37. MR JUSTICE JAY: Okay. What about the costs below?

38. MR KOLVIN: My Lord, I'm just trying to ascertain what the position is.

39. MR JUSTICE JAY: I thought there was no order for costs below.

40. MR KOLVIN: There was no order for costs below, that was on the basis that the appeal had been allowed. The situation in relation to costs of licensing appeals are set out in section 181 of the Act, which enables the court to make such order as it thinks fit. Normally when appeals are dismissed there is no real question about it, costs follow the event. When appeals are allowed, some further considerations come into play, which are expressed by the Master of the Rolls in a case which you may have come across called City of Bradford v Booth, which is the case where the Master of the Rolls said that local authorities shouldn't be put off from trying to make honest and reasonable decisions in the public interest. And so one has to take account additionally of the means of the parties and their conduct in relation to the dispute, but in this case of course the appeal has now been dismissed, and so

we would say that the ordinary rule is that the costs should follow the event, the appeal having failed. I'm just trying to ascertain whether schedules were ever served below, in the light of the way the case came out. **(Pause)**

41. My Lord, I'm really sorry that we don't actually have the schedule here, apparently it was £15,000. If you were minded to order costs below the options are either I suppose to wait and we will have the thing emailed up, or to say, "Look, it was below, it's a little bit more complex, they should be assessed if not agreed."

42. MR JUSTICE JAY: This is going to wipe him out, isn't it?

43. MR KOLVIN: Well he has already said, I have to say, I'm just telling you frankly what I've been told this morning, that when the bundles and the schedules were served on him, he had clearly read them, but he said, "If you win in the High Court and get costs against me, then I'm just going to declare myself bankrupt." So there may well be a bit of football(?) about this, but nonetheless it was his appeal, his team raised a point which in retrospect was very surprising, and caused an awful lot of costs to be incurred.

44. MR JUSTICE JAY: Yes. Well I am going to assess the costs here in the round figure of £15,000.

45. MR KOLVIN: Thank you.

46. MR JUSTICE JAY: If there was a schedule, which you tell me there was, below, it is proportionate that I assess those costs rather than put you to the trouble of a detailed assessment, so if you could have that emailed to my clerk in due course, I will assess the costs below.

47. MR KOLVIN: Thank you, my Lord.

48. MR JUSTICE JAY: On the basis of that schedule.

49. MR KOLVIN: We're not trying to be too ambitious, but we would like to see what we can - -

50. MR JUSTICE JAY: I'll take a broad brush approach to that.

51. MR KOLVIN: Thank you.

52. My Lord, the only other thing to mention is that this isn't the only case which is kicking around the east of England where licensing subcommittees are being urged to take no action because there has been no prosecution in these immigration cases. Although I appreciate that this is hardly stellar law making, it's an application of pretty well established legal principles to the facts, I'm asking whether my Lord would be minded to certify this so that we can adduce the authority in other cases, because it's a clear statement of the law that there doesn't need to have been a prosecution. So with the practice direction in mind, would my Lord be minded to - -

53. MR JUSTICE JAY: Just remind me of the practice direction.

54. MR KOLVIN: Yes, can I hand it up?

55. MR JUSTICE JAY: Yes. **(Handed)**

56. MR KOLVIN: If Mr Hanif had come I wouldn't need to make the application. It's paragraph 6.1. The judgment has to clearly indicate that it purports to establish a new principle or extends the present law and that has to take the form of an express statement to that effect, and then 6.2 says what categories of judgment we're dealing with, which include applications attended by one party only.

57. So that's the situation we're in. In reality these judgments get around anyway, because we're dealing with administrative tribunals and not courts, but sometimes the point is taken, "Ah yes, but the court didn't certify".

58. MR JUSTICE JAY: But where's the new principle I've established?

59. MR KOLVIN: My Lord, what you have said clearly, which hasn't been said before, by dint of the fact that not many licensing cases reach the lofty heights of this building, is that there does not need to have been a prosecution in order for the crime to have - -

60. MR JUSTICE JAY: Oh, I see. Well that's so obvious it almost goes without saying, that's why it hasn't been said before.

61. MR KOLVIN: My Lord, it was obvious to everyone except the district judge, the appellant and other licensees in the east of England.

62. MR JUSTICE JAY: Okay.

63. In terms of the logistics, if you want a copy of the judgment, don't you have to pay for it?

64. MR KOLVIN: We may have to, and we would be obviously very pleased to do so.

65. MR JUSTICE JAY: Because I'm not sure that all judgments are, in the Administrative Court, they're not all transcribed and published.

66. MR KOLVIN: That is correct, and I have no doubt that my client would be - this isn't a matter about the costs of the judgment.

67. MR JUSTICE JAY: No, fortunately it doesn't cost that much. But I will give the certification. I have never been asked to do so before, I must confess.

68. MR KOLVIN: Yes.

69. MR JUSTICE JAY: Because these cases are referred to almost willy nilly, if they're available on Lawtel or wherever.

70. MR KOLVIN: Yes, they are.

71. MR JUSTICE JAY: Then they're just provided.

72. MR KOLVIN: They get into the textbooks and they - -

73. MR JUSTICE JAY: No- one objects.

74. MR KOLVIN: Yes. It has happened once before, in relation to the meaning of the Court of Appeal judgment in Hope and Glory, and Lindblom J, as he then was, was asked repeatedly would he certify in relation to the meaning of Hope and Glory, which is an important test, and he was pretty engaged in the practice direction. But since then that judgment, there's always an argument in court about whether it can be cited or not. The difference between licensing and some other fields of law is that very few cases reach here, so when they do, the judgments of High Court judges are gold dust.

75. MR JUSTICE JAY: Yes, well I'm happy to make the certification.

76. MR KOLVIN: Thank you very much indeed.

77. MR JUSTICE JAY: We wouldn't want this point to be taken again successfully.

78. MR KOLVIN: No.

79. MR JUSTICE JAY: Now as a matter of courtesy, is the judgment, once available, sent to the district judge, or is it something that I should do informally?

80. MR KOLVIN: I don't know, my Lord, what the normal practice is. I don't think that I have previously been on a legal team which has sent judgments, but we're very happy to undertake to do so.

81. MR JUSTICE JAY: Yes, I think if you're going to get a copy, obviously you're going to send it to the respondent - -

82. MR KOLVIN: Indeed.

83. MR JUSTICE JAY: - - so he can ingest it. I think you should send it to the district judge, just saying that the judge directed that out of courtesy he should see it.

84. MR KOLVIN: We're very happy to do that. Thank you very much indeed.

85. MR JUSTICE JAY: Thank you very much.

Please tick ✓ yes

Have you made an application for review relating to the ☐ premises before

If yes please state the date of that application Day Month Year

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature *D.Smyth*

.....

Date 30th June 2023

.....

Capacity **Thames Valley Police (Licensing officer) Reading LPA on behalf of the Chief Constable of Thames Valley Police.**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	**Post Code**
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.

2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Narancic, Peter

From: Smyth, Declan (C2107) <declan.smyth@thamesvalley.police.uk>
Sent: 30 October 2023 10:24
To: Licensing
Cc: Smalley, Robert
Subject: Yuvrajs Mini Market, 9 Manchester Road - Late Evidence
Attachments: 23-10-26 DS1 -TVP- Photos-Images-Map.pdf; 23-10-30 DS3 - TVP PremisesSummary.pdf; 23-10-30 DS2 - TVP Inspection Letter 28092020.pdf

Importance: High

Hi,

Please find attached further evidence that Thames Valley Police wish to add. It is our wish that the 3 documents will form part of the review paperwork submitted to RBC.
Please note that 23-10-30 DS3 – TVP PremisesSummary is not to be shared with the public. This document is only to be shared with the RBC licensing team, the premises licence holder and the licensing subcommittee.

Kind Regards

Declan Smyth

Declan Smyth C2107
Licensing Officer (Reading)
Police Station,
Castle St,
Reading RG1 7TH.

Telephone (Mobile) 07800 703169
Email: declan.smyth@thamesvalley.police.uk
(Office hours: Monday to Thursday 08:00 to 16:00 / Friday 08:00 to 15:30)

Safer Streets
Protecting Reading Together
THAMES VALLEY POLICE

Want to know more about Licensing? Read our Alcohol Licensing Operational Guidance and Night Time Economy Operational Guidance

BEFORE THE LICENSING SUB-COMMITTEE OF READING BOROUGH COUNCIL

In the matter of an application for the review of a premises licence under the Licensing Act 2003

RE. YUVRAJS MINI MARKET, 9 Manchester Road, Reading, Berkshire, RG1 3QD

WRITTEN OUTLINE SUBMISSIONS ON BEHALF OF THAMES VALLEY POLICE

Thames Valley Police (TVP) make the following outline submissions in relation to their application for a review of the premises licence for YUVRAJS MINI MARKET, 9 Manchester Road, Reading, Berkshire, RG1 3QD:

1. A review of the premises licence is necessary because of matters arising at the premises in connection with all four licensing objectives, namely, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

2. Shoplifting leading to the handling of stolen goods, is a serious crime, and is extremely challenging from a policing perspective and takes up a disproportionate amount of police resources within the Reading LPA.

3. The incidents of crime and disorder that occurred at YUVRAJS MINI MARKET in June 2023 include:
   - Management and staff partaking in the handling of stolen goods;
   - Seizure of 2 bottles of alcohol and a bag containing security tags that had been removed from stolen bottles of alcohol.

4. The issues that arose were the result of poor management. In particular, there was little or no regard given to the source of the goods.

5. In light of all of the above, TVP have no confidence that the current premises licence holder is capable of properly managing this premises, and training the stores staff in a way which promotes the licensing objectives.

6. The Licensing Sub-Committee is therefore asked to consider revoking the premises licence. Revocation would be proportionate in light of the serious issues concerning crime and disorder at this premises.

THAMES VALLEY POLICE

TVP Image 1.

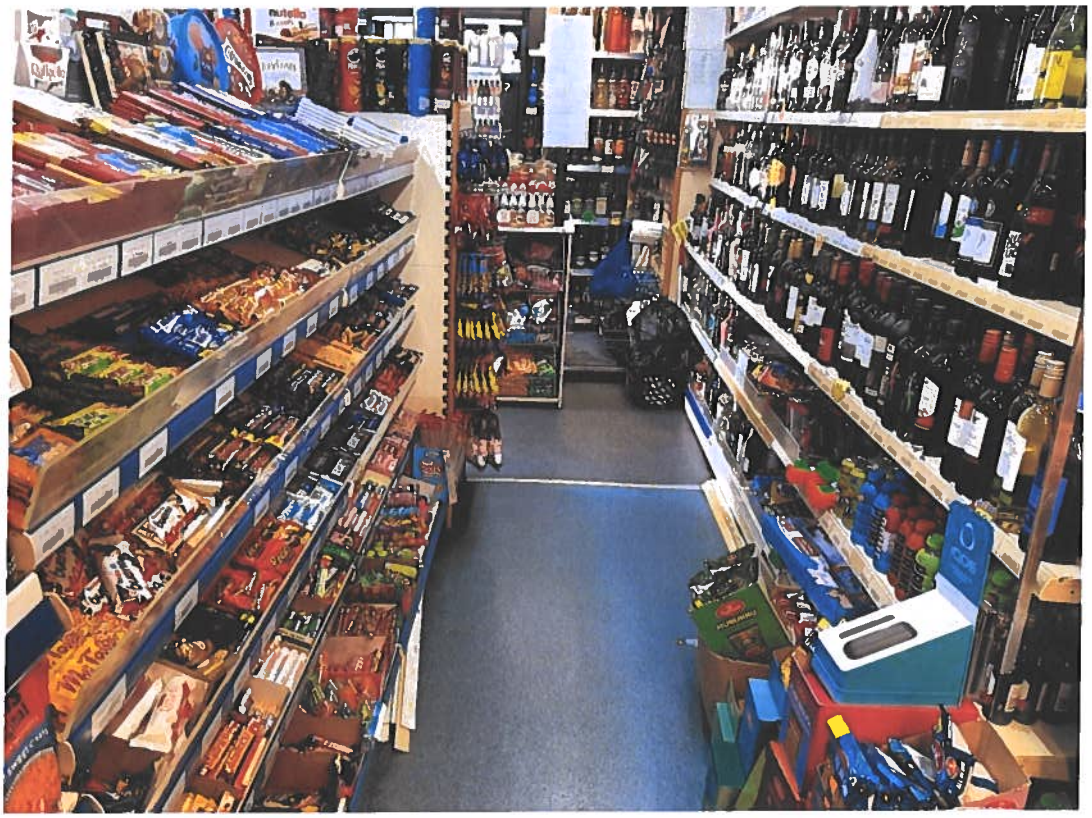
TVP Image 2.

TVP Image 3.

TVP Image 4.

TVP Image 5.

TVP Image 6.



THAMES VALLEY POLICE

TVP Image 7.

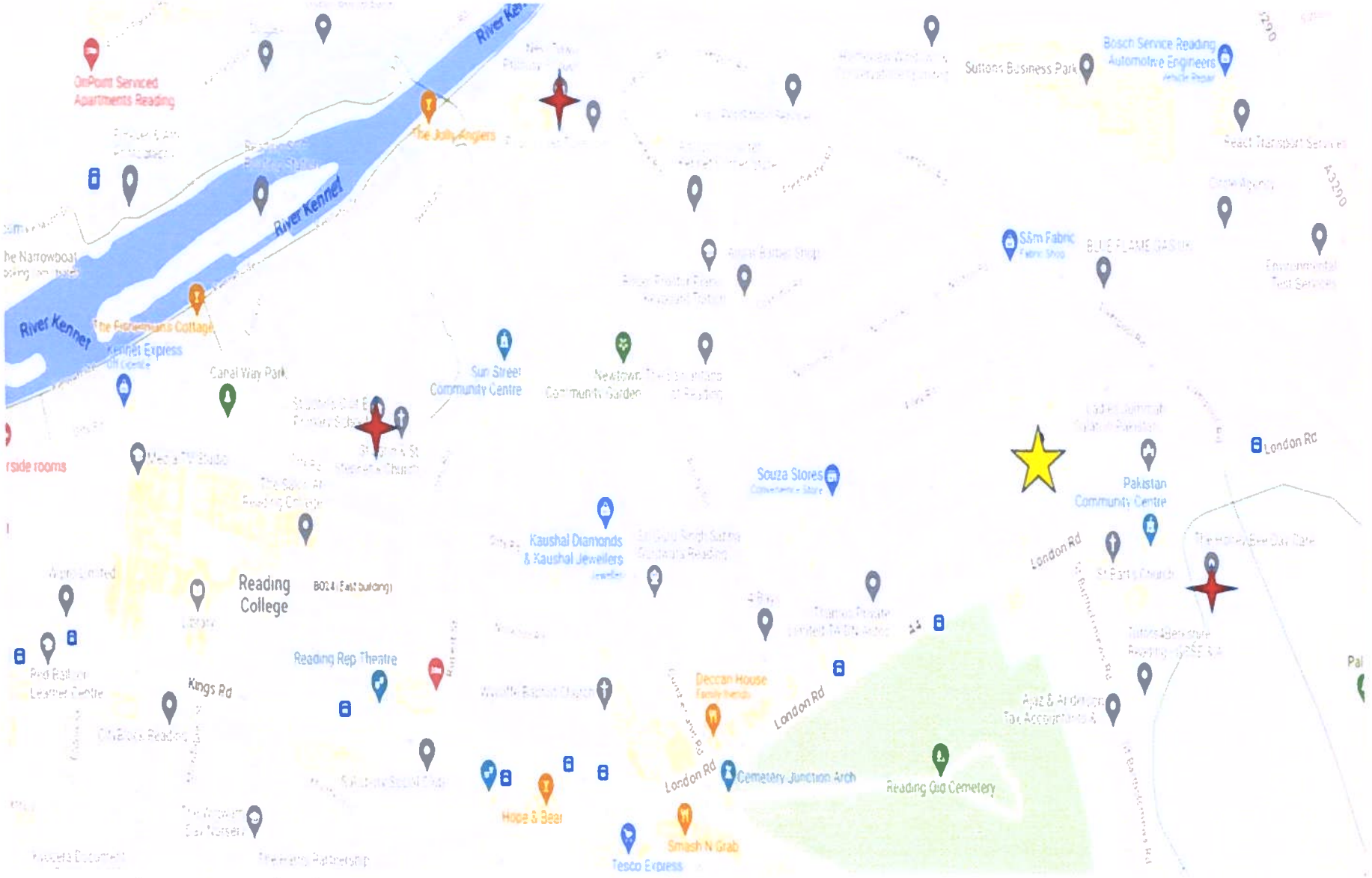
THAMES VALLEY POLICE

TVP Image 8.

TVP Image 9.

TVP Image 10.


