

Present: Councillors Woodward (Chair); and Maskell (Vice-Chair)

29. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - BERKSHIRE RESTAURANT LTD

The Head of Planning, Development and Regulatory Services submitted a report on an application by Berkshire Restaurant Ltd for the grant of a Premises Licence in respect of Berkshire Restaurant Ltd, 130-134 Wokingham Road, Reading, RG6 1JL.

It was reported at the meeting that the applicant had requested that consideration of the application be adjourned and it was confirmed that the application had been rescheduled to the Sub-Committee meeting on 23 April 2019.

30. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - NORCOT POST OFFICE

The Head of Planning, Development and Regulatory Services submitted a report on an application by Shreeji Krupa Limited for the grant of a Premises Licence in respect of Norcot Post Office, 852 Oxford Road, Reading, RG30 1EL.

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

Sale of Alcohol (off the premises)

Monday to Sunday 0800 hours until 2330 hours

Hours the Premises are open to the Public

Monday to Sunday 0800 hours until 2330 hours

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

Representations against the application had been received from Reading Borough Council Licensing Team and Reading Borough Council Public Health Team, which were attached to the report at Appendix II and III respectively. A representation had also been received from Thames Valley Police but following an agreement by the applicant to all the proposed conditions the representation had been withdrawn. A list of the proposed conditions that the applicant had agreed to with Thames Valley Police was attached to the report at Appendix IV. A plan showing the location of the premises (identified in black) and surrounding area was attached at Appendix V.

At the hearing the applicant stated that they were prepared to amend the application to reduce the hours for the sale of alcohol and the opening times from 2330 hours to 2200 hours.

The report stated that in considering representations received, the Licensing Authority had a duty to carry out its functions with a view to promoting the four licensing objectives, as follows:

- The prevention of crime and disorder

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- Public safety
- The prevention of public nuisance
- The protection of children from harm

The report stated that any conditions placed on the premises licence should be appropriate and proportionate with a view to promoting the licensing objectives and that the Licensing Authority could amend, alter or refuse an application should it be deemed appropriate for the promotion of the licensing objectives. The report also stated that the Council's Statement of Licensing Policy placed an onus on applicants who wished to open past 11pm to demonstrate how they would mitigate the issues of crime and disorder and potential public nuisance.

The report set out paragraphs 1.5, 8.41-8.49, 9.4, 9.10-9.13, 10.15, and 14.63-14.64 from the Secretary of State's guidance issued under Section 182 of the Licensing Act 2003 (April 2018) and paragraphs 2.1-2.7, 2.11-2.14, 3.2, 3.3, 6.1, 6.2, 6.11-6.13, 6.16, 9.1-9.3, 9.6, and 9.7 from the Council's Statement of Licensing Policy (October 2018).

Ms Mina Wadhia, the applicant, along with Ms Archna Gohil, a director of Shreeji Krupa Limited, were present at the meeting and both addressed the Sub-Committee on the application and responded to questions.

Richard French, Licensing Officer, Reading Borough Council and Ian Savill, Principal Trading Standards Officer, Reading Borough Council, on behalf of Public Health, were both present and addressed the Sub-Committee on their representations regarding the application.

Resolved -

- (1) That, in order to promote the four licensing objectives and having regard to the oral and written representations made, the Secretary of State's guidance and the Council's Statement of Licensing Policy, the application in respect of Norcot Post Office, 852 Oxford Road, be granted as follows:

Hours for the Sale of Alcohol (off premises)

Monday to Sunday 0800 hours until 2200 hours

- (2) That the premises be open to the public as follows:
Monday to Sunday 0800 hours until 2200 hours
- (3) That the following conditions, in addition to any mandatory conditions, be attached to the licence:
 - (a) Staff employed to sell alcohol shall undergo training upon induction. This shall include, but not be limited to:
 1. The premises age verification policy
 2. The law relating to underage sales
 3. Dealing with refusals of sales
 4. Proxy purchasing
 5. Recognising valid identity documents not in the English language

6. Identifying attempts by intoxicated persons to purchase alcohol
7. Identifying signs of intoxication
8. Conflict management
9. How to identify and safeguard vulnerable persons who attend and leave the premises
10. Identifying signs of drug usage and prevention
11. The four licensing objectives

