

**LICENSING ACT 2003 HEARING - TUESDAY 18<sup>TH</sup> JUNE 2019 @ 1800hrs**

**APPLICATION FOR A TEMPORARY EVENT NOTICE**

**1. Premises:**

After Dark CLUB (Reading Limited)  
112 London Street  
Reading  
Berkshire  
RG1 4SJ

**2. Applicant:**

Zahid Khan

**3. Premises Licence:**

The premises is located near the town centre just off London Street and is in a mixed use area comprising of local businesses and residential dwellings. A premises licence - currently numbered LP2002134 - is in force at the premises and is attached at Appendix JC1.

The premises licence was most recently reviewed on 5<sup>th</sup> March 2019 due to issues with noise and non compliance of conditions. The Licensing Committee is due hear the review on the 18<sup>th</sup> June 2019

**4. Proposed licensable activities and hours:**

The application for a Temporary Event Notice is seeking to permit the use of the premises for the sale of alcohol; provision of regulated entertainment and provision of late night refreshment.

The application states that this event is for children and adults.

The application seeks authorisation to carry out the above mentioned licensable activities on the following days and times:

From 1900hrs until 2315hrs on 22<sup>nd</sup> June 2019

**5. Temporary Event Notices**

In considering any application the Licensing Authority should be aware of the possible use of Temporary Event Notices to extend entertainment activities or hours of operation. A premises having a Premises Licence may extend the hours or scope of their operation by the use of Temporary Event Notices. Up to 15 events per year can be held under this provision at a particular premises. These events may last for up to 168 hours provided less than 500 people are accommodated and provided the total number of days used for these events does not exceed 21 per year.

**6. Date of receipt of application: 5<sup>th</sup> June 2019**

A copy of the application form is attached as Appendix JC2.

**7. Date of closure of period for representations:**

**3 working days after the application is received - 5 June 2019**

**8. Representations received:**

Representations were received during the specified representation period:

Declan Smyth of Thames Valley Police is attached as Appendix JC3

**9. The Licensing Authority approach to Temporary Event Notices**

In considering representations received the Licensing Authority has a duty to carry out its functions with a view to promoting the licensing objectives. Temporary Events Notice can only be objected to by the police and the Environmental Health officer who deals with noise nuisance.

**Options**

The sub Committee has the following options.

- a) to serve a Counter Notice and state the reasons for their decision.
- b) not to serve a Counter Notice and state the reasons for their decision.
- c) To reinstate existing premises licence conditions on the Temporary Events Notice.

Should the Sub Committee decide to serve a Counter Notice the event shall not take place.

Should the Sub Committee decide not to serve a Counter Notice the event shall take place.

**Reading Borough Council Licensing Policy states:**

**Temporary Event Notices**

5.31 An event organiser who wishes to arrange a one off event or extend the hours for licensable activities at a premises, may notify the Authority of the proposed event. The application (or notice) needs to be submitted to the Licensing Authority with the fee of £21.

The application must be submitted electronically via the gov.uk portal or via hardcopy. If submitted via hardcopy then it must also be sent to Thames Valley Police and the Council's Environmental Protection and Nuisance team.

5.32 A temporary event notice must be submitted to the authority at least ten clear working days before any event. This does not include the day of the application; the date the application is submitted; weekends or bank holidays. Failure to adhere to these timescales may invalidate the application.

5.33 An applicant who also holds a Personal Licence may apply to hold 50 events per year. An applicant who does not hold a Personal licence may only apply for 5 events.

5.34 Each Temporary Event may last for up to 168 hours and an individual premises may hold up to 15 events totalling 21 days. There must be a gap of 24 hours between the end of one temporary event and the start of another one.

5.35 If the police or the Environmental Protection and Nuisance team make a representation in regard to a temporary event notice then the Licensing Authority will arrange a hearing before the Licensing Application Committee in the required timescales.

5.36 Applicants are encouraged to submit Temporary Event notices as far in advance as possible to allow issues to be worked out and for any required hearing to be held in good time before any proposed event.

**The Secretary of state guidance as amended in April 2017 states:**

**Police and environmental health intervention**

- 7.32 The system of permitted temporary activities gives police and EHAs the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives.
- 7.33 If the police or EHA believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. The objection notice must be given within the period of three working days following the day on which they received the TEN.
- 7.34 Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions which already apply to an existing premises licence or club premises certificate at the venue, or issue a counter notice to prevent the event going ahead. As noted above, there is no scope for hearings in respect of late TENs and if objections are raised by the police or

EHA in relation to a late TEN, the notice will be invalid and the event will not go ahead.

- 7.35 Such cases might arise because of concerns about the scale, location, timing of the event or concerns about public nuisance. However, in most cases, where for example, alcohol is supplied away from licensed premises at a temporary bar under the control of a personal licence holder, (such as at weddings with a cash bar or small social or sporting events) this should not usually give rise to the use of these powers.