BULMERS
BULMERS
REKORDERLIG
REKORDERLIG
Kiwi
&lime
OLD
MOUT
CIDER
Omega
WHITE CIDER
KARPACKIE



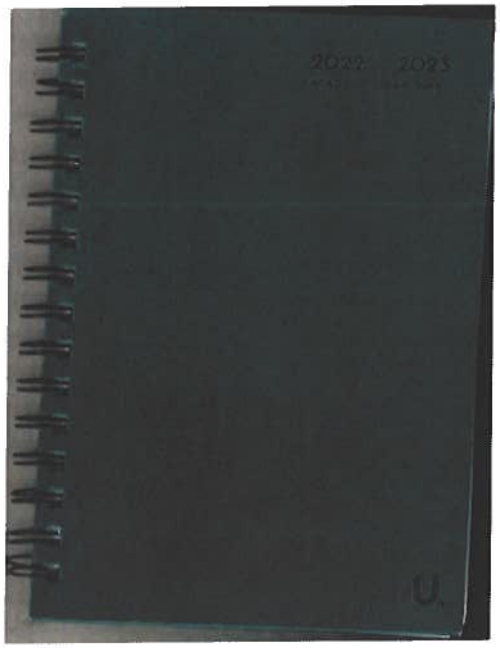
St Johns C of E Primary School, Walking Distance 960 Meters

Reading College, Walking Distance 910 Meters

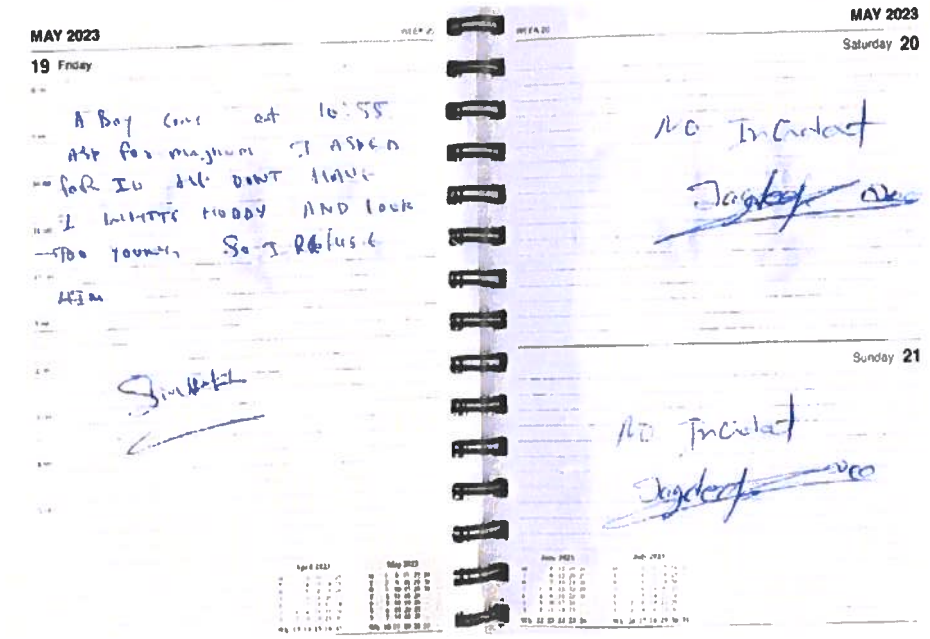
New Town Primary School, Walking Distance 600 Meters

The Honey Bee Day Care Walking Distance 350 Meters

THAMES VALLEY POLICE


2022 2023

REFUSALS/INCIDENT REGISTER



MAY 2023

19 Friday

A Boy Came at 10:55
Ask for magnum I ASKED
for ID he DONT HAVE
I WANTS HOODY AND look
Too young So I Refused
him

MAY 2023

Saturday 20

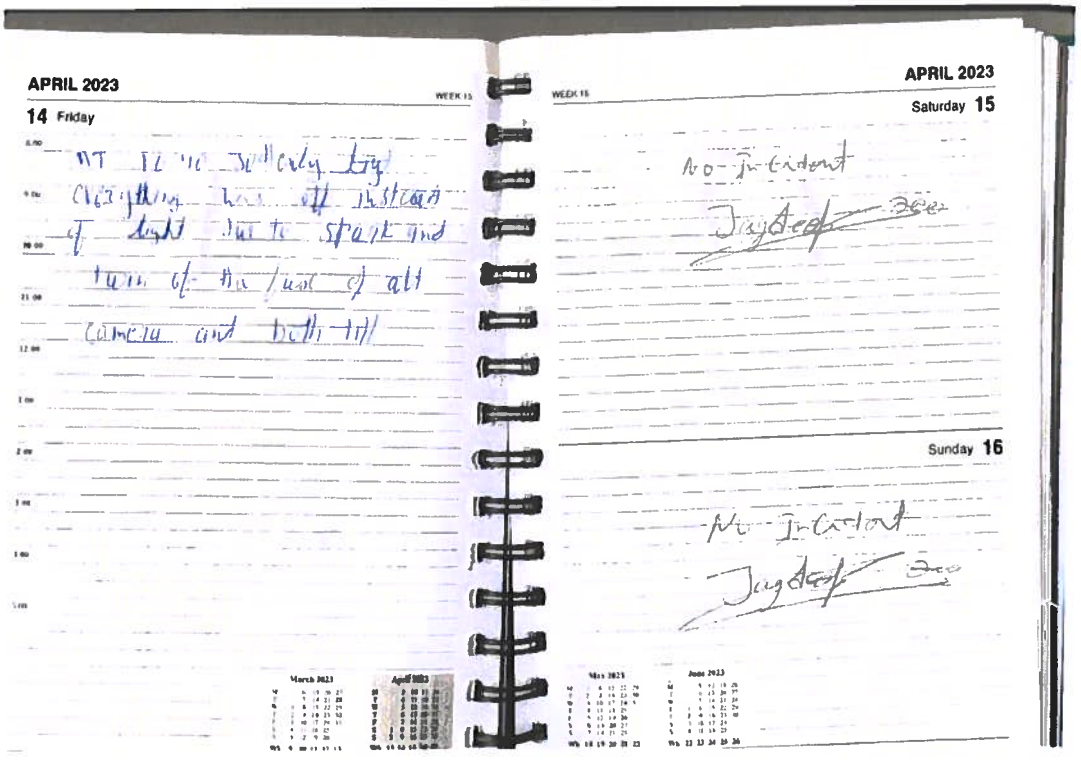
No Incident

Jaydeep

Sunday 21

No Incident

Jaydeep



APRIL 2023

14 Friday

NT IC he will only try
Everything here off instead
of light but to speak and
turn of the last of all
Camera and both till

APRIL 2023

Saturday 15

No Incident

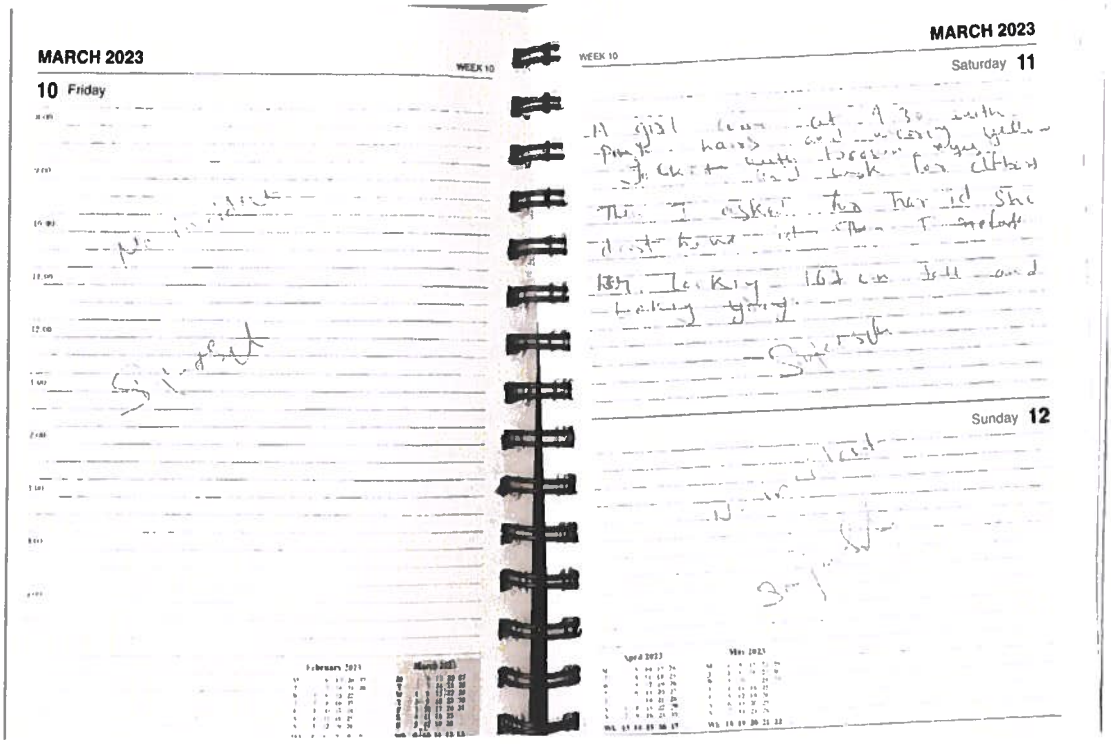
Jaydeep

Sunday 16

No Incident

Jaydeep

REFUSALS/INCIDENT REGISTER



MARCH 2023

WEEK 10

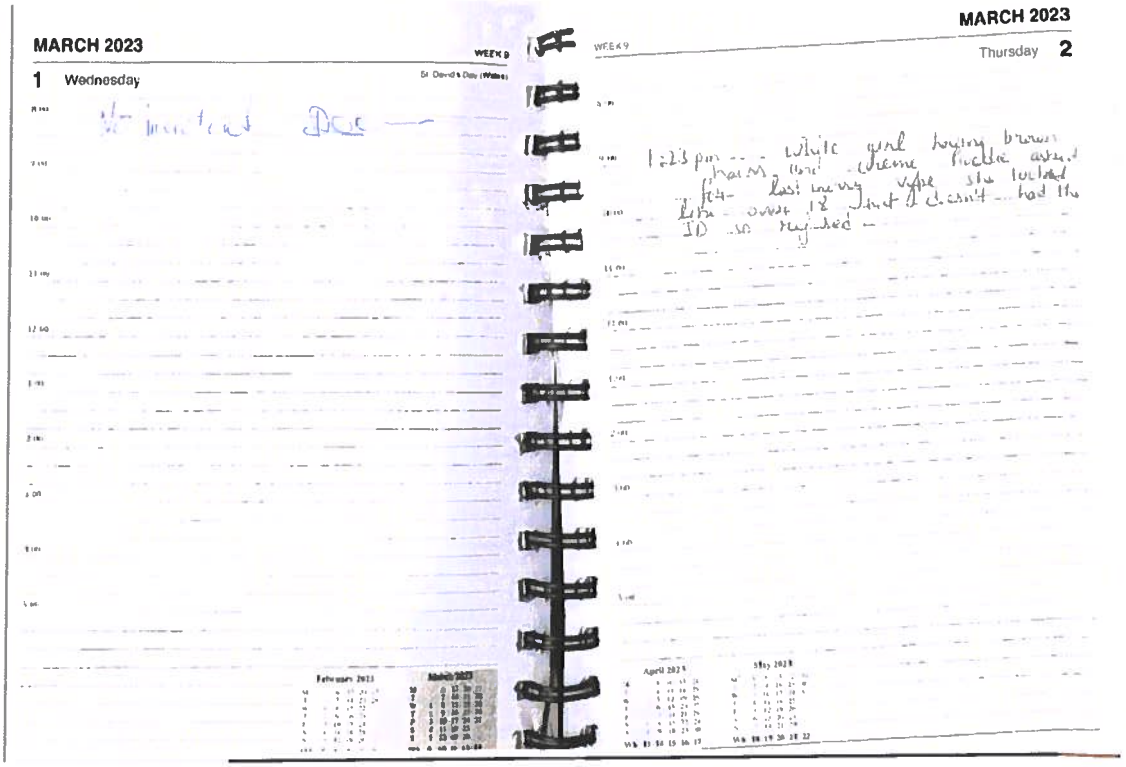
10 Friday

MARCH 2023

WEEK 10

Saturday 11

Sunday 12



MARCH 2023

WEEK 9

1 Wednesday

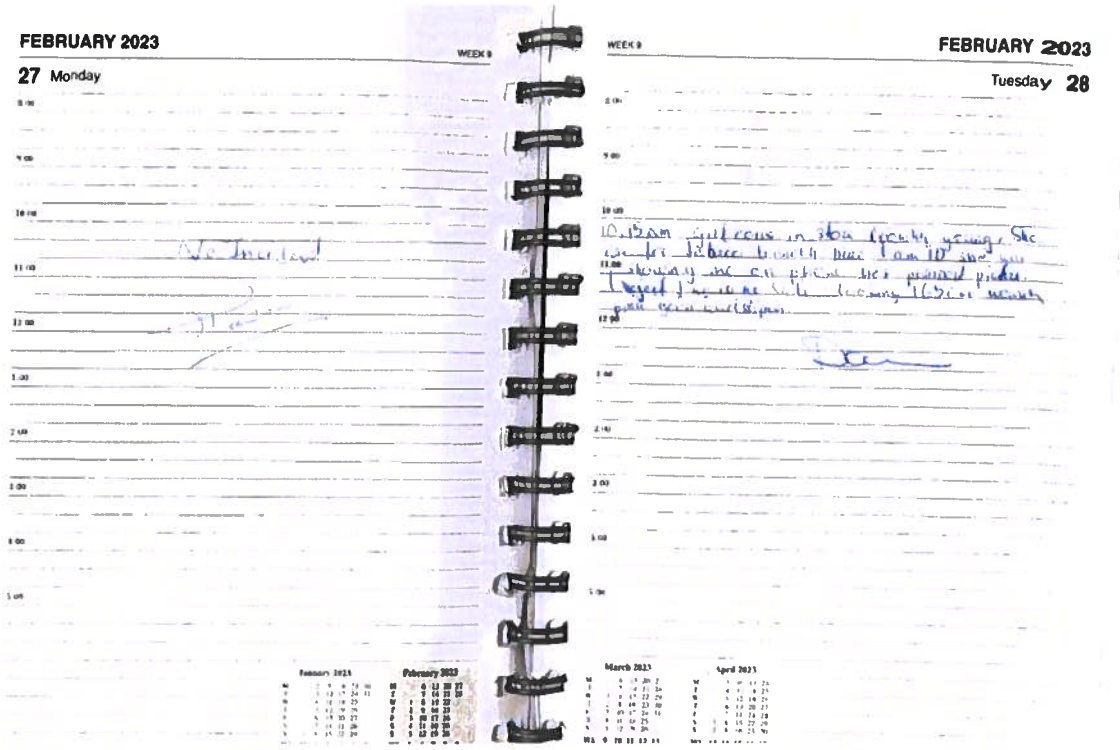
St David's Day (Wales)

MARCH 2023

WEEK 9

Thursday 2

REFUSALS/INCIDENT REGISTER



FEBRUARY 2023

27 Monday

WEEK 9

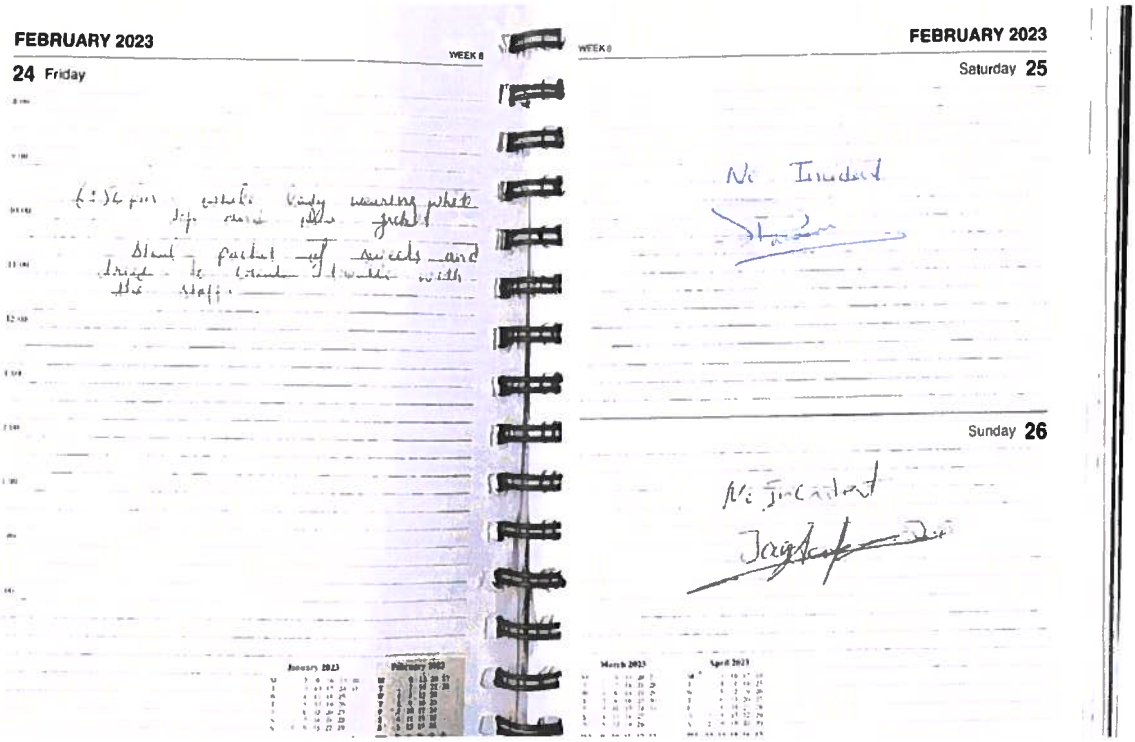
No Incident

FEBRUARY 2023

Tuesday 28

WEEK 9

10.15am guitarist in star [illegible] young Stc
[illegible] Rebecca [illegible] [illegible] I am 10 and [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]



FEBRUARY 2023

24 Friday

WEEK 8

4:56 pm [illegible] lady wearing white [illegible]
[illegible] [illegible] [illegible]
Stand - packet of sweets and [illegible]
[illegible] [illegible] [illegible] with
the staff.