Such training sessions are to be documented and refreshed every six months. All training sessions are to be documented in English. Records of training shall be kept for a minimum of one year and be made available to an authorised officer of Thames Valley Police and Reading Borough Council upon request;

- (b) Staff authorised to sell alcohol shall be accredited to BII Level 1 Award in Responsible Alcohol Retailing (ARAR) or any other similarly nationally recognised approved accreditation curriculum within four weeks for existing and subsequent employees;
- (c) The Premises Licence Holder shall ensure that a refusals log (either written or electronic) is in operation at the premises. All staff involved in the sale of alcohol shall be trained in how to use and maintain said log. The log shall contain the following:
 1. Description of person attempting to purchase alcohol
 2. Time said person attempted to purchase alcohol
 3. The reason for refusing a person alcohol
 4. Name of staff member dealing with the refusal

The log shall be signed off weekly by the Designated Premises Supervisor or nominated representative and shall be made available for inspection by officers of Reading Borough Council and Thames Valley Police;

- (d) The premises shall, at all times, operate at least a Challenge 25 age verification policy to prevent any customers who attempt to purchase alcohol and who appear to the staff member to be under the age of 25 years from making such a purchase without having first provided identification. Only a valid driver's licence showing a photograph of the person, a valid passport, Military ID or proof of age card showing the 'Pass' hologram (or any other nationally accredited scheme as set out within the mandatory conditions) are to be accepted as identification;
- (e) The premises age verification policy shall be in a written form and displayed in a prominent position on the premises;
- (f) Notices advertising the premises' Challenge 25 policy shall be displayed in prominent positions on the premises;

- (g) The Premises Licence Holder shall ensure that 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. There shall be at least one camera position at each entry and exit point to monitor any external areas to the premises. This includes any areas designated for tables and chairs and/or a designated smoking area. Data recordings shall be made immediately available to an authorised officer of Reading Borough Council or Thames Valley Police, together with facilities for viewing upon request. Recorded images shall be of such a quality as to be able to identify the recorded person in any light. At least one member of staff on the premises at any times during operating hours shall be trained to access and download material from the CCTV system;
- (h) Signage advising customers that CCTV is in use shall be positioned in prominent positions;
- (i) All incidents which impact on any of the four licensing objectives shall be recorded in a register kept at the premises for this purpose. The names of the person recording the incident and those members of staff who deal with any incident shall also be recorded. Where known, any offenders name shall also be recorded.
 - 1. This record shall be available for inspection by a Police Officer or an authorised officer of Reading Borough Council upon request and shall be retained for one year. The record shall be signed off by the Designated Premises Supervisor or nominated representative at the end of each trading session
 - 2. A weekly review of the incident register shall also be carried out by the Designated Premises Supervisor;
- (j) Notices shall be placed at all exits asking customers to respect the needs of local residents and to leave the premises quietly;
- (k) Staff shall actively discourage and disperse persons who congregate outside the premises so to minimise disruption to local residents;
- (l) The Premises and area immediately outside the premises shall be kept clear of all forms of litter whilst the premises is open for licensable activities. Adequate waste receptacles for use by the customers shall be provided;
- (m) The Premises Licence Holder shall not sell super strength beer, larger, or cider with an alcohol content of 5.5% ABV (alcohol by volume) or greater. This restriction shall not apply in respect of specialist branded, premium priced, product - for example craft ales, local or microbrewery specialist product, boxed gifts or national

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celebratory/commemorative beer, lager or cider with an alcohol content of 5.5% ABV or greater;

- (n) No single cans or bottles of alcopops, beer, ales, lagers or ciders shall be sold, and they shall only be sold in multiples of four;
- (o) There shall be no self-service of spirits except for spirit mixtures;
- (p) The immediate vicinity outside the premises and in any external areas associated with the premises shall be kept clear of litter;
- (q) The Premises Licence Holder shall have available on the premises, for inspection by an authorised officer of Reading Borough Council or Thames Valley Police at any reasonable time, true copies of invoices, receipts or other records of transactions for all alcohol products purchased in the preceding three months. All alcohol products shall only be purchased from outlets registered with HMRC's Alcohol Wholesale Registration Scheme;
- (r) The Premises Licence Holder or nominated representative shall keep and maintain all right to work documents for all staff members. Right to work documents shall be kept at the premises and produced to an authorised officer of Reading Borough Council or Thames Valley Police upon request.

(The meeting closed at 5.17 pm)