#### **Modification**

- 7.36 As noted above, the police or EHA (as “relevant persons”) may contact the premises user to discuss their objections and try to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified (for example, by changing the details of the parts of the premises that are to be used for the event, the description of the nature of the intended activities or their duration). The other relevant person has to agree for the modification to be made. There is no scope under the 2003 Act for the modification of a late TEN.

#### **Applying conditions to a TEN**

- 7.37 The 2003 Act provides that only the licensing authority can impose conditions to a TEN from the existing conditions on the premises licence or club premises certificate at the venue. The licensing authority can only do so:

- if the police or the EHA have objected to the TEN;
- if that objection has not been withdrawn;
- if there is a licence or certificate in relation to at least a part of the premises in respect of which the TEN is given;
- and if the licensing authority considers it appropriate for the promotion of the licensing objectives to impose one or more conditions.

- 7.38 This decision is one for the licensing authority alone, regardless of the premises user’s views or willingness to accept conditions. The conditions must be notified to the premises user on the form prescribed by regulations.

#### **Hearings to impose conditions**

- 7.39 Section 105 of the 2003 Act is clear that a licensing authority must hold a hearing to consider any objections from the police or EHA unless all the parties agree that a hearing is not necessary. If the parties agree that a hearing is not necessary and the licensing authority decides not to give a counter notice on the basis of the

objection, it may impose existing conditions on the TEN.

**Representations from the police**

9.12 In their role as a responsible authority, the police are an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area<sup>5</sup>. The police should be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective, but may also be able to make relevant representations with regard to the other licensing objectives if they have evidence to support such representations. The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.





## 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.

<b>Premises Licence Number</b>	<b>LP2002134</b>
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### **Premises Details**

#### **Premises Name and Address**

After Dark Nite Club  
112 LONDON STREET  
READING  
BERKSHIRE  
RG1 4SJ

<b>Telephone Number</b>	<b>0118 957 6847</b>
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### **Licensable Activities**

#### **Licensable Activities authorised by the Licence**

Performance of Live Music - Indoor  
Playing of Recorded Music - Indoor  
Performance of Dance - Indoor  
Anything similar to Live Music, Recorded Music and the Performance of Dance  
- indoor  
Late Night Refreshment - Indoor  
Sale of Alcohol by Retail - On & Off the Premises

### **Authorised Hours for Licensable Activities**

#### **The times the licence authorises the carrying out of licensable activities**

##### **Hours for the Performance of Live Music**

Monday	from 1100hrs until 0200hrs
Tuesday	from 1100hrs until 0200hrs
Wednesday	from 1100hrs until 0200hrs
Thursday	from 1100hrs until 0200hrs
Friday	from 1100hrs until 0200hrs
Saturday	from 1100hrs until 0200hrs
Sunday	from 1100hrs until 0200hrs

##### **Hours for the Playing of Recorded Music**

Monday	from 1100hrs until 0200hrs
Tuesday	from 1100hrs until 0200hrs
Wednesday	from 1100hrs until 0200hrs
Thursday	from 1100hrs until 0200hrs
Friday	from 1100hrs until 0200hrs

Saturday	from 1100hrs until 0200hrs
Sunday	from 1100hrs until 0200hrs

#### **Hours for the Performance of Dance**

Monday	from 1100hrs until 0200hrs
Tuesday	from 1100hrs until 0200hrs
Wednesday	from 1100hrs until 0200hrs
Thursday	from 1100hrs until 0200hrs
Friday	from 1100hrs until 0200hrs
Saturday	from 1100hrs until 0200hrs
Sunday	from 1100hrs until 0200hrs

#### **Hours for anything similar to Live Music, Recorded Music and the Performance of Dance**

Monday	from 1100hrs until 0200hrs
Tuesday	from 1100hrs until 0200hrs
Wednesday	from 1100hrs until 0200hrs
Thursday	from 1100hrs until 0200hrs
Friday	from 1100hrs until 0200hrs
Saturday	from 1100hrs until 0200hrs
Sunday	from 1100hrs until 0200hrs

#### **Hours for the Provision of Late Night Refreshment**

Monday	from 2300hrs until 0200hrs
Tuesday	from 2300hrs until 0200hrs
Wednesday	from 2300hrs until 0200hrs
Thursday	from 2300hrs until 0200hrs
Friday	from 2300hrs until 0200hrs
Saturday	from 2300hrs until 0200hrs
Sunday	from 2300hrs until 0200hrs

#### **Hours for the Sale by Retail of Alcohol**

Monday	from 1100hrs until 0200hrs
Tuesday	from 1100hrs until 0200hrs
Wednesday	from 1100hrs until 0200hrs
Thursday	from 1100hrs until 0200hrs
Friday	from 1100hrs until 0200hrs
Saturday	from 1100hrs until 0200hrs
Sunday	from 1100hrs until 0200hrs

#### **Opening Hours**

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

Monday	from 1100hrs until 0230hrs
Tuesday	from 1100hrs until 0230hrs
Wednesday	from 1100hrs until 0230hrs
Thursday	from 1100hrs until 0230hrs
Friday	from 1100hrs until 0230hrs
Saturday	from 1100hrs until 0230hrs
Sunday	from 1100hrs until 0230hrs