FEBRUARY 2023

Saturday 25

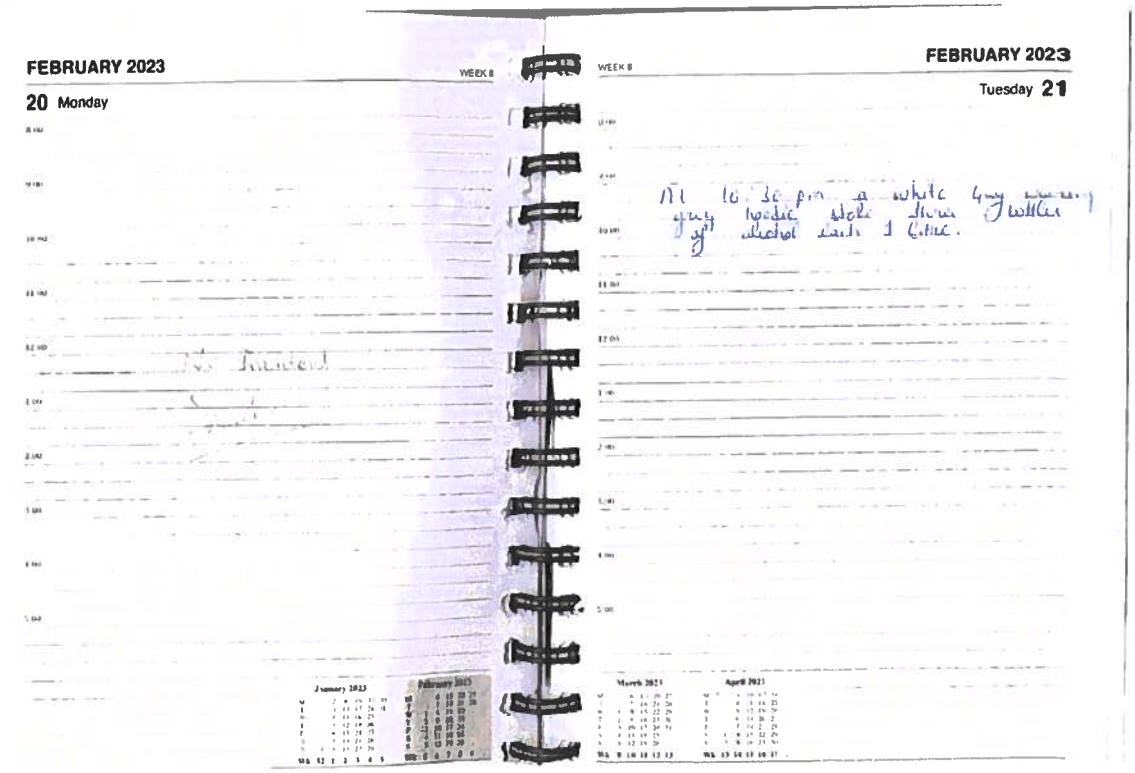
WEEK 8

No Incident

Sunday 26

No Incident

REFUSALS/INCIDENT REGISTER

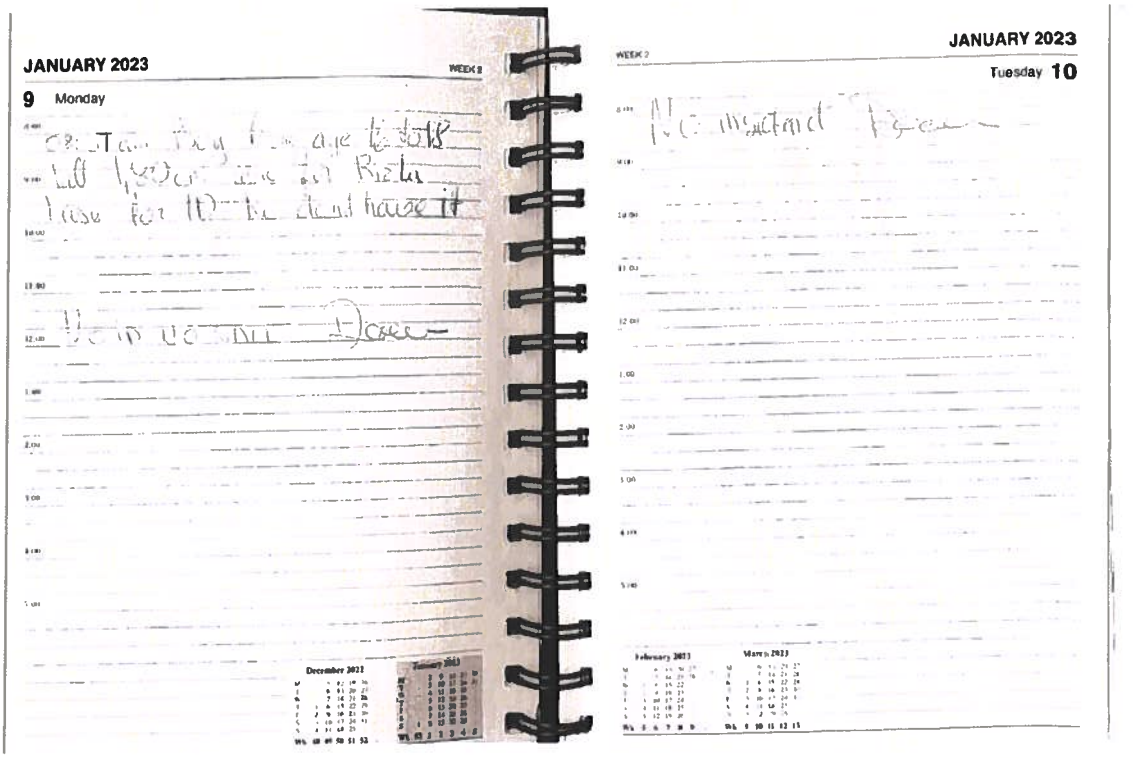


FEBRUARY 2023

WEEK 8

20 Monday

Tuesday 21



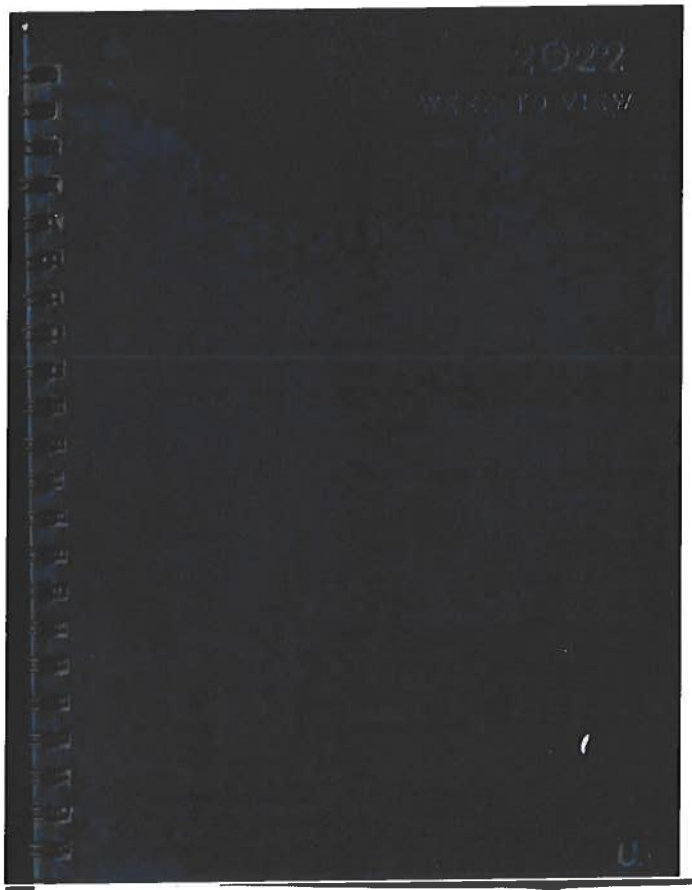
JANUARY 2023

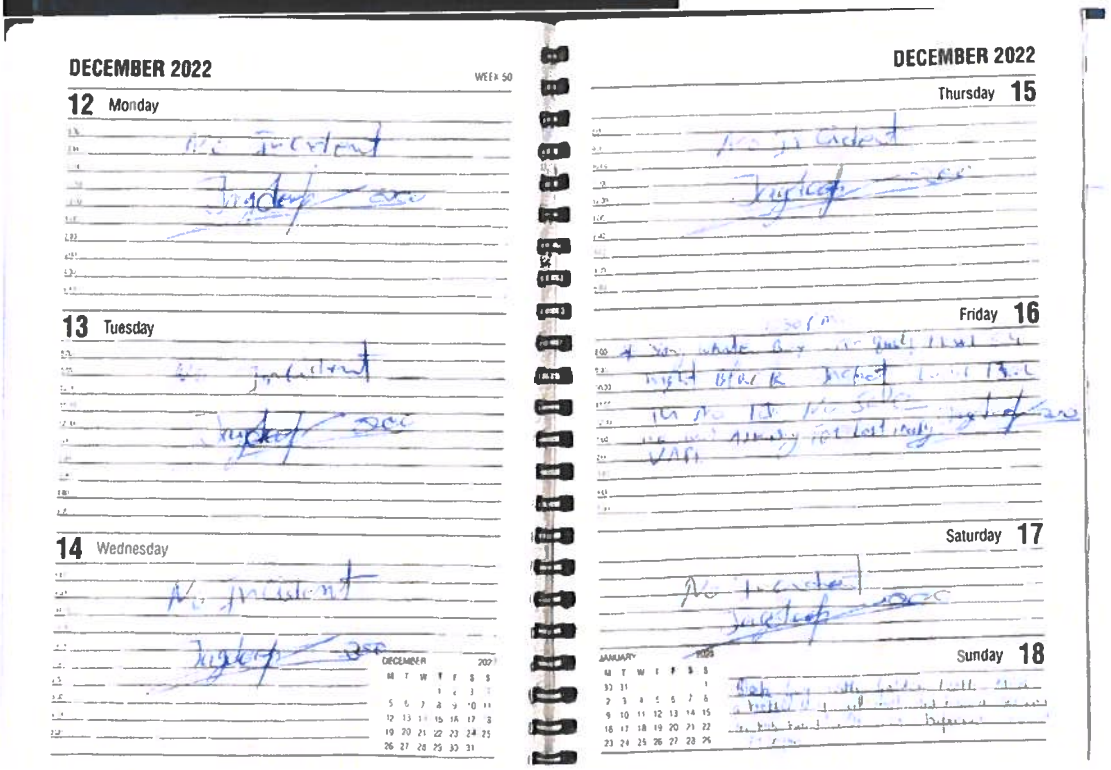
WEEK 2

9 Monday

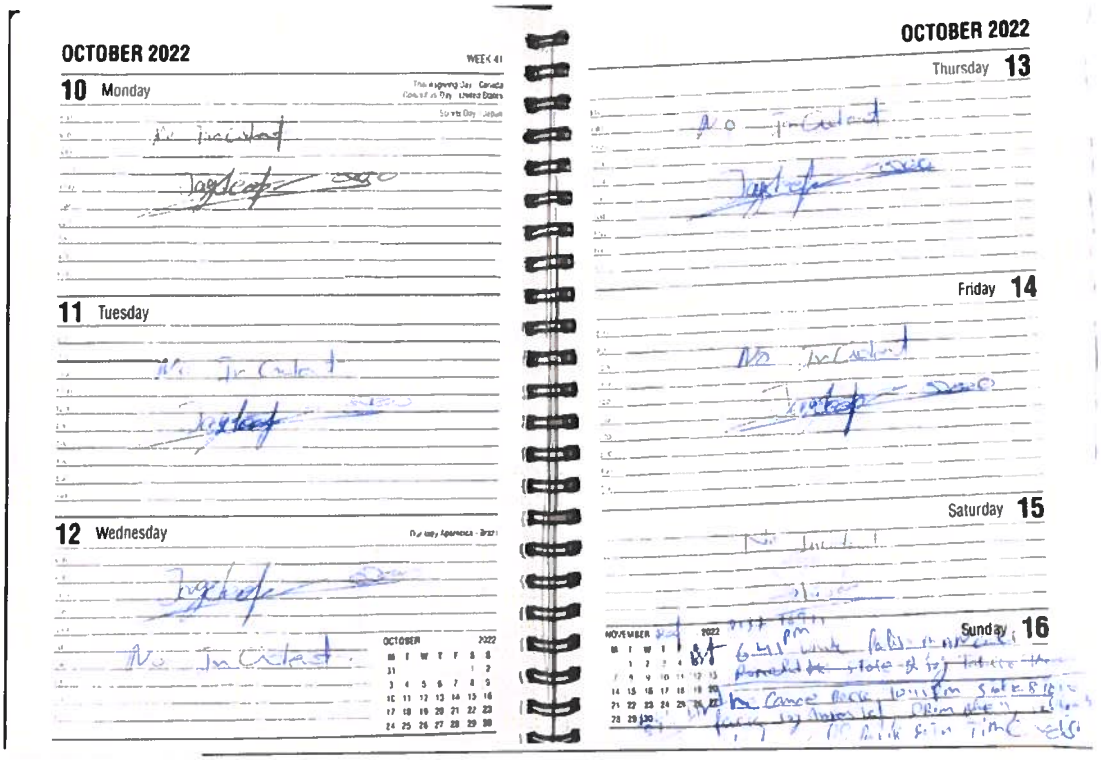
Tuesday 10

REFUSALS/INCIDENT REGISTER





REFUSALS/INCIDENT REGISTER



OCTOBER 2022

WEEK 41

10 Monday

No Incident

Jaydeep

11 Tuesday

No Incident

Jaydeep

12 Wednesday

Jaydeep

No Incident

OCTOBER 2022

Thursday 13

No Incident

Jaydeep

Friday 14

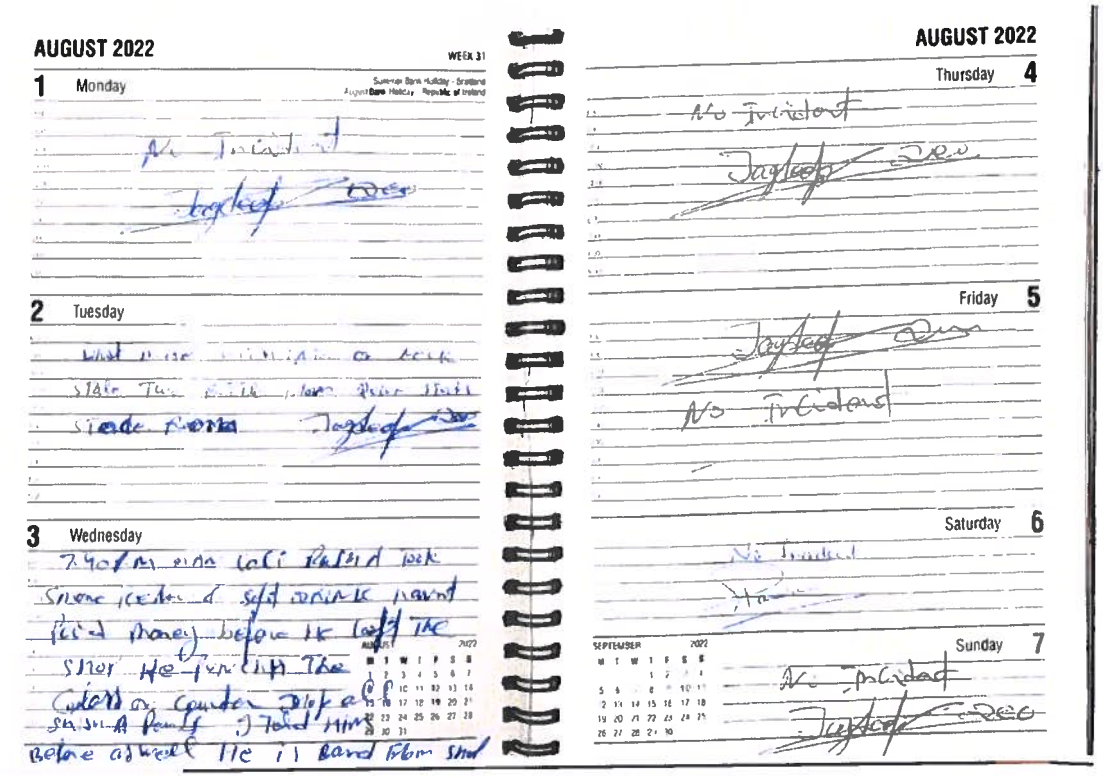
No Incident

Jaydeep

Saturday 15

No Incident

Sunday 16



AUGUST 2022

WEEK 31

1 Monday

No Incident

Jaydeep

2 Tuesday

Jaydeep

3 Wednesday

Jaydeep

AUGUST 2022

Thursday 4

No Incident

Jaydeep

Friday 5

Jaydeep

No Incident

Saturday 6

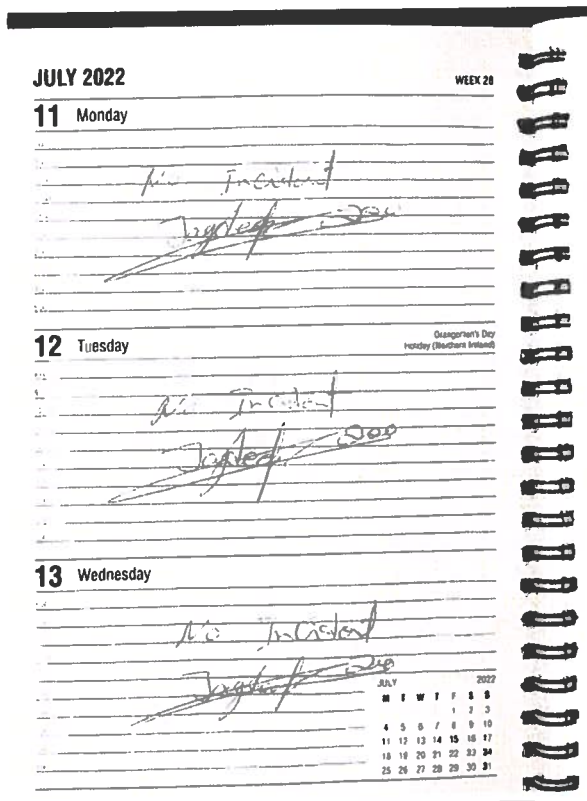
No Incident

Sunday 7

No Incident

Jaydeep

REFUSALS/INCIDENT REGISTER



JULY 2022 WEEK 28

11 Monday

No Incident

Jagdeep Dosanjh

12 Tuesday

Orangemen's Day Holiday (Northern Ireland)

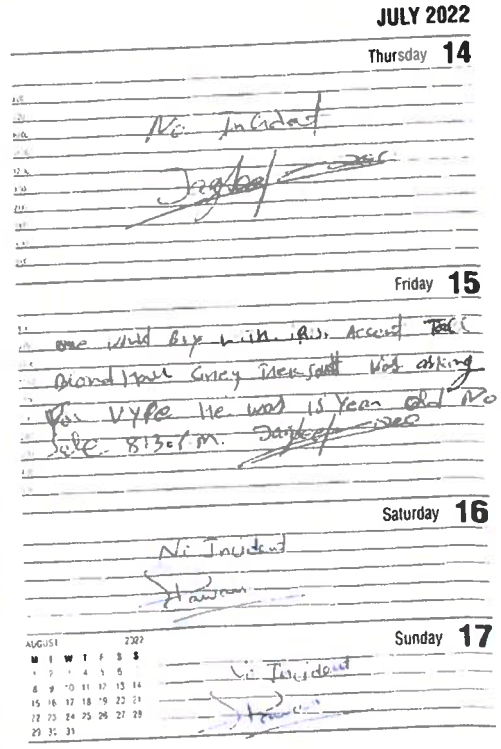
No Incident

Jagdeep Dosanjh

13 Wednesday

No Incident

Jagdeep Dosanjh



JULY 2022

Thursday 14

No Incident

Jagdeep Dosanjh

Friday 15

One male boy with IBS. Accom [illegible] Diana Hall Surrey Transport Not asking for V/Pt He was 15 Years old DOB 8/3/07 M. Jagdeep Dosanjh

Saturday 16

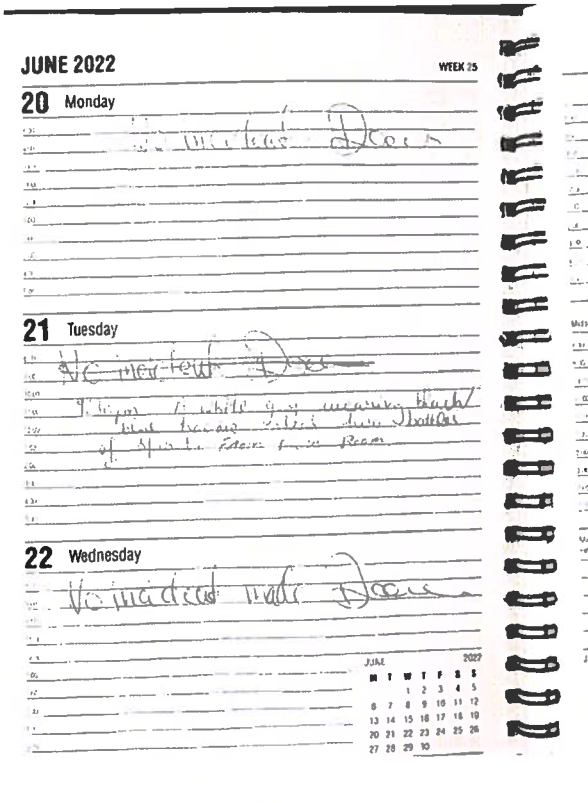
No Incident

Hannah

Sunday 17

No Incident

Hannah



JUNE 2022 WEEK 25

20 Monday

No Incident Dosanjh

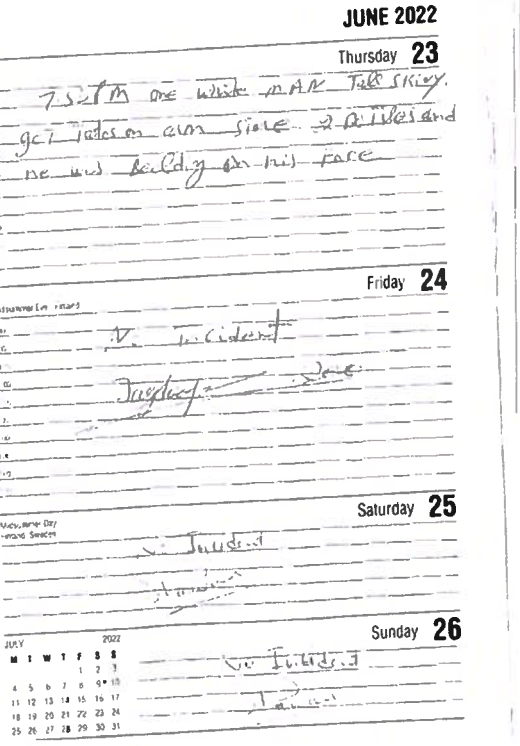
21 Tuesday

No incident Dosanjh

Victim A while in a mental health unit heard voices down bottom of stairs. Room in Room

22 Wednesday

No incident made Dosanjh



JUNE 2022

Thursday 23

7.57pm one male MAR Talk Surrey. Got taken arm side 2 officers and one was holding on his face

Friday 24

No Incident

Jagdeep Dosanjh

Saturday 25

No Incident

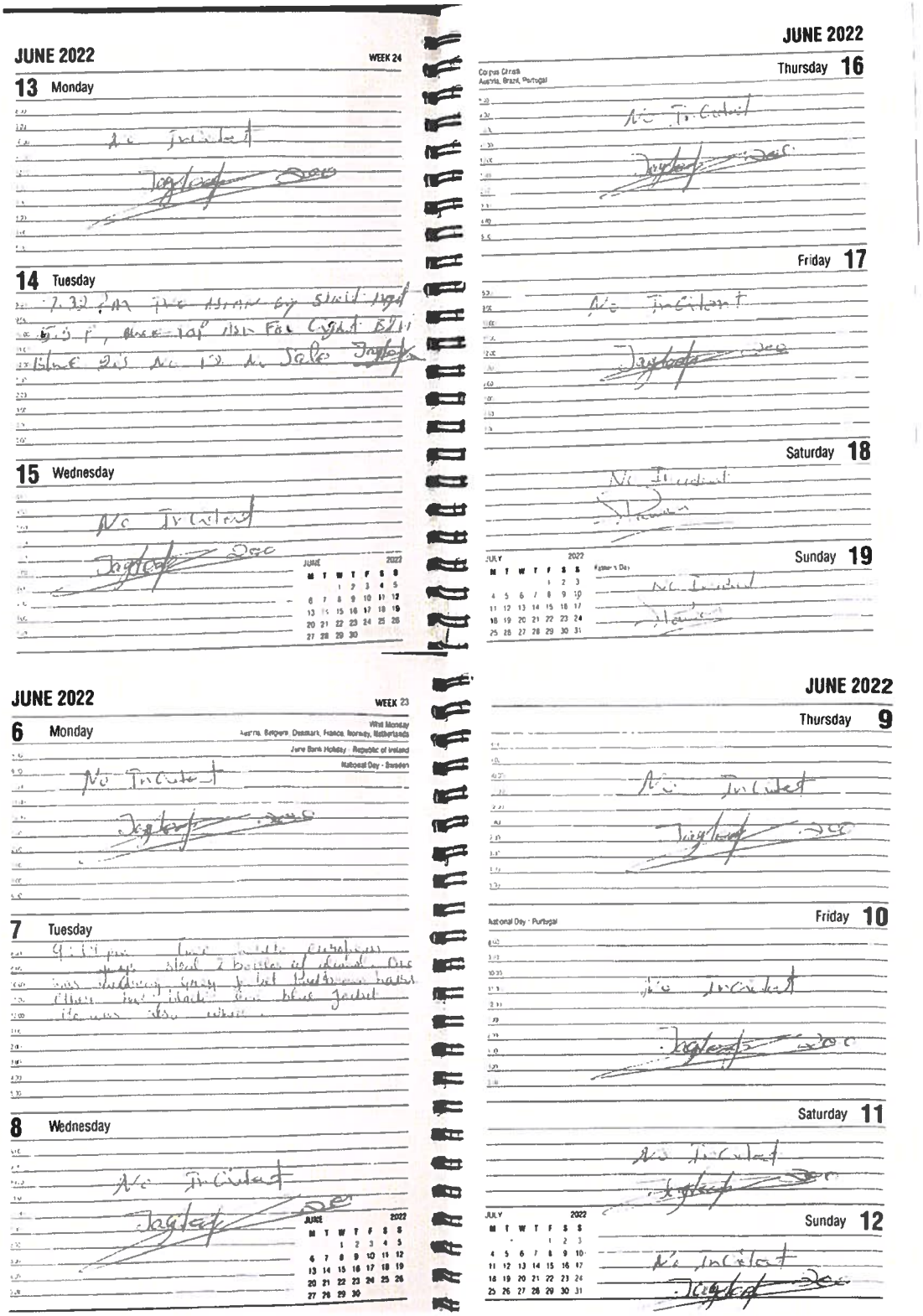
Hannah

Sunday 26

No Incident

Hannah

REFUSALS/INCIDENT REGISTER



JUNE 2022

WEEK 24

13 Monday

No Incident

14 Tuesday

15 Wednesday

No Incident

JUNE 2022

Thursday 16

Corpus Christi
Austria, Brazil, Portugal

No Incident

Friday 17

No Incident

Saturday 18

No Incident

Sunday 19

No Incident

JUNE 2022

WEEK 23

6 Monday

Whit Monday
Austria, Belgium, Denmark, France, Norway, Netherlands
June Bank Holiday - Republic of Ireland
National Day - Sweden

No Incident

7 Tuesday

8 Wednesday

No Incident

JUNE 2022

Thursday 9

No Incident

Friday 10

National Day - Portugal

No Incident

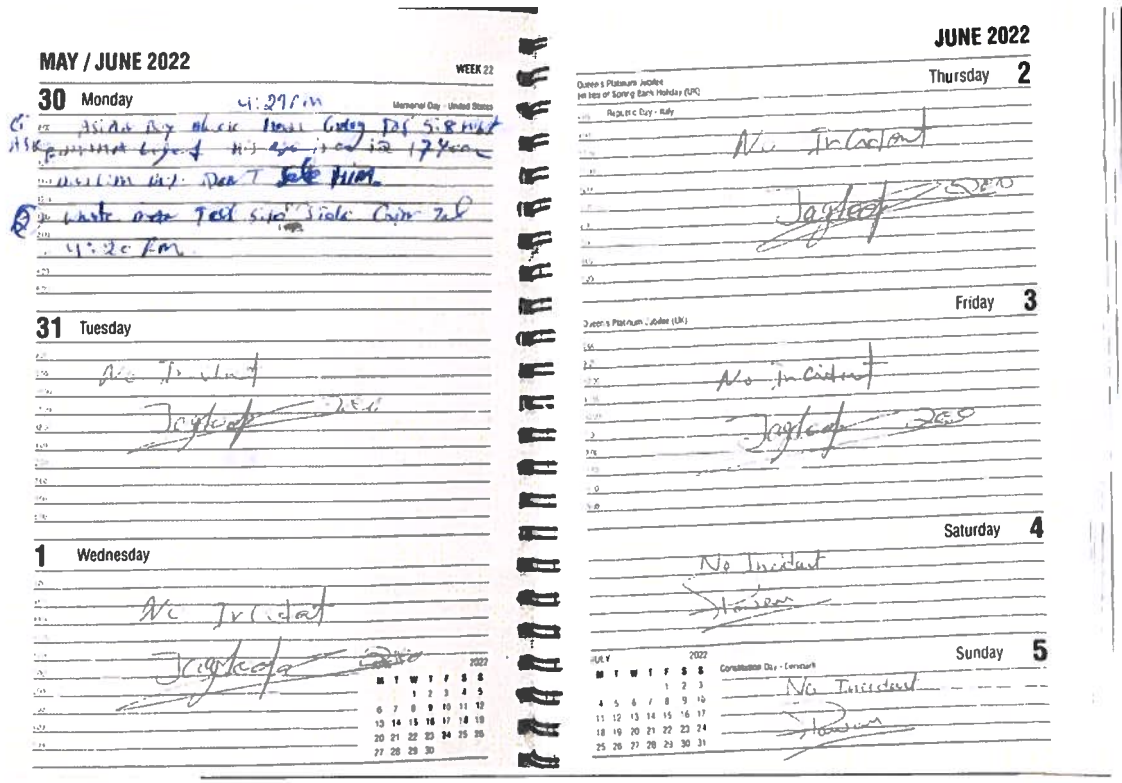
Saturday 11

No Incident

Sunday 12

No Incident

REFUSALS/INCIDENT REGISTER



MAY / JUNE 2022

WEEK 22

30 Monday

31 Tuesday

1 Wednesday

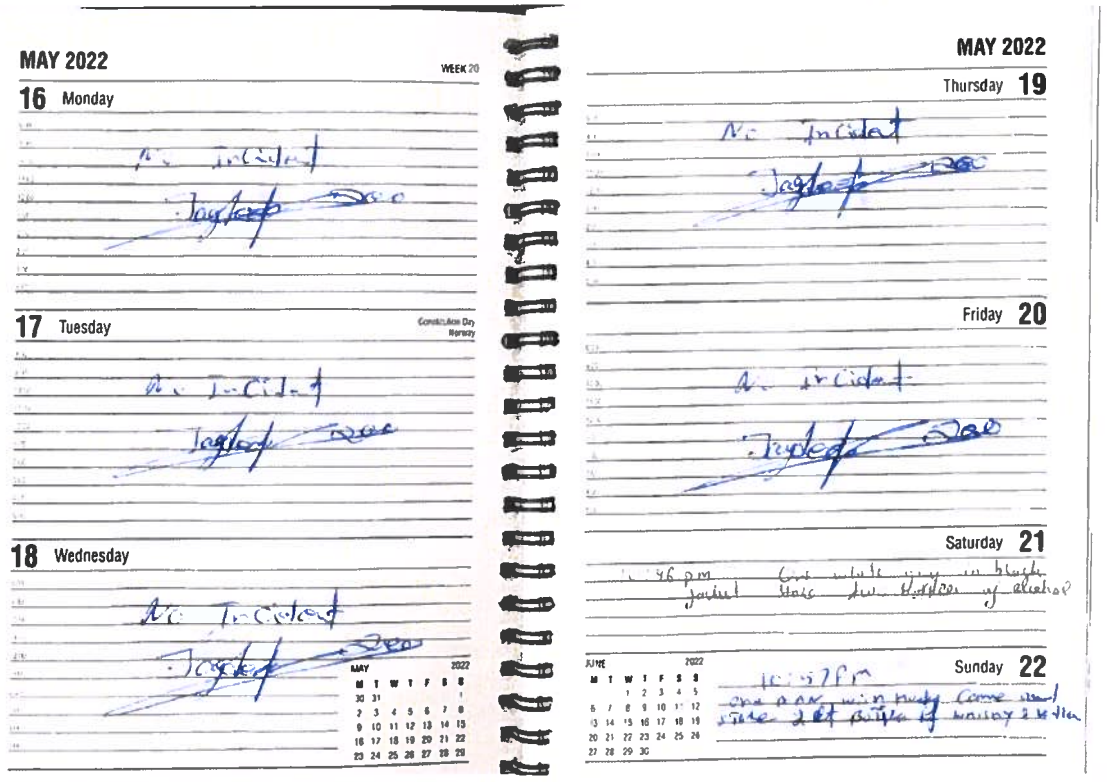
JUNE 2022

Thursday 2

Friday 3

Saturday 4

Sunday 5



MAY 2022

WEEK 20

16 Monday

17 Tuesday

18 Wednesday

MAY 2022

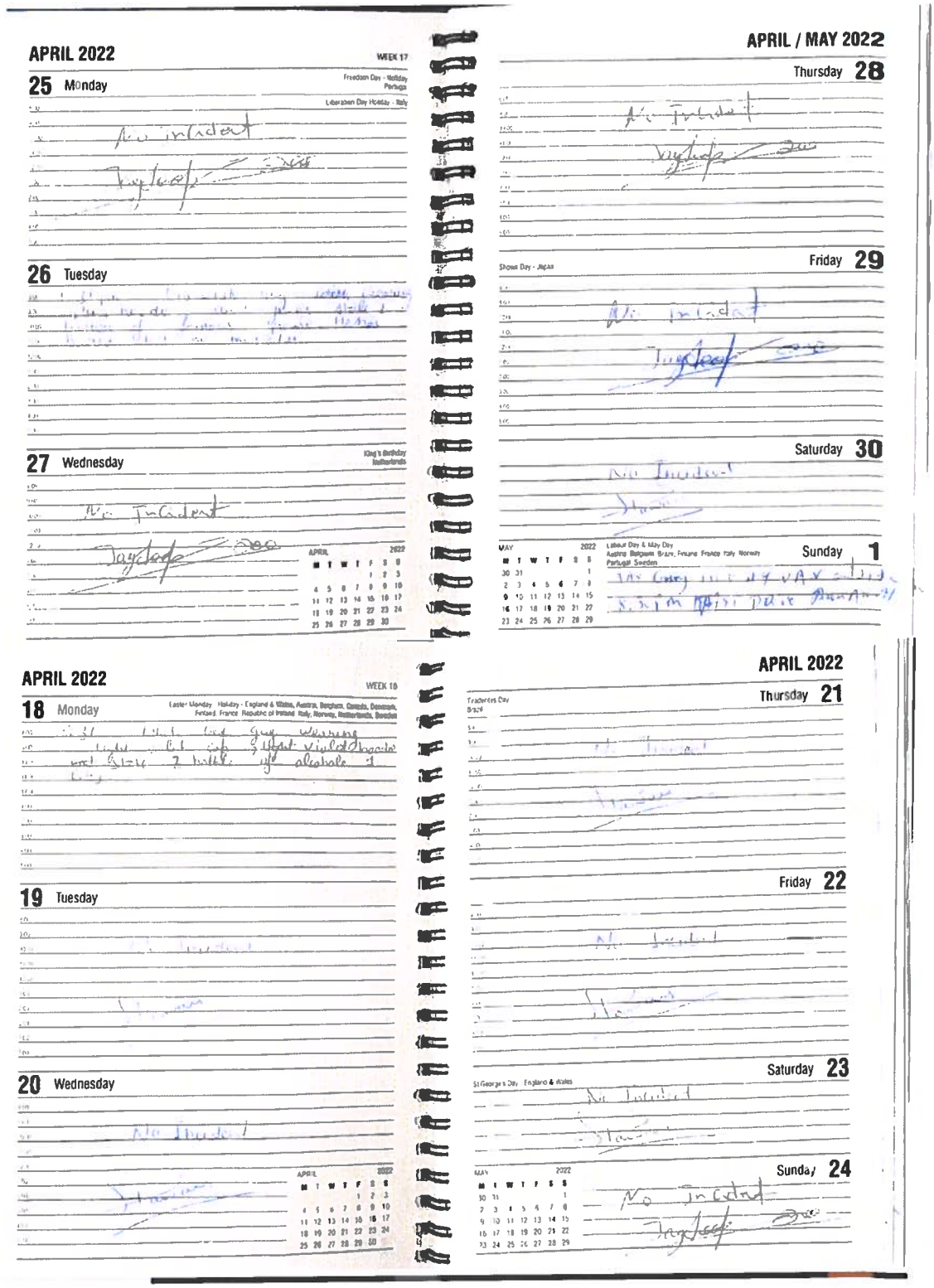
Thursday 19

Friday 20

Saturday 21

Sunday 22

REFUSALS/INCIDENT REGISTER



APRIL 2022

WEEK 17

25 Monday

Freedom Day - Holiday Portugal

Liberation Day Holiday - Italy

No incident

Taylor

26 Tuesday

27 Wednesday

King's Birthday Netherlands

No Incident

Taylor

APRIL 2022

WEEK 18

18 Monday

Easter Monday Holiday - England & Wales, Austria, Belgium, Canada, Denmark, Finland, France, Republic of Ireland, Italy, Norway, Netherlands, Sweden

19 Tuesday

20 Wednesday

No Incident

APRIL / MAY 2022

Thursday 28

No Incident

Taylor

Friday 29

Showa Day - Japan

No incident

Taylor

Saturday 30

No Incident

Taylor

Sunday 1

Labour Day & May Day Austria, Belgium, Brazil, Finland, France, Italy, Norway, Portugal, Sweden