## Alcohol

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

Sale of Alcohol by Retail - On & Off the Premises

## Premises Licence Holder

Name, (registered) address of holder of premises licence

Name: Mr Zahid Sardar Khan

Address: 199 Henley Road, Caversham, Reading, RG4 6LJ

## Additional Details

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

Name: Mr Zahid Sardar Khan

Address: 199 Henley Road, Caversham, Reading, RG4 6LJ

## 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

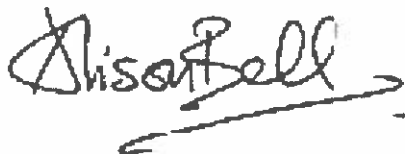
Personal Licence Number: LP7000802

Issuing Authority: Reading Borough Council

This Licence shall continue in force from 31/08/2017 unless previously suspended or revoked.

Dated: 07 September 2017

Head of Environment & Consumer Services



## **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 ensure that 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 which is 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 on or 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—

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged 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) “value 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 from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph 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.

**Embedded Restrictions from the Acts listed below to be carried forward to the premises licence in accordance with Schedule 8 to the Licensing Act 2003.**

Unless otherwise stated this licence is issued subject to the imposition of all the relevant embedded restrictions required by the:-

Local Government (Miscellaneous Provisions) Act 1982 - Public Entertainment Licence Conditions

**Acts applicable to this licence for the purposes of embedded restrictions**

The following Acts and embedded restrictions are applicable to this licence:-

Local Government (Miscellaneous Provisions) Act 1982 - Public Entertainment Licence Conditions

**Local Government (Miscellaneous Provisions Act) 1982  
Public Entertainment Licence**

**Control & Conduct of Premises**

**1      Violence**

1.1      A suitable policy and practices for dealing with violence to staff must be devised and implemented. Guidance on developing such a policy is provided with these conditions.

**2      2      Responsibility of Designated Premises Supervisor**

2.1      Before admitting any audience the Designated Premises Supervisor shall inspect his premises to ensure compliance with all licence conditions.

2.2      The Designated Premises Supervisor shall maintain good order at all times and shall monitor the audience numbers. The Designated Premises Supervisor must at all times ensure that the permitted audience numbers are not exceeded.

2.3      The Designated Premises Supervisor shall ensure that the premises are safe and without risk to the health and safety of employees and customers.

2.4      The licence shall ensure that no poster, advertisement, photograph, sketch, synopsis or programme shall be displayed, sold or supplied anywhere by or on behalf of an entertainment which may cause offence to the public. If the Designated Premises Supervisor is notified by the Council of such a poster, advertisement, photograph, sketch, synopsis or programme such items shall not be displayed, sold or supplied.

2.5      The Designated Premises Supervisor should provide suitable and sufficient first aid arrangements for members of the public and non-employees.

### 3 Noise

3.1 Where it is considered by the Council that there may be a risk of noise disturbance due to high levels of sound then the Head of Environment and Consumer Services (HECS) may require that any or all of the following be provided by the Designated Premises Supervisor:-

- a. A report by an independent person who is qualified to be a member of the Institute of Acoustics identifying the weakness in the sound control measures and recommending actions to remedy this.
- b. Sound insulation measures as recommended in any Acoustic report to be completed within a reasonable time scale as specified by the Council.
- c. The installation of an Entertainment Noise Controller which is to be set at a level of 90dBA or such other level as may be agreed by HECS, after subsequent monitoring.
- d. A sound measuring device which can be used on a regular basis to check actual noise levels.

### 4 Disturbance

4.1 The Designated Premises Supervisor shall take all reasonable precautions and exercise all due diligence to ensure that patrons who have used or are intending to use the licensed premises do not at any time cause nuisance or annoyance to occupiers of the premises in the vicinity.

### 5 Attendants

5.1 There shall be on duty at the premises during the whole time that the audience is present, a staff of attendants instructed by the Designated Premises Supervisor as to their duties in the event of fire or similar emergency. The instructions given to attendants should aim to avoid panic and to supervise the evacuation of the premises.

5.2 Attendants must not engage in any functions which will hinder the discharge of their duties in the event of an emergency or would entail their absence from the floor or tier where they are on duty as attendants.

### 6 Special Risks

6.1 No entertainment, sport or sporting events involving special risks or intended wholly or mainly for children shall take place without the prior consent of the Council. Seven days notice in writing of any such entertainment shall be given to the Council.

6.2 Performances involving danger to the public shall not be given.

6.3 No balloons filled with flammable gas shall be on the premises.

6.4 The Designated Premises Supervisor shall ensure that no person gives any exhibition, demonstration or performance of hypnosis except with the prior approval of the Council.

6.5 The Designated Premises Supervisor shall ensure that the premises are not used for any special effects without the prior approval of the Council.

## 7 Structure

7.1 All new, or structurally altered premises shall be inspected by a qualified Structural Engineer to certify that the building constructed, or altered is capable of sustaining the loads imposed upon it, bearing in mind the proposed or existing use.

7.2 The inspection report shall be forwarded to the Council. If the Structural Engineer considers the premises unsafe for the proposed or existing use, recommendations should be included in the inspection report.

## 8 Alterations

8.1 In the event of the premises closed for alterations, additions, repairs or decorating they shall not be reopened until the consent of the Council has been obtained.

8.2 Except with the prior consent of the Council no work in connection with any alterations, repairs or decorating in areas occupied by the public or performers should be carried out while the public or performers are on the premises. If the Council so require, the premises shall be closed to the public until the work has been completed.

N.B. Any consent given by the Council for licensing purposes does not exempt you from the need to obtain Planning Permission or Building Regulations Approval. Nor does consent given by the Council relieve the Designated Premises Supervisor of the necessity to seek a variation in the terms of the licence e.g. increase in the permitted numbers or variation of hours, and if required by the Council, of advertising that application.

## 9 Toilet Provision

9.1 The Designated Premises Supervisor shall ensure that toilets for the audience are available for use in accordance with the British Standard.

9.2 The toilets shall be kept in a clean and well maintained condition.

9.3 All wash hand basins shall be provided with a supply of hot and cold running water, soap, a suitable means of drying hands and, if necessary, waste bins.

## 10 Cleanliness

10.1 All parts of the premises, including any external areas, storage areas etc... and external means of escape from the premises shall be kept in a clean condition to the satisfaction of the Council.

## 11 Testing and Certification

11.1 The Designated Premises Supervisor shall be responsible for ensuring that periodic tests are carried out in accordance with Appendix 1.

11.2 The results of these tests shall be entered in a log book and kept at the licensed premises. The log book is to be available for inspection by any authorised officer of the Council.

## 12 Door Supervisors



12.1 Registered and trained door supervisors will be required at all public entertainment licensed premises which operate beyond the standard permitted hours, currently 11 pm, unless specifically exempt as per para 12.2 below.

12.2 The requirement for door supervisors shall not apply to premises or places where entertainment is provided:-

a. At a church hall, chapel hall or similar building occupied in connection with a place of public religious worship.

b. At a village hall, parish or community hall or other similar building which is of an educational or other like character.

c. At an outdoor musical event, garden fete, bazaar, sale of work, outdoor sporting or athletic event, exhibition, display or other function or event of a similar character whether limited to one day or extending over two or more days.

d. At premises which have the benefit of a Registration Certificate under the Licensing Act 1964, ie. registered clubs with bone fide members and which are not open to members of the public.

e. Where Reading Borough Council and Thames Valley Police do not consider that it is necessary due to the nature of the establishment or event.

12.3 The premises described in sub-paragraph 12.1 shall have appropriate numbers of registered door supervisors. Registered door supervisors shall be employed solely for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.

12.4 There may be circumstances, due to potential public order problems, where Thames Valley Police advise Reading Borough Council that door supervisors be employed at premises which do not fall within the criteria as outlined in para 17.1. in such circumstances appropriate notice will be given to the Designated Premises Supervisor.

### 13 Door Supervisor Conditions

13.1 The Designated Premises Supervisor shall be required to keep a register, such registers will be supplied by Reading Borough Council.

13.2 The register will show the following details:

a. The name, home address and registration number of all Door Supervisors working at the premises.

b. Date and time that the Door Supervisor commenced duty, countersigned by the Designated Premises Supervisor or nominated deputy.

c. Any occurrence or incident of interest must be recorded giving names of the Door Supervisors involved.

d. Date and time that the Door Supervisor finished work, countersigned by the Designated Premises Supervisor or nominated deputy.

13.3 The register shall be kept at the Licensed premises and available for inspection by Thames Valley Police or an authorised officer from Reading Borough Council and shall be retained for a period of 6 months.

#### 14 Standards of dress for door supervisors

14.1 All door supervisors must be dressed so that they can be easily distinguishable from patrons.

#### 15 Offensive Weapons

15.1 Having assessed the likelihood of offensive weapons being brought onto the premises, the Designated Premises Supervisor must put effective measures or systems in place to prevent these items entering the premises. This could include, for example, searching patrons and fixing discreet notices, warning patrons that the carrying of such weapons on the premises will not be tolerated, and that anyone found with an offensive weapon will be permanently banned from the premises.

#### 16 Drugs and Other Illegal Substances

16.1 The designated premises supervisor must implement an active policy to prevent drugs being brought onto the premises. This should include searching and questioning patrons on entry and affixing discreet notices that the use or supply of drugs on the premises is illegal and any person found so doing will be reported to the police and banned from using the premises in the future.

#### 17 Fly posting

17.1 The designated premises supervisor shall not display in an unlawful manner advertisements promoting the entertainment or the premises, in particular;

a. no display of advertisements should take place on street furniture;

b. no display of advertisements should take place on premises or structures placed on, over, in or adjacent to the highway, unless the Designated Premises Supervisor has first obtained the written consent of the owner of the premises or structure. Such consent shall be shown to the licensing authority on request.