APRIL 2022

Thursday 21

Teachers Day Brazil

No Incident

Taylor

Friday 22

No Incident

Taylor

Saturday 23

St George's Day England & Wales

No Incident

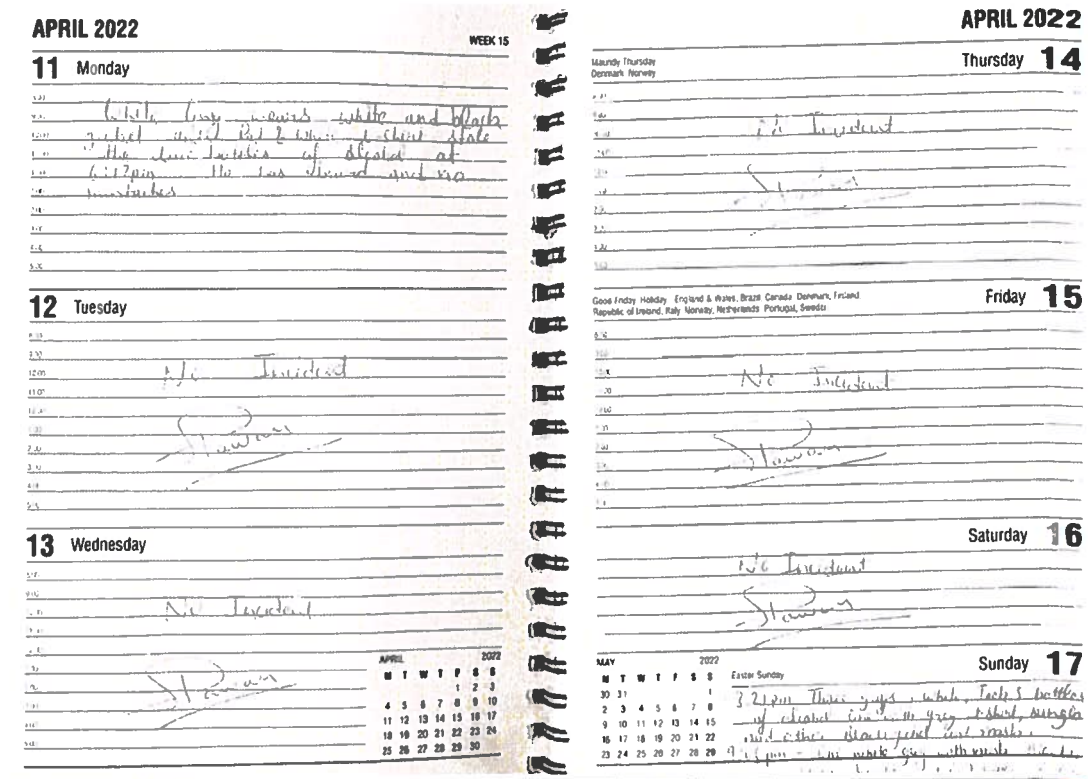
Taylor

Sunday 24

No Incident

Taylor

REFUSALS/INCIDENT REGISTER



APRIL 2022

WEEK 15

11 Monday

Called Cary — owners white and black Labrador said Pat & Mary Ellen State the door handles of Alpaca at Kilspin. He has stood and no instructions

12 Tuesday

No Incident

13 Wednesday

No Incident

APRIL 2022

Maundy Thursday Denmark Norway

Thursday 14

No Incident

Good Friday Holiday England & Wales, Brazil Canada Denmark, Finland Republic of Ireland, Italy Norway, Netherlands Portugal, Sweden

Friday 15

No Incident

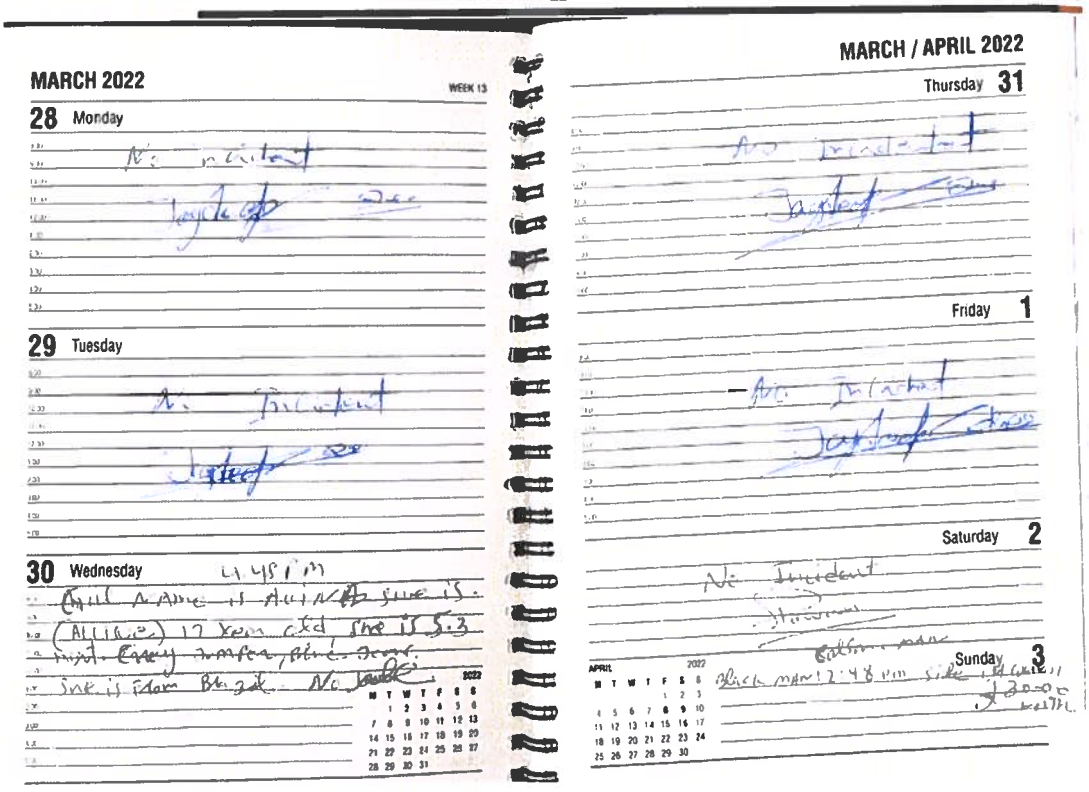
Saturday 16

No Incident

Sunday 17

Easter Sunday

3.21pm Three guys + whole Family & bottles of alcohol in the grey t-shirt, sunglasses and other blue jeans and white [illegible]



MARCH 2022

WEEK 13

28 Monday

No incident

29 Tuesday

No Incident

30 Wednesday 11.45 pm

Call A Name is ALLAN the same is. (ALLAN) 17 Years old the is 5.3 mist. Curly hair, Blue Jeans.

She is from Bright. No [illegible]

MARCH / APRIL 2022

Thursday 31

No Incident

Friday 1

No Incident

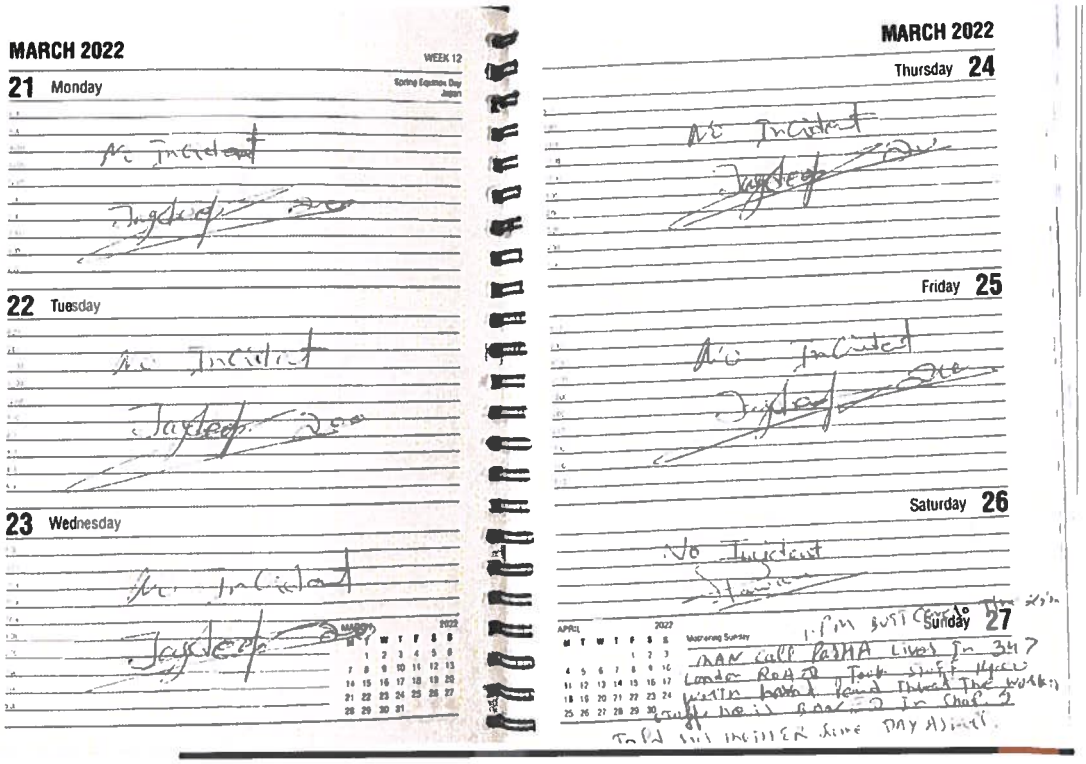
Saturday 2

No Incident

Sunday 3

Black man 2.48 pm side [illegible]

REFUSALS/INCIDENT REGISTER



MARCH 2022

WEEK 12

21 Monday

No Incident

Jagdeep Deo

22 Tuesday

No Incident

Jagdeep Deo

23 Wednesday

No Incident

Jagdeep Deo

MARCH 2022

Thursday 24

No Incident

Jagdeep Deo

Friday 25

No Incident

Jagdeep Deo

Saturday 26

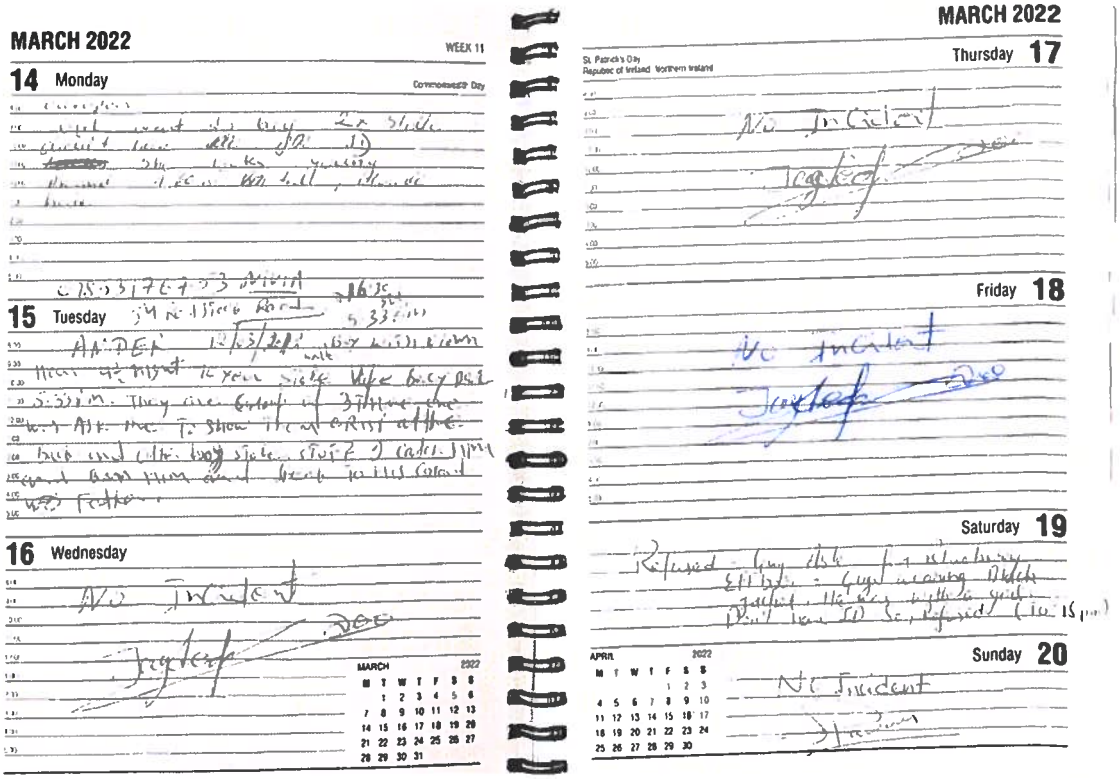
No Incident

Sunday 27

1pm just Cleaning the van

MAN call PASHA Lives In 347 London Road Took shift Here with hand found Wheat The worker Staff Hein Back In Chat 5

Told Not Incident Have DAY Absent.