17.2 The Designated Premises Supervisor shall take all reasonable precautions and exercise all due diligence to ensure that no person promoting or providing entertainment on the premises, nor any person acting on behalf of any such person, shall display in an unlawful manner advertisements promoting the entertainment or the premises, in particular;

a. no display of advertisements should take place on street furniture;

b. no display of advertisements should take place on premises or structures placed on, over, in or adjacent to the highway, unless the Designated Premises Supervisor has first obtained the written consent of the owner of the premises or structure. Such consent shall be shown to the licensing authority on request.

17.3 The licensing authority may require the Designated Premises Supervisor to

remove any unlawfully displayed advertisement forthwith. Failure to remove any unlawfully displayed advertisement in accordance with such a request shall be in breach of these conditions and may result in the licensing authority in removing such unlawful advertisements. Any costs incurred by the licensing authority in removing such unlawful advertisements shall be recoverable from the Designated Premises Supervisor as a debt.

## 18 Use of safe drinking glasses

18.1 Glasses used for the service of drinks must not be capable of forming shards when broken.

This condition shall not apply:

a. at a church hall, chapel hall or similar building occupied in connection with a place of public religious worship;

b. at a village hall, parish or other community hall or similar building which is used for events only of an educational nature or other like character;

c. Where the Head of Environment and Consumer Services does not consider that it is necessary due to the nature of the establishment or event.

## 19 Prevention of patrons removing bottles from premises

19.1 The Designated Premises Supervisor shall take all reasonable precautions and exercise all due diligence to ensure that no patron removes glasses or open bottles from the premises. The Designated Premises Supervisor shall display notices advising that glasses and bottles must not be removed from the premises at all exit points normally used by patrons.

## 20 Nudity

20.1 Neither the Designated Premises Supervisor, nor any other person having involvement in the management of the licensed premises, shall promote or provide entertainment such as striptease or lapdancing or other entertainment of a like kind to dancing which involves nudity or the sexual stimulation of patrons.

## 21 Exemption of Conditions

21.1 The conditions listed from 22 to 27 and attached to your licence were approved in the respect of any premises which operate beyond 23:00 hours. The Head of Environment and Consumer Services is authorised to exempt premises which operate beyond this time from compliance with these conditions, having first given regard to the nature of the establishment or event and the customer base and music policy of the premises and the risks to the public.

21.2 In the event of a Designated Premises Supervisor being dissatisfied with the decision made by the Head of Environment and Consumer Services not to grant exemption in respect of any of the conditions listed from 22 to 27, the Designated Premises Supervisor may, at any time before the expiration of 21 days, appeal in writing to the Licensing Authority.

## 22 Designated Premises Supervisor training

22.1 "All new designated premises supervisors must have successfully completed the British Institute of Inn Keepers (BII) Designated Premises Supervisor's National Drugs Certificate and must have undertaken a BII approved training course appropriate to this qualification prior to a licence being granted. Evidence of possession of this qualification and attendance on an approved course must be provided to the council.

## 23 Provision of quiet areas

23.1 A quiet, cool, temperature controlled area of such size and in such a location as shall be approved by the Head of Environment and Consumer Services, shall be provided for patrons in order that they can relax and cool down.

## 24 Provision of free drinking water

24.1 Unlimited cold drinking water shall be available to patrons free of charge.

## 25 Searching of patrons

25.1 A policy covering searching of patrons and staff members must be submitted to and approved by the Head of Environment and Consumer Services. The approved policy must be actively operated within the licensed premises.

## 26 Provision of CCTV

26.1 All licensed premises must have installed a CCTV system to the satisfaction of the Head of Environment and Consumer Services. The system must provide comprehensive coverage of the premises, both internally and externally and must provide high quality image reproduction suitable for evidential use in a court of law. All other premises shall be fitted with CCTV. Tapes from any system installed shall be kept secure both during and after recording for a period of 28 days and must be released to any duly authorised officer of the Council upon reasonable request and in particular if such recording was necessary in connection with;

a. the investigation, prevention or detection of crime, including the breach of licence conditions;

b. the prosecution of offenders;

c. the investigation of complaints against door supervisors.

Signs must be placed both internally and externally advising that the premises are continually monitored by CCTV.

## 27 Participation in Pubwatch

27.1 Public entertainment Designated Premises Supervisors must, where it is available, hold membership of the Reading Pub Watch Scheme and must make use of apparatus supplied as part of the scheme.

## CONDITIONS FOR DISABLED USERS

### 1 General

1.1 Where practicable the Designated Premises Supervisor shall make every effort to ensure that disabled persons can attend all licensed events without risk to their own and others' safety.

## 2. Wheelchairs

2.1. If wheelchairs are to be admitted to the premises, their numbers and position must be agreed with the Council at least 28 days in advance of the event. For a seated audience, a seating plan must be provided showing the proposed positions of occupied and unoccupied wheelchairs.