MARCH 2022

WEEK 11

14 Monday

15 Tuesday

16 Wednesday

No Incident

Jagdeep Deo

MARCH 2022

Thursday 17

No Incident

Jagdeep

Friday 18

No Incident

Jagdeep Deo

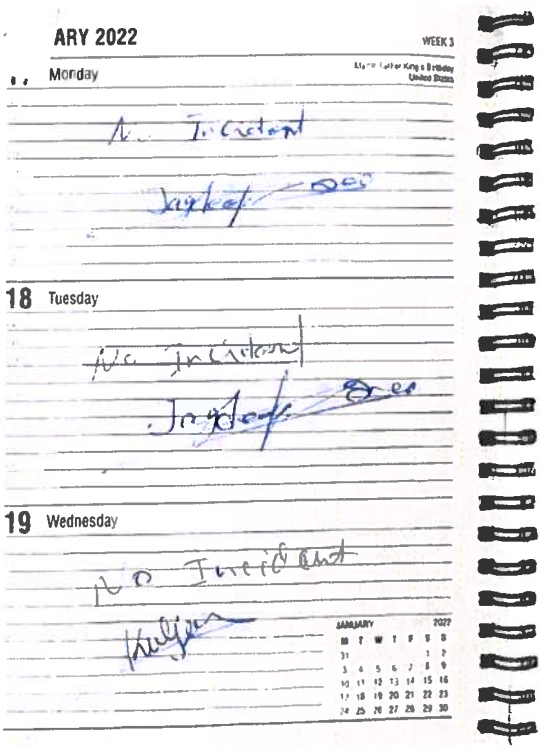
Saturday 19

Refused

Sunday 20

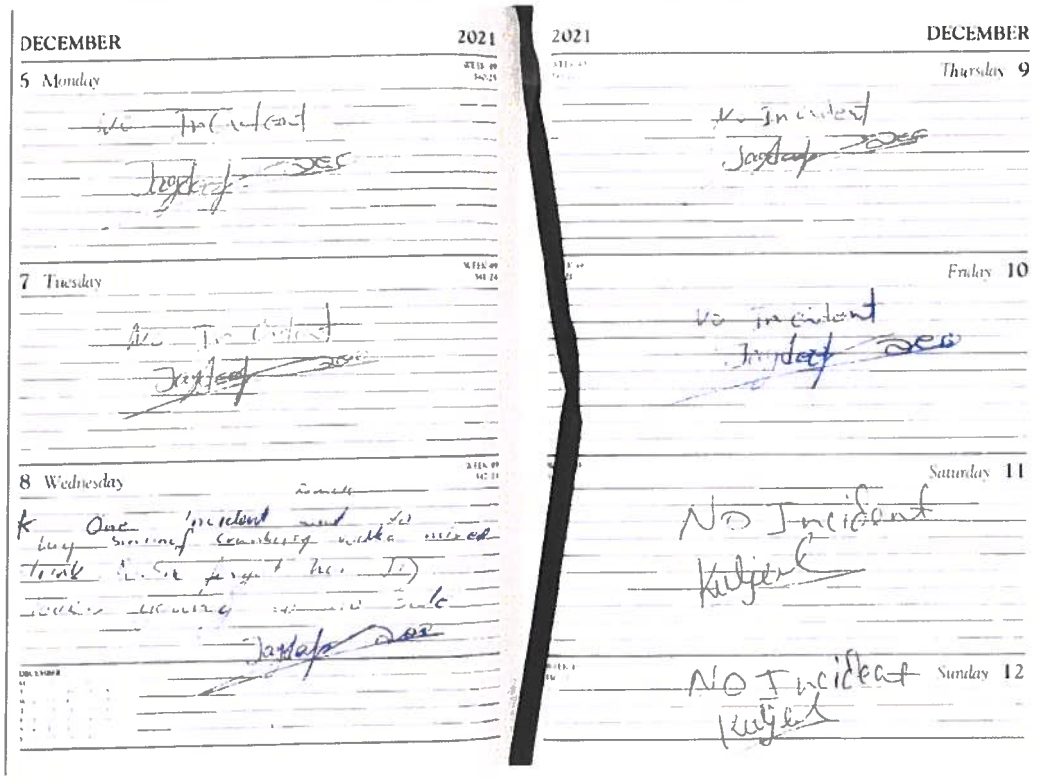
No Incident

REFUSALS/INCIDENT REGISTER



REFUSALS/INCIDENT REGISTER

REFUSALS/INCIDENT REGISTER



DECEMBER 2021

5 Monday
No Incident
Jaydeep

7 Tuesday
No Incident
Jaydeep

8 Wednesday
One incident and No
Jaydeep

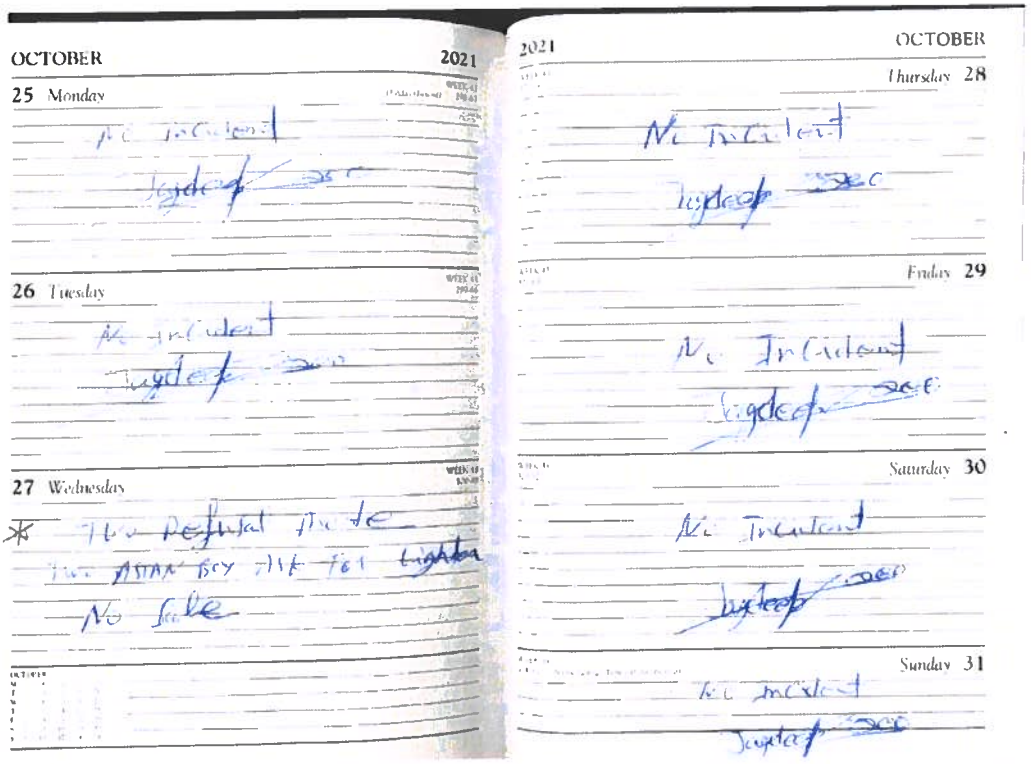
2021 DECEMBER

Thursday 9
No Incident
Jaydeep

Friday 10
No Incident
Jaydeep

Saturday 11
NO Incident
Jaydeep

Sunday 12
NO Incident
Jaydeep



OCTOBER 2021

25 Monday
No Incident
Jaydeep

26 Tuesday
No Incident
Jaydeep

27 Wednesday
No Refusal Made
No Incident
No Late

2021 OCTOBER

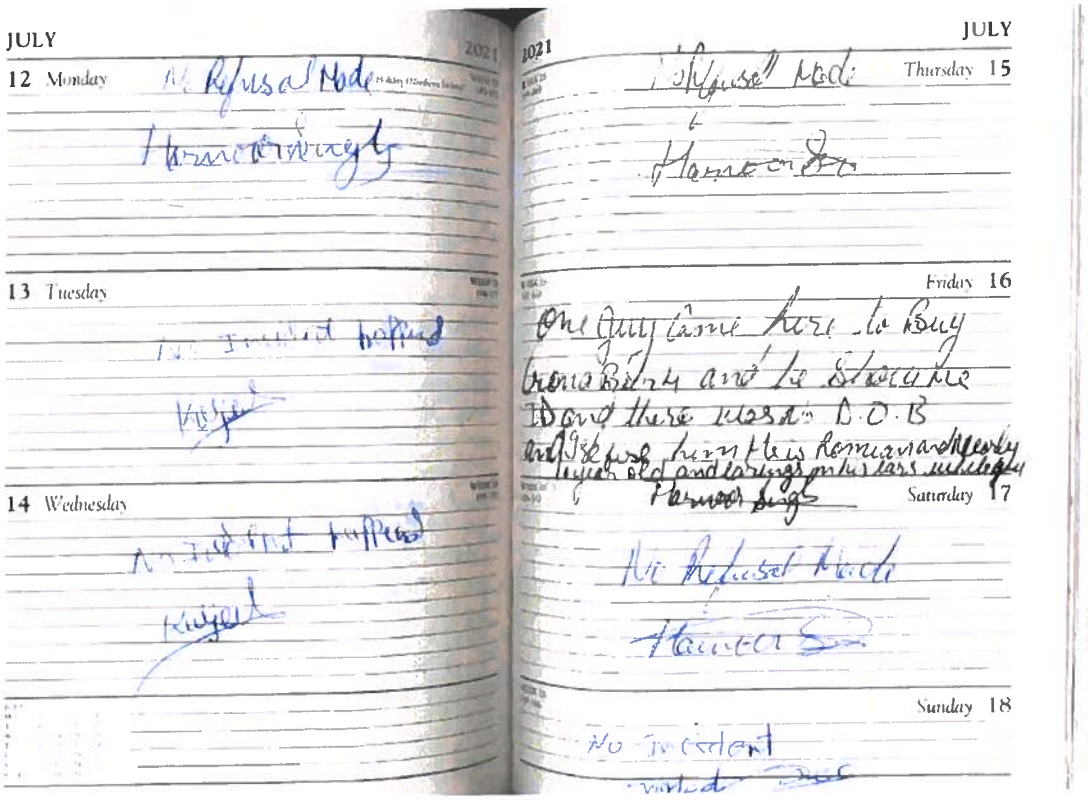
Thursday 28
No Incident
Jaydeep

Friday 29
No Incident
Jaydeep

Saturday 30
No Incident
Jaydeep

Sunday 31
No Incident
Jaydeep

REFUSALS/INCIDENT REGISTER



JULY 2021

12 Monday — No Refusal Made
Homeworking

13 Tuesday — No incident happened

14 Wednesday — No incident happened

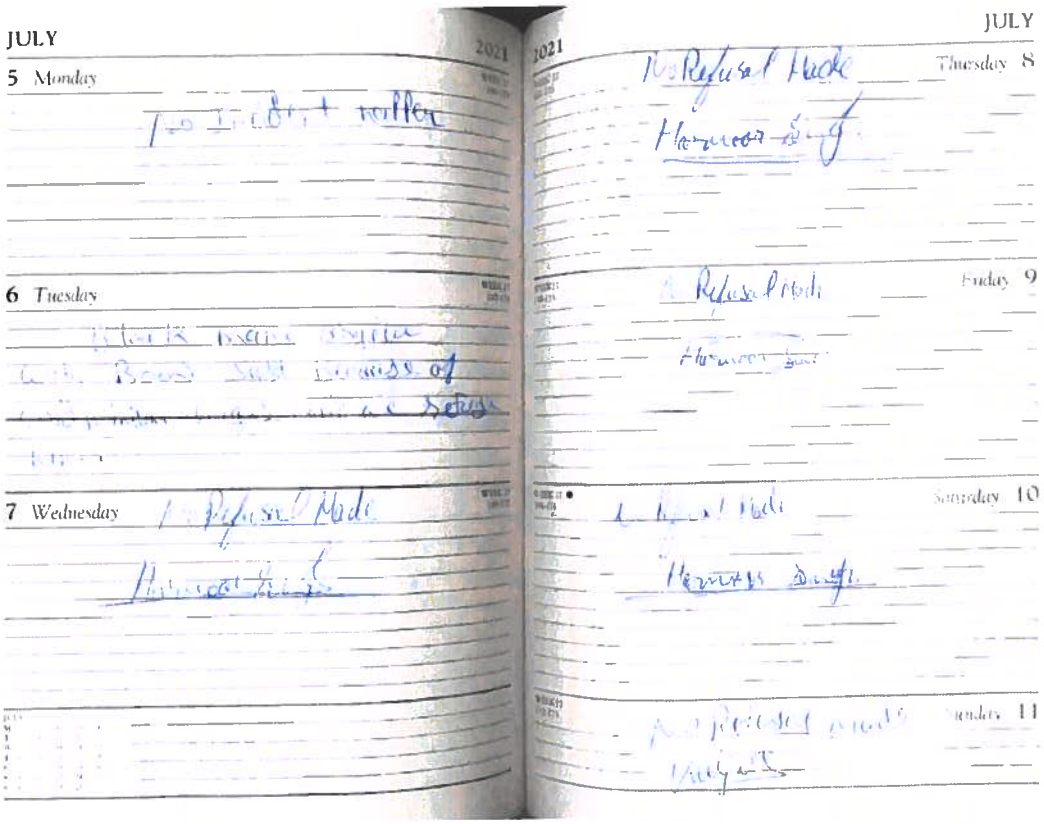
JULY 2021

Thursday 15 — No Refusal Made
Homeworking

Friday 16 — One guy came here to buy cigarettes and he became D.O.B and he was from the Romanian Orthodox church old and asking for his cigarettes which he did not get
Homeworking

Saturday 17 — No Refusal Made
Homeworking

Sunday 18 — No incident



JULY 2021

5 Monday — No incident noted

6 Tuesday — No incident noted

7 Wednesday — No Refusal Made
Homeworking

JULY 2021

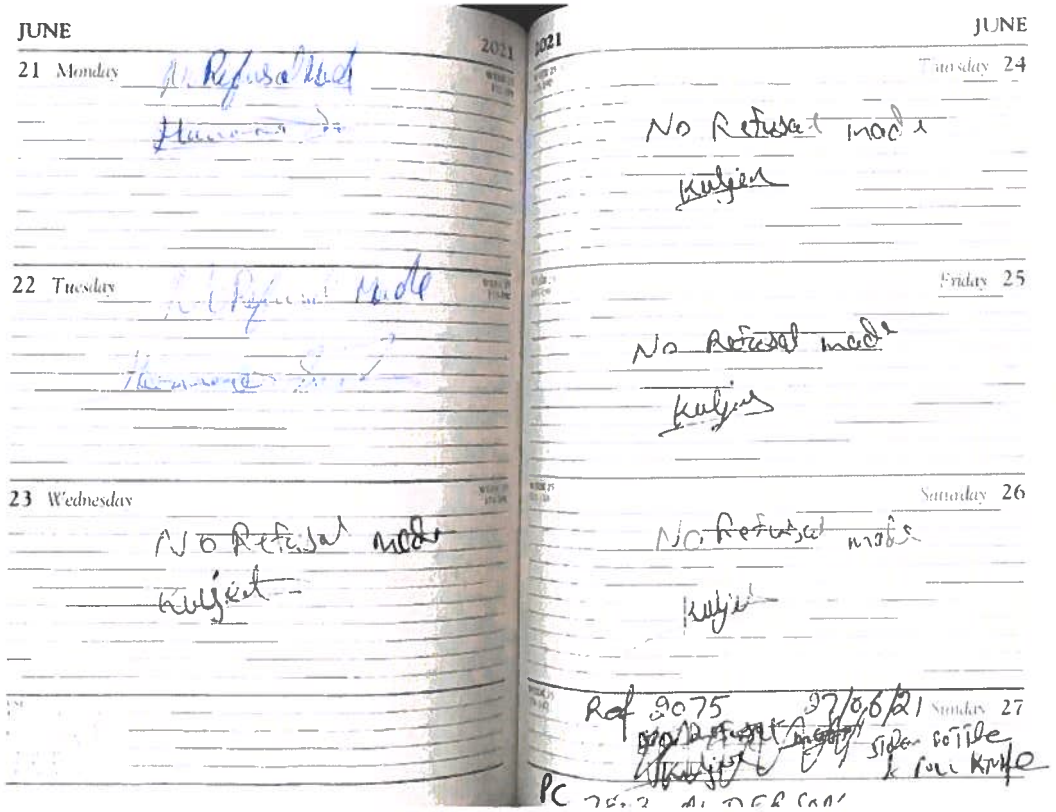
Thursday 8 — No Refusal Made
Homeworking

Friday 9 — No Refusal Made
Homeworking

Saturday 10 — No Refusal Made
Homeworking

Sunday 11 — No Refusal Made
Homeworking

REFUSALS/INCIDENT REGISTER



JUNE

21 Monday — No Refusal Made

22 Tuesday — No Refusal Made

23 Wednesday — No Refusal Made

2021

JUNE

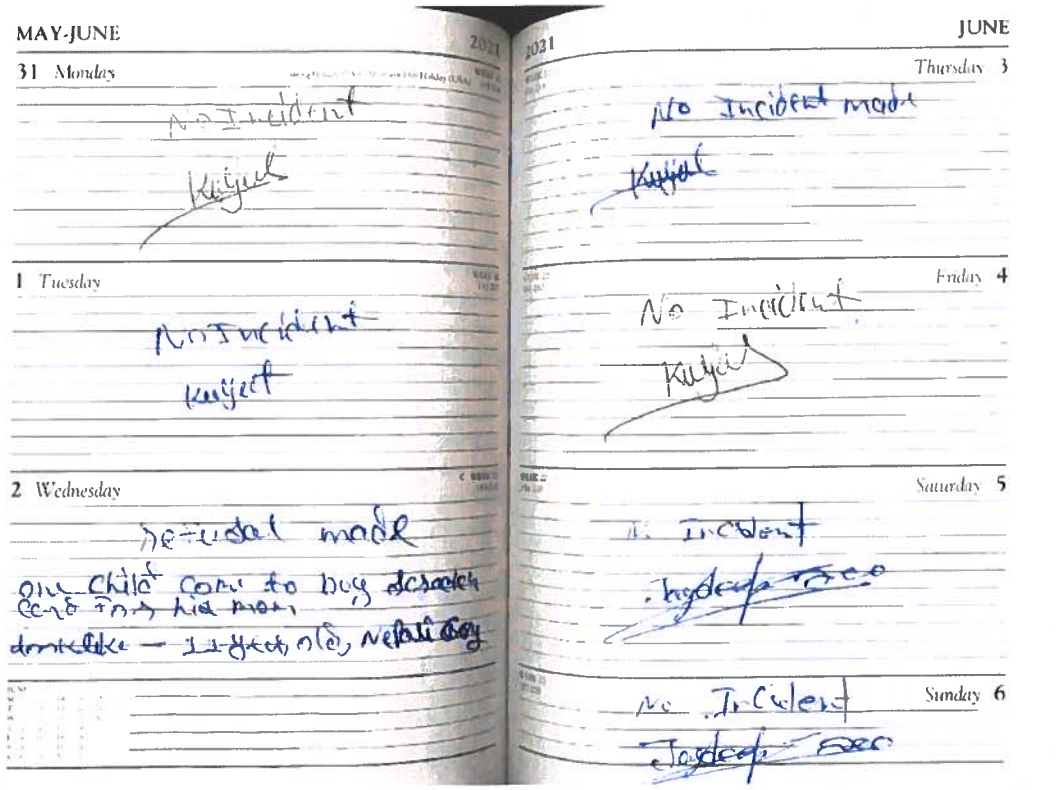
Thursday 24 — No Refusal made

Friday 25 — No Refusal made

Saturday 26 — No refusal made

Sunday 27 — Ref 2075 27/06/21 Spoke to Tile re Knife

PC



MAY-JUNE

31 Monday — No Incident

1 Tuesday — No Incident

2 Wednesday — Refusal made

One child came to buy scratch cards from his mom, domestic — 12 years old, Nepalese

2021

JUNE

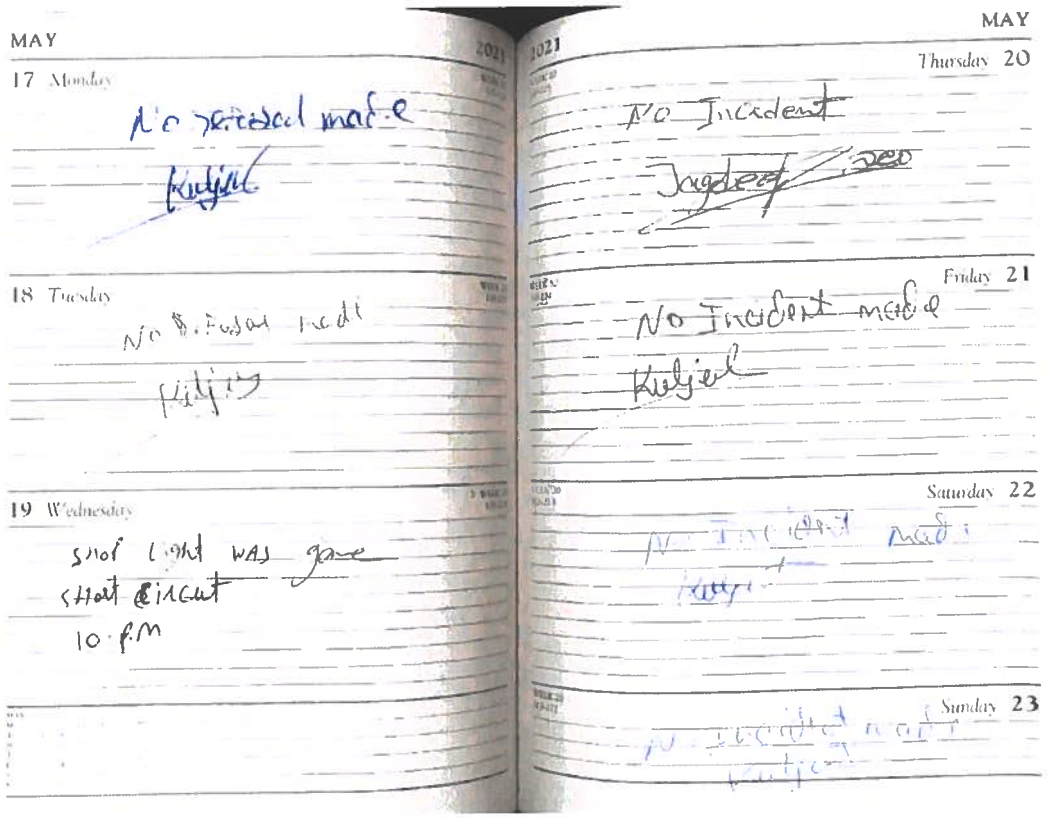
Thursday 3 — No Incident made

Friday 4 — No Incident

Saturday 5 — No Incident

Sunday 6 — No Incident

REFUSALS/INCIDENT REGISTER



MAY 2021

17 Monday
No refusal made
Kuljit

18 Tuesday
No Refusal made
Kuljit

19 Wednesday
Shot Light was gone
Shot @ 10 pm
10 p.m

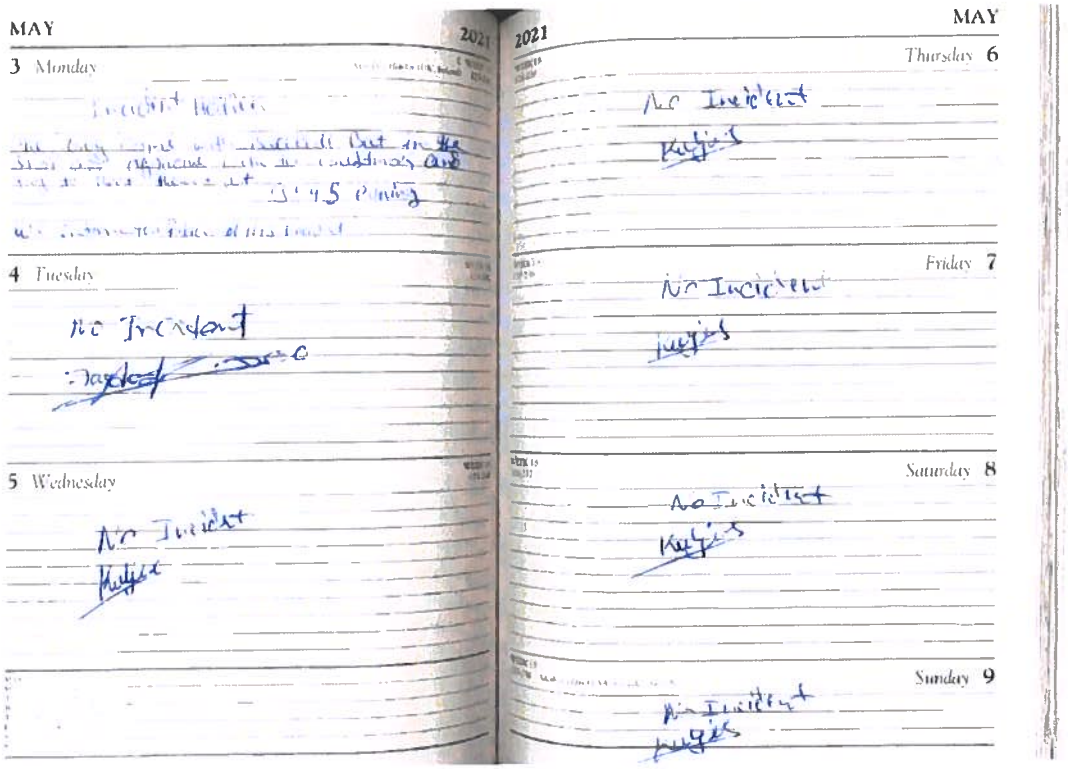
MAY 2021

Thursday 20
No Incident
Kuljit

Friday 21
No Incident made
Kuljit

Saturday 22
No Incident made
Kuljit

Sunday 23
No Incident made
Kuljit



MAY 2021

3 Monday
Incident Notice
[illegible]

4 Tuesday
No Incident
[illegible]

5 Wednesday
No Incident
Kuljit

MAY 2021

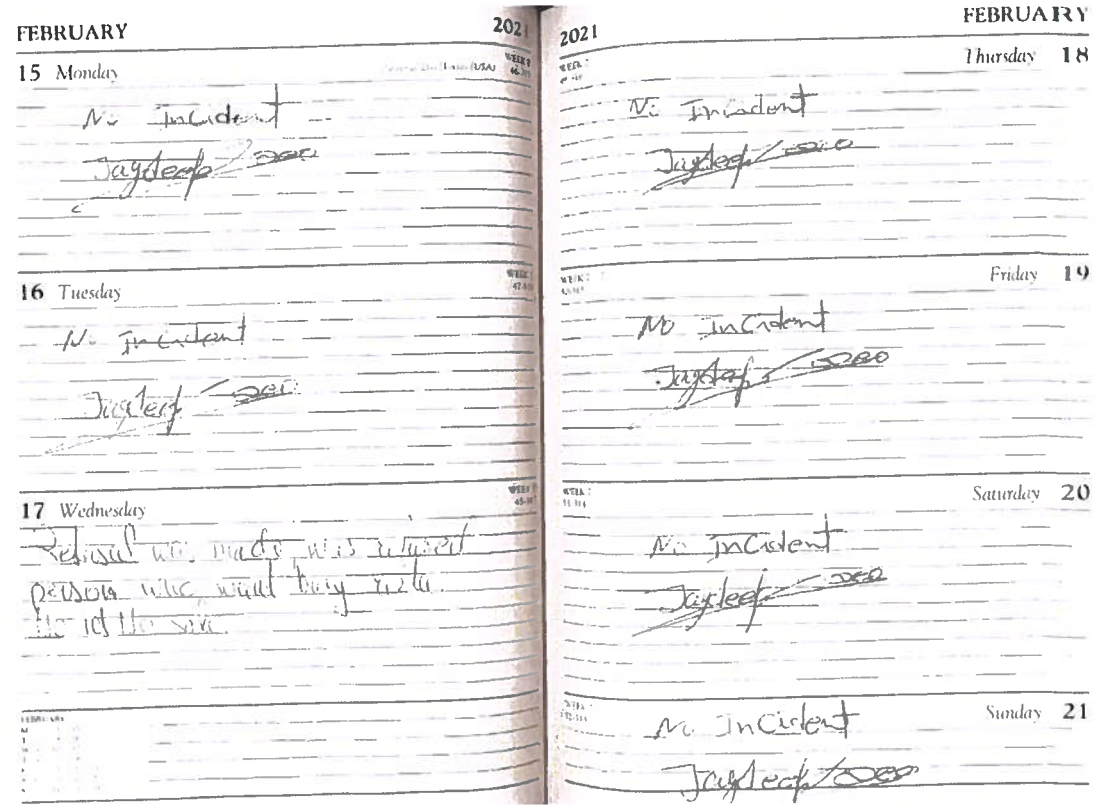
Thursday 6
No Incident
Kuljit

Friday 7
No Incident
Kuljit

Saturday 8
No Incident
Kuljit

Sunday 9
No Incident
Kuljit

REFUSALS/INCIDENT REGISTER



FEBRUARY 202

15 Monday
No Incident
Jagdeep

16 Tuesday
No Incident
Jagdeep

17 Wednesday
Refusal with masks was against person who would buy nuts. Left the store.

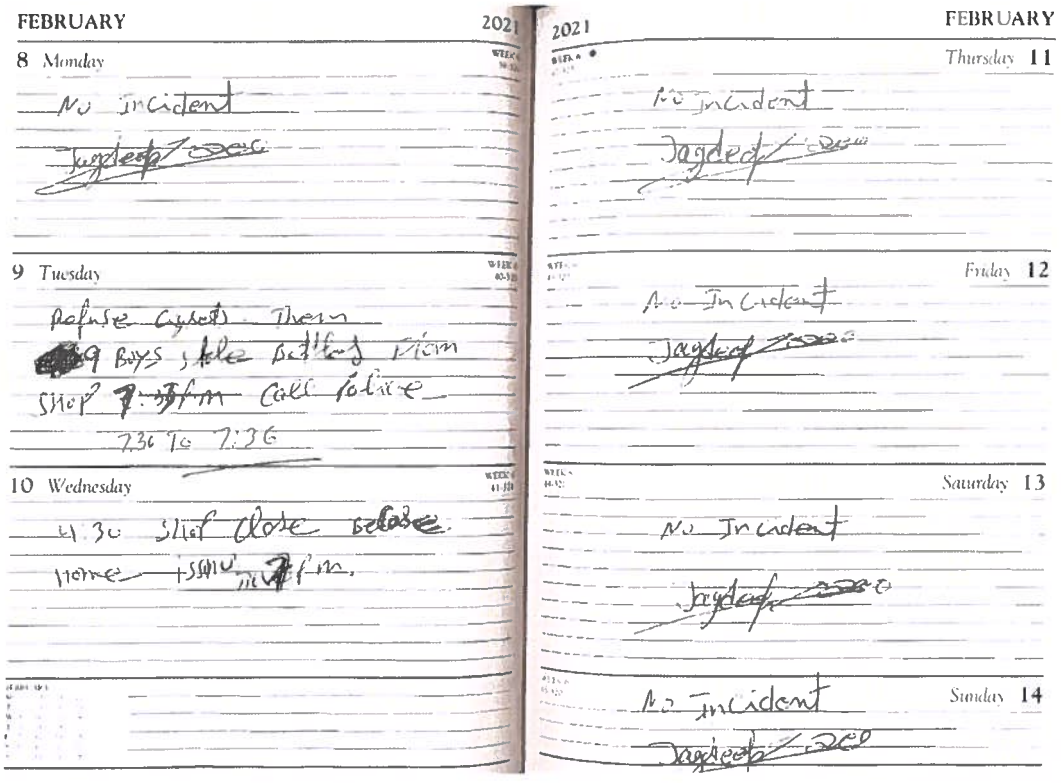
2021 FEBRUARY

Thursday 18
No Incident
Jagdeep

Friday 19
No Incident
Jagdeep

Saturday 20
No Incident
Jagdeep

Sunday 21
No Incident
Jagdeep



FEBRUARY 2021

8 Monday
No Incident
Jagdeep

9 Tuesday
Refuse Cyclists Thurn
9 Boys ; Ale Refusing Item
Shop ? Call Police
7:30 To 7:36

10 Wednesday
4:30 Staff Close Before
Home + Shop

2021 FEBRUARY

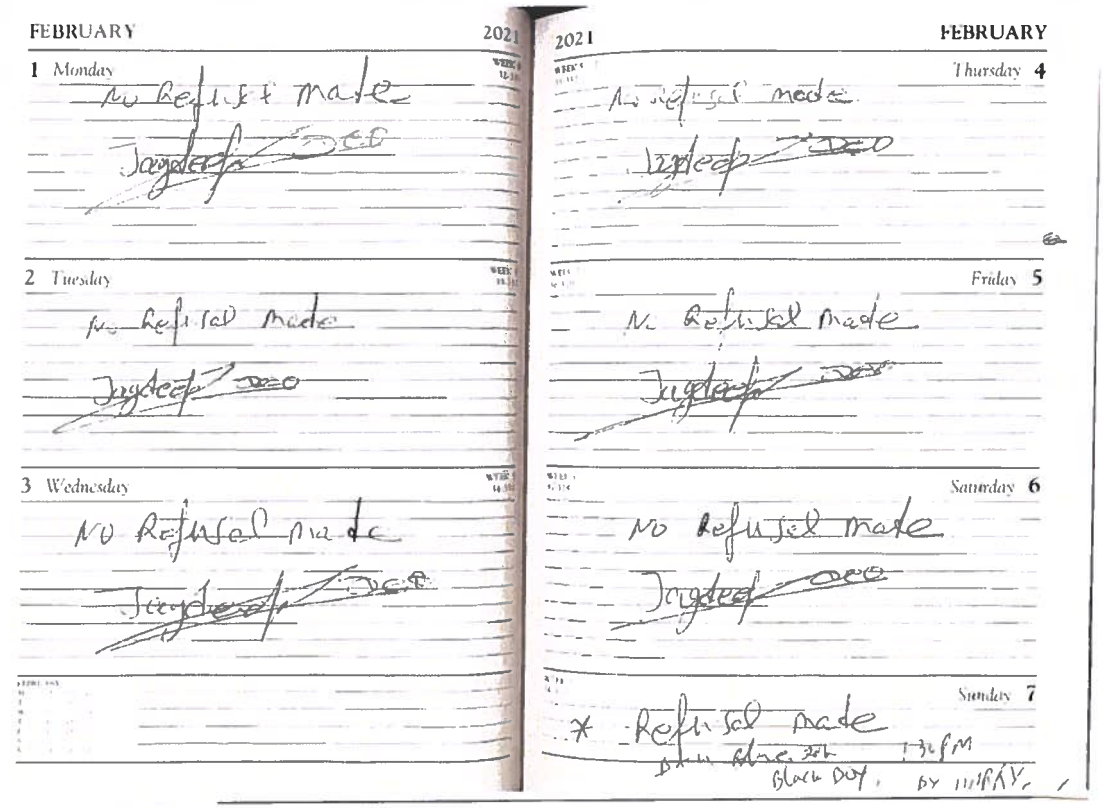
Thursday 11
No Incident
Jagdeep

Friday 12
No Incident
Jagdeep

Saturday 13
No Incident
Jagdeep

Sunday 14
No Incident
Jagdeep

REFUSALS/INCIDENT REGISTER



FEBRUARY 2021

1 Monday
No Refusal made
Jagdeep

2 Tuesday
No Refusal made
Jagdeep

3 Wednesday
No Refusal made
Jagdeep

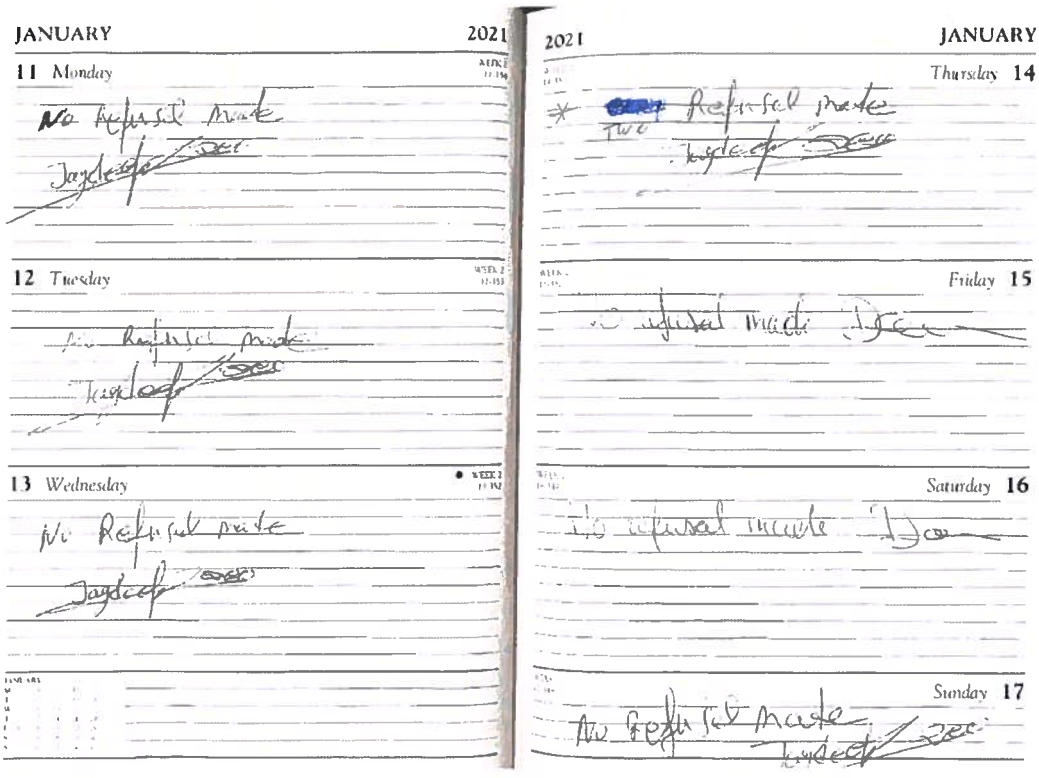
2021 FEBRUARY

Thursday 4
No refusal made
Jagdeep

Friday 5
No Refusal made
Jagdeep

Saturday 6
No Refusal made
Jagdeep

Sunday 7
* Refusal made
Black Day. BY MURRAY.



JANUARY 2021

11 Monday
No Refusal made
Jagdeep

12 Tuesday
No Refusal made
Jagdeep

13 Wednesday
No Refusal made
Jagdeep

2021 JANUARY

Thursday 14
* Refusal made
Jagdeep

Friday 15
No refusal made

Saturday 16
No refusal made

Sunday 17
No Refusal made
Jagdeep

REFUSALS/INCIDENT REGISTER

DECEMBER R 2020

28 Monday

No Refusal Made

Jagtar

29 Tuesday

No Refusal Made

Jagtar

30 Wednesday

No Refusal Made

Jagtar

2020-2021 DECEMBER-JANUARY

Thursday 31

No Refusal Made

Jagtar

Friday 1

No Refusal Made

Jagtar

Saturday 2

* One Refusal Made

Jagtar

Sunday 3

No Refusal Made

Jagtar

Motorways Map

PERSONAL INFORMATION

Name YUVRAJ'S MINI MARKET

4 MANCHESTER Road.

Contact Reading

RG1 3ED

In case of emergency please notify:

Name Refusal Book.

Contact

All staff to sign this Book.

(No Refusals made)

NOTABLE DATES

	2021	2022
New Year's Day (UK, Ireland, USA, Canada, Australia)	Jan 1	Jan 1
Martin Luther King Jr. Day (USA)	Jan 18	Jan 17
Australia Day (Australia)	Jan 26	Jan 26
Ash Wednesday	Feb 17	Mar 2
Presidents' Day (USA)	Feb 15	Feb 21
St David's Day (Wales)	Mar 1	Mar 1
St Patrick's Day (Ireland)	Mar 17	Mar 17
Good Friday (UK, Canada, Australia)	Apr 2	Apr 15
Easter Sunday (Australia)	Apr 4	Apr 17
Easter Monday	Apr 5	Apr 18
ANZAC Day (Australia)	Apr 25	Apr 25
May Day Holiday (UK, Ireland)	May 3	May 2
Mother's Day (USA, Canada, Australia)	May 9	May 8
Victoria Day (Canada)	May 24	May 23
Spring Holiday (UK)	May 31	May 30
Memorial Day (USA)	May 31	May 30
Holiday (Ireland)	Jun 7	Jun 6
Queen's Birthday (Australia)	Jun 14	Jun 13
Father's Day (UK, Ireland, USA, Canada, Australia)	Jun 20	Jun 19
Armed Forces Day (UK)	Jun 26	Jun 25
Canada Day (Canada)	Jul 1	Jul 1
Independence Day (USA)	Jul 4	Jul 4
Bank Holiday (Scotland, Australia)	Aug	Aug 1
Late Summer Holiday (UK)	Aug 30	Aug 29
Father's Day (Australia)	Sep 5	Sep 4
Labor Day (USA)	Sep 6	Sep 5
Labour Day (Canada)	Sep 6	Sep 5
Columbus Day (USA)	Oct 11	Oct 10
Thanksgiving Day (Canada)	Oct 11	Oct 10
Holiday (Ireland)	Oct 25	Oct 31
Veterans Day (USA)	Nov 11	Nov 11
Remembrance Day (Canada)	Nov 11	Nov 11
Remembrance Sunday (UK)	Nov 14	Nov 13
Thanksgiving Day (USA)	Nov 25	Nov 24
St Andrew's Day (Scotland)	Nov 30	Nov 30
Christmas Day (UK, Ireland, USA, Canada, Australia)	Dec 25	Dec 25
Boxing Day (UK, Canada, Australia)	Dec 26	Dec 26
St Stephen's Day (Ireland)	Dec 26	Dec 26

Queen's and Monarch's birthdays are observed.
Substitute holidays may be given when a public holiday falls on a weekend.
Actual dates of bank holidays and approximate dates of seasonal variations.

Appendix Lic-2

Reading Borough Council
Working better with you

Name of Officer	Robert Smalley
Type of Application	Review of a Premises Licence – Licensing Act 2003
Name of Premises	Yuvraj's Mini Market
Address	9 Manchester Road
	Reading
	RG1 3QD
Premises Licence No.	LP9000603
Licensable Activities	Sale of Alcohol by Retail – Off the Premises

Finish Times	**Mon**	**Tue**	**Wed**	**Thu**	**Fri**	**Sat**	**Sun**
	2300	2300	2300	2300	2300	2300	2300

Content of Application:

The application was submitted on **02/10/2023** by **Mr Declan Smyth 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 order to address the wholesale purchasing of stolen alcohol by workers at the Premises. This behaviour causes a cascade effect in criminality, for example, supporting drug users with their habit, anti-social behaviour, violence and leading to further perpetration of thefts in order to sell the stolen goods to this premises.

On **28/06/2023**, Reading Borough Council (RBC) and Thames Valley Police (TVP) attended this premises with the intention of conducting a premises licence inspection and to gather evidence in relation to the suspicion of handling stolen goods. This was triggered following intelligence that had been received by TVP regarding the purchase of stolen goods at this premises. As explained in the review application, on entering the rear stock room, a number of bottles of spirits, which had security tags still attached to the necks of the bottles, were located. Furthermore, a blue plastic bag was located in the same rear stock room area that contained a substantial amount of security tags that had been

removed from stolen bottles of alcohol. This premises does not have a security tagging system in place.

Thames Valley Police submit this application for review in order to address the failure of the premises licence holder to promote the licensing objectives via their insufficient measures to ensure due diligence and promote the licensing objectives. The wholesale purchasing of stolen alcohol by the Premises Licence Holder/DPS and staff members at this premises is alarming and steps need to be taken to safeguard the local community.

It is imperative for licensed premises to act both responsibly, and in a manner that promotes the licensing objectives. The premises management and staff are currently openly failing to prevent crime and disorder. The deliberate and knowledgeable receiving of stolen goods by the management team and their staff have led to the review of this premises licence.