2.2. Occupied or unoccupied wheelchairs must not obstruct the means of escape from the premises.

## 3. Evacuation in Emergency

3.1. Disabled persons may use a lift as a means of escape only if it is an evacuation or fire fighting lift operated under the direction and control of the Designated Premises Supervisor, using an approved evacuation procedure.

3.2. The licence shall ensure that all disabled persons using the premises have adequate assistance provided to enable them to evacuate the premises safely in the event of fire or other emergency.

# FIRE PREVENTION & MEANS OF ESCAPE

## 1. Means of Escape

1.1. The licensed premises shall be provided with adequate means of escape to the satisfaction of the Council. Escape routes must be kept clear of obstruction at all times.

1.2. Where staircases, steps or ramps form part of a means of escape they shall be identified by having conspicuous nosings or treads. Ramps or gradients must be greater than 1 in 12.

1.3. All escape routes shall be clearly indicated. Mats, rugs or other ancillary floor coverings must not be used in these areas unless firmly secured to the floor surface.

1.4. Doors which are accessible to the audience which lead off a means of escape shall remain locked for the duration of any performance and shall have a notice conspicuously displayed marked 'PRIVATE'.

1.5. Where means of escape are via passageways or corridors, conspicuous signs indicating the escape route shall be provided. These shall be placed in locations as required by the Council and shall consist of both wording and arrow direction indicators.

1.6. Where corridors, passageways or other open areas, which are not part of a means of escape, intersect the approved route, barriers shall be provided which are suitably sized and constructed to prevent access to unauthorised areas. These barriers shall be locked and made tamper-proof at all times whilst the premises are in use for a licensable event.

## 2. Exits and Exit lighting

2.1. All exits, either from the auditorium to means of escape or from the premises to external safe areas shall be maintained free from obstruction and shall be illuminated by means of an emergency EXIT sign. These signs should (unless they are self-luminous fire safety signs) be illuminated by means of the normal lighting and the emergency lighting at all times when the public are on the premises.

2.2. Door wells in emergency exits are to be constructed in such a manner as to provide a non trip/slip surface. Where matting which is constructed of materials which may give rise to a snagging hazard and exists immediately to the exterior of the emergency exit doors of the premises, the external areas of these exits must be provided with emergency lighting.

2.3. All exit door shall be fixed in such a manner as to prevent their accidental or malicious locking.

2.4. Exit door and gates which are secured by means other than panic bolts will be subject to conditions as endorsed upon the licence.

## 3. Emergency Lighting

3.1. In addition to the normal lighting circuit within the building, a system of emergency lighting shall be installed to the satisfaction of the Council, independent of the main electricity circuit. This system shall be provided to all parts of the building to which the public have access and shall operate upon failure of the main lighting circuit.

3.2. The emergency lighting system must be capable of providing power to all lamps, signs and other emergency lighting requirements for a period of not less than one hour.

3.3. Emergency lighting shall be provided exterior to the building to the satisfaction of the Council.

## 4. Surfaces and Materials

4.1. All ceilings, walls and floors shall be so constructed and decorated as to render them capable of resisting the action of fire for a period of not less than 30 minutes, or greater, if required by the Council.

4.2. Materials used as cladding or coverings must comply with current safety standards with regard to toxic gas and smoke emissions.

4.3. Curtains, drapes and other textile hangings shall be of durable flame retarded fabric. Curtains and drapes shall not be hung so as to conceal notices, exits or signs and shall not trail along the floor.

4.4. Where the use of a stage is included in any performance, all potentially combustible hangings, scenery, flats, carpets or other props must conform to a standard which is to the satisfaction of the Council.

## 5. General Fire Requirements

5.1. All fire extinguishers on the premise shall be maintained in a fully charged state and shall be inspected at least annually.

- 5.2. All outbreaks of fire, however slight, shall be immediately notified to the Fire and Rescue Service, by means of the 999 telephone system.
- 5.3. Fire alarms, where fitted, must be maintained in working order and must be inspected at least annually. Testing of fire alarms shall be done on a weekly basis.
- 5.4. Fire fighting equipment and appliances are to be provided as required by the Council.
- 5.5. In the event of the premises having to be evacuated through fire or any other dangerous occurrence, a system of effectively counting heads (both members of the audience and performers etc) must be available and the Designated Premises Supervisor shall appoint responsible persons to carry out this function.
- 5.6. Signs detailing actions and procedures in the event of an outbreak of fire are to be displayed in locations to the satisfaction of the Council.

### SEATING AND GANGWAYS

#### 1. General

1.1. The Designated Premises Supervisor shall ensure that seating and gangways are so arranged as to allow free and ready access to the exits. No portion of any gangway shall be more than 18 metres from an exit from the auditorium or hall measured along the line of the gangway.

#### 2. Seating sizes

2.1. Premises shall not be used for closely seated audiences except in accordance with plans submitted to the Council for prior approval.

2.2. The seating assigned to each person shall not be less than:

- a. 760 mm deep where backs are provided for the seat or 600 mm deep where backs are not provided.
- b. 500 mm wide where arms are provided to the seats or 450 mm wide where arms are not provided.

2.3. In fixed seats there should be a clear seat-way or space of at least 305 mm measured between the perpendiculars from the back of one seat to the front of the seat immediately behind it.

2.4. Where seats tip up automatically, the clear seat-way should be measured between the back of one seat to the maximum projection of the seat behind, when the seat is in the "up" position.

#### 3. Gangways

3.1. Gangways shall be of adapted width for the number of seats served, but shall in no circumstances be less than 1.05 metres wide.

3.2. There shall be no projection into the gangway which would diminish its clear width

and the ends of all rows and seats should be so aligned as to maintain a uniform width of gangway throughout its length.

#### 4. Handrails

4.1. A continuous handrail shall be fixed on each side of all stairs, steps, landings and ramps at a height of not less than 840 mm or more than 1 metre, measured vertically from the pitch line of the nosing of steps and from the floor of landings, except that a second handrail need not be provided to such stairs and ramps or flight of steps which are not more than 1.05 metres wide. The handrail shall not project more than 100 mm and the ends of the handrail shall be turned for safety.

#### 5. Seating layout

5.1. The number of seats in a row shall not exceed:

a. 7 seats where there is a gangway at one end only, except that up to a maximum of 11 seats may be permitted if the 405 mm seat-way is increased by 25 mm for each additional seat over 7.

b. 14 seats where there is a gangway at each end, except that up to 18 seats may be permitted if the 305 mm seat-way is increased to not less than 400 mm and more than 18 seats may be permitted if the seat-way is not less than 500 mm.

Any alternative arrangements shall be submitted to the Council for prior approval.

5.2. Where the audience is seated at chairs around tables, the seating need not be fixed, but both the tables and chairs shall be arranged so that clearly identifiable gangways are provided.

5.3. In circumstances where more than 250 temporary seats are to be used in the auditorium, the following arrangements shall apply:

a. Chairs or other single seats shall be secured together in lengths of not fewer than 4 seats and nor more than 12, so that seats cannot be separated from each other merely by pushing one or more seats in the row.

b. Provision shall be made for the rows of seating flanking the gangways to be fixed to the floor effectively preventing the individual seats of rows of seats from being dislodged into the gangways or toppling over, except that:

(i) only end seats such as rows need to be fixed to the floor if all seats in each row are secured together, or

(ii) only the end seats of each length of seating referred to above which forms such rows need to be fixed to the floor.

5.4. In premises which are intended to be used only occasionally for closely seated audiences and the fixing of seating into the floor is impractical or undesirable (leg on polished dance floors) the use of floor bars instead of floor screws may be approved by the Council. Such floor bars should be not more than 25 mm in height, have a cambered top surface so as to avoid the risk of tripping persons using the seat-ways and should extend from the row to be fixed to at least two adjacent rows should not extend across any gangways.



5.5. Space beneath temporary tiered seats must not be used for storage and must be made secure. Such spaces shall be kept clear of accumulation of rubbish. These spaces shall be checked between performances and cleared as necessary.

5.6. If it is intended to use a temporary tiered seating structure, prior approval must be obtained from the Council.

5.7. In premises annually licensed for stage plays and premises regularly used for closely-seated audiences, all seating, except for chairs in boxes or other approved enclosures, shall be firmly fixed to the floor.

5.8. All seats shall be so maintained so as not to present a risk of injury to the audience.

## APPENDIX 1

### Testing & Certification

The Designated Premises Supervisor shall be responsible for ensuring that the following tests are carried out at the specified intervals and that appropriate records are kept for inspection by an authorised officer. The Designated Premises Supervisor is also responsible for forwarding the relevant test certificates to the Council.

FREQUENCY OF TEST	TYPE OF TEST	TYPE OF RECORD
1. Prior to performance	(a) Panic bolts and bars on	Written in log book emergency exits should move freely and be clear from obstruction.
	(b) Doors adjacent to or intersecting exit routes shall be locked or pinned open as required by the Council.	Written in log book
	(c) Emergency lighting must be functioning correctly.	Written in log book
	(d) Protective electrical units ie. Residual Current Devices (RCD's) must be tested using the test/reset button.	Written in log book
2. Once a week	Fire Alarms, where fitted must be functioning correctly.	Written in log book
3. Once. a month	Fire Drills should be carried out whilst only staff are present and adequate records kept.	Written in log book including names of staff present and the duration of the exercise

4.	Once a month	Emergency lighting must be tested.	Written in log book
5.	Every 12 months	<p>(a) Fire extinguishers shall be checked by a competent person.</p> <p>(b) Mechanical or suspension arrangements ie. revolving stage, orchestra/organ lift shall be checked by a competent engineer.</p>	<p>Check date and result shall be prominently displayed on the outside of the extinguisher</p> <p>Certificate of safe working condition issued by a competent engineer</p>
		<p>(c) Steam boilers and pressure vessels shall be inspected by a competent engineer from a boiler insurance company. This will include electrode boilers within a closed system, calorifiers with steam receivers and hot water boilers.</p>	Certificate of safe working condition issued by a competent engineer from a boiler company
7.	Every 12 months	<p>(a) Electrical installations shall be inspected by a competent person.</p> <p>(b) Gas installations (including LPG systems) shall be inspected by a competent person.</p> <p>(c) Oil fired installations shall be inspected by a competent engineer. The inspection must include the boiler, burners and any safety devices.</p> <p>(d) Ceilings, ornamental plasterwork and other suspended structures must be maintained in a safe condition.</p>	<p>Certificate of electrical safety issued by a competent person</p> <p>Certificate of safety issued by a competent person</p> <p>Certificate of safety issued by a competent engineer</p> <p>Structural report issued by a competent structural engineer</p>