Thames Valley Police submit that this review is necessary in order to promote all 4 licensing objectives: The Prevention of Crime and Disorder, The Prevention of Public Nuisance, Public Safety and The Protection of Children from Harm.

The police are a named responsible authority under the Licensing Act 2003.

Licensing Officer's Comments:

Reading Borough Council, acting as a responsible authority, support the application to review the premises licence for Yuvraj's Mini Market with the aim to revoke the premises licence. We believe that no other powers available to the sub-committee, namely, a suspension of the premises licence, addition of conditions and the removal of the Designated Premises Supervisor are sufficient to prevent the undermining of the Licensing Objectives at this premises.

The premises is situated on the Manchester Road, Reading in an area which suffers high levels of anti-social behaviour including street drinking and the consumption of super strength alcohol, drug usage and other associated signal crimes such as graffiti and assaults of all levels.

Handling stolen goods is a criminal offence as listed in section 22(1) of the Theft Act 1968. As previously mentioned, the crimes committed in pursuit of obtaining goods to sell to premises such as the above and then any further crimes committed with the proceeds of these actions can result in an increase in overall crime in both Reading town centre and the surrounding areas. The handling of

stolen goods is a vital link in this chain of criminality, one that, if broken, causes the illegal chain of events to collapse.

Schedule 4, sub-section 5(o) of the Licensing Act 2003 identifies handling stolen goods as a relevant offence for personal licences.

The premises currently has the benefit of a premises licence (**LP9000603**) attached as **Appendix RS-1** held by Mrs Kristine Deo that authorises the Sale of Alcohol by Retail for Consumption Off the Premises. The PLH utilises this licence to operate as a convenience store with off-licence which sells a variety of alcohol:

Monday to Sunday **from 0800hrs to 2300hrs**

Licensing team's interactions with the premises:

Mrs Kristine Deo has been the licence holder since **15/09/2013**. During his time as licence holder, 2 licensing inspections have been conducted by licensing officers from Reading Borough Council. Both of these inspections have highlighted areas of non-compliance as detailed below:

Appendix RS-2 contains a letter sent by licensing enforcement officer Robert Smalley to the licence holder following an inspection on **28/06/2023**. This inspection identified 8 breaches of the premises licence, including: No Part A of the premises licence available for inspection, no Part B of the premises licence on display, no Section 57 notice, lack of training records, only partial compliance with the requirement to record refusals, CCTV that did not cover the entire licensable area, no right to work documents kept on-site and no written authorisation list on display. It was during this inspection that evidence of stolen goods was found.

Appendix RS-3 contains a letter sent by licensing enforcement officer Robert Smalley to the licence holder following an inspection on **04/10/2023**. This inspection found 1 breach of the premises licence, namely the condition relating to CCTV; the entire licensable area was not covered by CCTV as per the licence condition. **Appendix RS-4** contains photographs taken during this inspection. These photographs show drug paraphernalia (glass pipes and bongs) on display by alcohol bottles and children's toys. Although not illegal, providing products such as these is highly likely to attract a demographic to the premises that are associated with drug use and the placement of the products next to children's toys is very questionable.

Appendix RS-5 contains a letter sent by licensing enforcement officer Robert Smalley to the licence holder following an inspection on **23/10/2023**. This

inspection found that the premises licence holder was compliant with the conditions contained on the premises licence.

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.

The Council's Statement of Licensing Policy (2023):

5.13 Any premises that has a premises licence or club premises certificate may have that licence reviewed by any of the named Responsible authorities – including the Licensing Authority in its role as a Responsible Authority. Thames Valley Police may also submit a Summary Review if there is a premises associated with serious crime and disorder. When the Licensing Authority instigates a review it will ensure that there is a clear separation of functions between the officer acting as the licensing authority and the officer acting as a responsible authority.

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.

9.14 Licence holders should be aware that some criminal activity on licensed premises is considered to be of such seriousness to warrant a licence being reviewed straight away. There is certain criminal activity stated within the Secretary of State's Guidance that should be taken particularly seriously and where revocation of a licence, even in the first instance, should be seriously considered. This can include the sale or storage of smuggled alcohol or cigarettes on a licensed premises; the employment of an illegal worker at a licensed premises and the use of a licensed premises to sell or distribute drugs and weapons. Clearly if a premises is found to be committing such serious offences, then the premises and licence holder is severely undermining the licensing objectives. It is likely, under such circumstances, that a licence review will be initiated by the Authority or colleagues within Thames Valley Police, Home Office Immigration Enforcement or the relevant responsible authority with a view to having the licence revoked.

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.

Secretary of State's Guidance (August 2023)

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.

Summary of Representation:

Reading Borough Council Licensing appreciates the serious nature of the offence of handling stolen goods that has been committed at this premises and the negative impact such offences have on those businesses that the goods are stolen from. It is also understood that the proceeds of such crimes can be used to support further criminality. We consider this offence serious enough to warrant revocation in the first instance and we do not consider any other power available to the sub-committee as appropriate to prevent this offence from reoccurring.

We appreciate that the determination of this review is solely down to those members of the sub-committee at the hearing, however, we respectfully provide the following breakdown of the powers available to the sub-committee, each accompanied by an explanation as to whether we consider the power

appropriate or not to address the current undermining of the licensing objectives:

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

We do not consider the addition or amending of the conditions attached to the licence to be a pragmatic solution due to the serious nature of the offence of handling stolen goods. It is considered likely that, if the premises continues to be licensed to sell alcohol, that stolen goods will continue to be purchased and sold from the premises.

• the exclusion of a licensable activity from the scope of the licence;

There is only 1 licensable activity on the licence and therefore this option would render the licence redundant and, in practice, would have the same effect as revocation.

• Revocation of the licence;

For the previously stated reasons, we believe this is the only way to prevent further undermining of the licensing objectives.

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

We do not believe that this option would serve as anything other than a punitive measure with the premises likely to return to how it currently operates at the end of the suspension period.

• the removal of the designated premises supervisor;

This premises is, for the most part, a small, family run premises. Both the premises licence holder, who is also the Designated Premises Supervisor, and her husband hold personal licences. To simply remove the current Designated Premises Supervisor, only for Mr Deo to be named as the Designated Premises Supervisor will not result in any substantial change to how the premises is operated. See 11.22 of the Secretary of State's section 182 guidance.

Relevant Case law for consideration

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 Robert Smalley dated August 2023 Appendix RS-3: Premises inspection results letter from inspection conducted by Robert Smalley dated October 2023 Appendix RS-4: Photographs taken by Robert Smalley during an inspection of the premises in October 2023 Appendix RS-5: Premises inspection results letter from inspection conducted by Robert Smalley dated October 2023

Date Received	02/10/2023	**Date Due**	30/10/2023

Date	23	10	2023

Reading Borough Council
Working better with you

Appendix RS-1

LICENSING ACT 2003 PREMISES LICENCE - PART A

Reading Borough Council being the Licensing Authority under the above Act, **HEREBY GRANT** a **PREMISES LICENCE** as detailed in this licence.

Premises Licence Number	**LP9000603**

Premises Details

Trading name of Premises and Address
Yuvrajs Mini Market 9 Manchester Road Reading RG1 3QD
Telephone Number
Where the Licence is time limited the dates the Licence is valid
N/A

Licensable Activities

Licensable Activities authorised by the Licence Sale of Alcohol by Retail - Off the Premises

Authorised Hours for Licensable Activities

The times the licence authorises the carrying out of licensable activities
Hours for the Sale by Retail of Alcohol
Monday from 0800hrs until 2300hrs
Tuesday from 0800hrs until 2300hrs
Wednesday from 0800hrs until 2300hrs
Thursday from 0800hrs until 2300hrs
Friday from 0800hrs until 2300hrs
Saturday from 0800hrs until 2300hrs
Sunday from 0800hrs until 2300hrs

Opening Hours

Hours the Premises is Open to the Public
Monday from 0800hrs until 2300hrs
Tuesday from 0800hrs until 2300hrs
Wednesday from 0800hrs until 2300hrs
Thursday from 0800hrs until 2300hrs
Friday from 0800hrs until 2300hrs
Saturday from 0800hrs until 2300hrs
Sunday from 0800hrs until 2300hrs

Alcohol

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Sale of Alcohol by Retail -Off the Premises

Premises Licence Holder

Name, (registered) address of holder of premises licence

Name: **Mrs Kristine Dec**
Address: [redacted]

Registered number of holder, for example company number or charity number [where applicable]
N/A

Additional Details

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Name: **Mrs Kristine Dec**
Address: [redacted]

Designated Premises Supervisor

Personal Licence number and issuing authority of personal licence held by the designated premises supervisor where the premises licence authorises the supply of alcohol

Personal Licence Number: **PA7952**
Issuing Authority: **Slough Borough Council**

This Licence shall continue in force from 04/07/2023 unless previously suspended or revoked.

Dated: 4 July 2023

Signed on behalf of the issuing licensing authority

Emma Gee
Interim Executive Director for Economic Growth and Neighbourhood Services

Annex 1

Mandatory Conditions

Supply of Alcohol

To be applied where a premises licence authorises the supply of alcohol

1 No supply of alcohol may be made under the premises licence:-

a) at a time when there is no designated premises supervisor in respect of the premises licence, or

b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

2 Every supply of alcohol made under the premises licence must be made or authorised by a person who holds a personal licence.

Film Exhibitions

To be applied only where a premises licence or club premises certificate authorises the exhibitions of films

1 The admission of children to any exhibition of any film must be restricted in accordance with section 20 of Part 3 of the Licensing Act 2003.

2 In the case of films which have been classified by the British Board of Film Classification admission of children to films must be restricted in accordance with that classification.

3 In the case of films which have not been classified by the British Board of Film Classification, admission of children must be restricted in accordance with any recommendation made by the Licensing Authority.

Door Supervisors

To be applied where a premises licence or club premises certificate includes a condition that any person must be at the premises to carry out a security activity. [Except premises with a premises licence authorising only plays or films or premises used exclusively by a club].

1 Each individual present at the licensed premises to carry out a security activity must be licensed by the Security Industry Authority.

Responsible Drink Promotions (commencement date 01/10/2014)

1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises–

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Supply of Tap Water (commencement date 01/10/2014)

1. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification Policy (commencement 01/10/2014)

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

2. The designated premises supervisor in relation to the premises licence must ensurethat the supply of alcohol at the premises is carried on in accordance with the age verification policy.

3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either— (a) a holographic mark, or (b) an ultraviolet feature.

Drink Measurements (commencement date 01/10/2014)

1. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material whichis available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

Minimum Permitted Pricing (commencement 28th May 2014)

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption onor off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
(a)"duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b)"permitted price" is the price found by applying the formula—
P = D + (DxV) where—
(i) P is the permitted price,
(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty werecharged on the date of the sale or supply of the alcohol, and
(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—
(i) the holder of the premises licence,
(ii) the designated premises supervisor (if any) in respect of such a licence, or(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart fromthe paragraph) not be a whole number of pennies, the price given by that subparagraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

4. (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2

Conditions Consistent with the Operating Schedule

General

1. 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
- 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 thepremises.

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.

2. 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; •
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.

3. An incident register/log shall be used, maintained and kept on the premises to record any incident which has an impact on any of the four licensing objectives, or instances when the police have had to attend the premises.

a) The register shall be made available for inspection to authorised officers of Reading Borough Council and Thames Valley Police upon request.

4. The premises shall at all times operate a Challenge 25 age verification policyto 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 British 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.

5. Posters advertising the premises' Challenge 25 age verification policy shall bedisplayed in prominent positions on the premises.

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

7. 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 of 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.

8. The premises licence holder or nominated representative shall keep andmaintain all right to work documents for all staff members. Right to work documents shall be kept at the premises and produced to authorised officers of Reading Borough Council and Thames Valley Police upon request.

9. A current written authorisation list shall be displayed in a prominent positionon 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.

10. The premises licence holder/designated premises supervisor shall ensure thatthey 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.

11. 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.

Annex 3

Conditions attached after a hearing by the Licensing Authority

N/A

Annex 4

Plans

As attached plan no. 2013.225 Revision 2 dated 22/07/2013

Appendix RS-2

Reading Borough Council
Working better with you

Emma Gee
Acting Executive Director for Economic Growth and Neighbourhood Services
Civic Offices, Bridge St, Reading, RG1 2LU

☎ 0118 937 3787

E-mailed to: [redacted]

e-mail: robert.smalley@reading.gov.uk
☎ 01189 372846

Date: 3 August 2023

Our Ref: 056307

Your contact is: Mr Robert Smalley, Licensing

Dear Sirs,

Licensing Act 2003
Premises Name: Yuvrajs Mini Market
Premises Address: 9 Manchester Road, Reading, RG1 3QD

On **28/06/2023**, myself and Declan Smyth (Thames Valley Police Licensing) visited your premises to ensure you are complying with the above premises licence and to advise on any matters that may arise during the inspection.

During the inspection, we found a number of items that require your attention as outlined below:

Mandatory conditions

- Part A of your licence could not be produced at the time of the inspection. Part A of the licence needs to be available to authorised officers at all times during your operating hours - even when you are not on the premises. You are advised to print this off and keep it in a place that is accessible so that all staff members are able to produce it. This has since been sent to you.

- Part B of your licence was not on display. It is a requirement that this document is on display in a prominent position so that your customers can see it. All pages must be displayed. Please ensure this is rectified immediately. This has since been sent to you.

- No Section 57 notice could be found on the premises. This is a legal notice that states where Part A of the licence is kept and who has custody of it. Please ensure this is rectified immediately. A template for you to complete was given to you during my inspection.

- You were unable to tell officers what all four licensing objectives are. All licence holders are expected to have a basic knowledge of these objectives as they are supposed to be actively promoted. You are advised to refresh yourself and your staff of these objectives and what they mean.

Conditions agreed with licensing

- Condition 1 on page 6 of your licence in respect of staff training was not being fully complied with. There was no evidence that you were providing training on proxy purchasing No training records could be produced. This is a breach of condition and should be rectified.

- Condition 2 on page 7 of your licence in respect of recording refusals of sale was not being fully complied with. You are required to review the refusal register on a weekly basis and the DPS or their nominated representative must sign these checks off.

- Condition 7 on page 7 of your licence in respect of CCTV was not being fully complied with. The CCTV did not cover the entire licensable area. The area of the shop furthest from the till was not covered by any cameras at the premises.

- Condition 8 on page 7 of your licence in respect of keeping right to work documents was not being complied with. You were not able to provide proof that you had carried out any right to work checks.

- Condition 9 on page 8 of your licence in respect of displaying a written authorisation list was not being fully complied with. You were not displaying the list in a prominent position and this resulted in it being unable to be read without being taken down.

- Condition 11 on page 8 of your licence in respect of in respect of displaying a section 57 notice was not being complied with. No section 57 notice was on display.

During the inspection bottles of alcohol which had anti-theft/alarm tags on them were found on your premises. Further to this a bag of similar such tags were located on your premises. This matter is currently being investigated by Thames Valley Police and you shall be updated as soon as possible.

Whilst we consider what, if any, further action to take in respect of the findings detailed in this letter, <u>please rectify all of the above within 14 days.</u> Once you believe all of the above has been rectified, please contact me so that we can arrange a re-inspection.

If you have any questions in relation to the contents of this letter then please contact me.

Yours faithfully

Mr Robert Smalley
Licensing Enforcement Officer

Appendix RS-3

Reading Borough Council
Working better with you

Keith Townsend
Executive Director for Economic Growth and Neighbourhood Services
Civic Offices, Bridge St, Reading, RG1 2LU
☎ 0118 937 3787

Our Ref: 056307

e-mail: robert.smalley@reading.gov.uk

☎ 01189 372846

Date: 4 October 2023

E-mailed to: [redacted] &
[redacted]

Your contact is: Mr Robert Smalley, Licensing

Dear Sirs,

Licensing Act 2003
Premises Name: Yuvrajs Mini Market
Premises Address: 9 Manchester Road, Reading, RG1 3QD

On **04/10/2023**, myself and Declan Smyth (Thames Valley Police Licensing) re-visited your premises to ensure you are complying with the above premises licence and to advise on any matters that may arise during the inspection.

During the inspection, we found 1 item that requires your attention as outlined below:

Conditions agreed with licensing

- Condition 7 on page 7 of your licence in respect of CCTV was not being fully complied with. The CCTV did not cover the entire licensable area. The area of the shop furthest from the till was not covered by any cameras. There is a blind spot by the entrance to the till area. 1 of the cameras facing down an aisle away from the till was of noticeably worse quality than the rest of the cameras and the image quality from this camera was poor. This should be upgraded to be in line with the other cameras.

During the inspection items such as glass pipes and bongs, commonly associated with illegal drug use, were located on the premises. Although these products are not illegal, we would advise that you consider not selling them as they likely attract a demographic to your premises that are associated with drug use. If you continue to sell these products, we advise you to move them away from the children's toys that you stock on the premises.

Whilst we consider what, if any, further action to take in respect of the findings detailed in this letter, please rectify all of the above within 14 days. Once you believe all of the above has been rectified, please contact me so that we can arrange a re-inspection.

If you have any questions in relation to the contents of this letter then please contact me.

Yours faithfully

Mr Robert Smalley
Licensing Enforcement Officer

Photo taken by Robert Smalley on 04/10/2023 @ 1033hrs

Appendix RS-4

Photo taken by Robert Smalley on 04/10/2023 @ 1033hrs

Photo taken by Robert Smalley on 04/10/2023 @ 1033hrs

Photo taken by Robert Smalley on 04/10/2023 @ 1034hrs

Appendix RS-5

Keith Townsend
Executive Director for Economic Growth and Neighbourhood Services
Civic Offices, Bridge St, Reading, RG1 2LU
☎ 0118 937 3787

Our Ref: LIC/056307

e-mail: robert.smalley@reading.gov.uk

☎ 01189 372846

Date: 23 October 2023

Reading Borough Council
Working better with you

E-mailed to: [redacted]
& [redacted]

Your contact is: Mr Robert Smalley, Licensing

Dear Sirs,

Licensing Act 2003
Name of Premises: Yuvrajs Mini Market
Address of premises 9 Manchester Road, Reading, RG1 3QD

On **23/10/2023** at **1105hrs** I re-visited your premises to ensure you are complying with the above premises licence.

This visit was conducted in order to check that your CCTV now covered the entire licensable area. I can confirm that you are now compliant with this condition and that, in combination with my previous 2 visits, you are now compliant with your premises licence.

Should you wish to speak to me regarding this matter, please telephone me on the number above.

Yours faithfully

Mr Robert Smalley
Licensing Enforcement Officer

Appendix LR-3

Photo taken by Robert Smalley on 04/10/2023 @ 1012hrs

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Reading Borough Council
Working better with you