## **Annex 2**

### **Conditions Consistent with the Operating Schedule**

#### **General**

1. The Licence is subject to the standard terms, conditions and restrictions contained in the Reading Borough Council Places of Public Entertainment conditions of Management.

#### **Public Safety**

1. The permitted numbers for the premise are 200 persons in the main hall, 100 persons in the rear hall 300 persons in the whole building.
2. An electrical test certificate is required every 12 months.

#### **Prevention of Public Nuisance**

1. No posters advertising lap dancing events or similar events of a specifically adult nature will be advertised by posters in the immediate locality of the premises.

#### **Protection of Children from Harm**

1. The premise will operate a proof of age policy to the satisfaction of police and the licensing authority.
2. Signs will be displayed in the immediate vicinity of any AWP machines stating that no person under the age of 18 years may use the machine.
3. No person under the age of 18 years will be permitted access to the premises.

## **Annex 3**

### **Conditions attached after a hearing by the Licensing Authority**

NONE

## **Annex 4**

### **Plans**

As attached plan no. ADC-1.DWG



113663

Appendix JC 2.



**Reading  
Temporary Event Notice  
Licensing Act 2003**

For help contact  
licensing@reading.gov.uk  
Telephone: 0118 937 3762

\* required information

**Section 1 of 9**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

First name

Zahid

Family name

Khan

E-mail address

afterdarkclubbreathing@outlook.com

Main telephone number

07879 414401

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?

☒ Yes☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

10928361

Business name

After Dark Club (Reading) Limited

If your business is registered, use its registered name.

VAT number

none

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Your position in the business	Director
-------------------------------	----------

Home country	United Kingdom
--------------	----------------

Registered Address

Address registered with Companies House.

Building number or name	112
-------------------------	-----

Street London Street

District	
----------	--

City or town Reading

County or administrative area	Berk
-------------------------------	------

Postcode RG1 4SJ

Country United Kingdom

## Section 2 of 9

**APPLICATION DETAILS** (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

☐ Yes☐ No

Your date of birth  /  /

Applicant must be 18 years of age or older

National Insurance number 

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth	Reading
----------------	---------

### Correspondence Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	112
-------------------------	-----

Street	London Street
--------	---------------

District	
----------	--

City or town	Reading
--------------	---------

County or administrative area	Berkshire
-------------------------------	-----------

Postcode RG1 4SJ

Country United Kingdom

Continued from previous page...

### Additional Contact Details

Are the contact details the same as (or similar to) those given in section one? ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

### Section 3 of 9

#### THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

Does the premises have an address?

☒ Yes ☐ No

#### Address

Is the address the same as (or similar to) the address given in section one? ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☐ Neither ☒ Premises licence ☐ Club premises certificate

Premises licence number

#### Location Details

Provide further details about the location of the event

The Premises is on London street and is accessed through a side alley. It has a max capacity of 300 and consists of one main room and a rear lounge. The premises is located in an area with a mix of commercial and residential properties.

*Continued from previous page...*

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

--

Describe the nature of the premises below (see also guidance on completing the form, note 4)

The Premises is a fully licensed entertainment venue and bar.

Describe the nature of the event below (see also guidance on completing the form, note 5)

#### INTRODUCTION

We are holding a live music event for children and adults.

Parents, Adults and children are attending the event.

All children aged 14-16 must be accompanied by a parent or guardian.

All Children aged 16 - 18 must have ID showing DOB to enter.

After Dark attendants and staff will supervise entry.

The main event is a live music event for 3 x bands. All members of these bands consist of children aged 14-17.

In addition, 1 x adult band will be playing too.

We will be open for guests of this event from 1900 to 2300. Live music will be played 1945 to 2300. Background recorded music will be played 2300 to 2315 by a DJ.

From 2300 to 2315 all children under 18 years old will leave the premises, supervised by security and attendants.

There will be a number of first aiders and a dedicated first aid station at this event.

The rear lounge will be serving alcohol to adults who are 18+ years old. The main room bar (where the main event is held) will not be serving alcohol.

#### POTENTIAL OUTCOMES/RISKS AND HOW TO CONTROL:

##### CRIME AND DISORDER

RISK: Anti social behavior in and around the venue

CONTROLS: Attendants will be employed at the venue to supervise admissions and customers inside the venue, and on London Street

-Proper management of the door to include a mix of male and female attendants

-Door admissions policy to include refusing entry to pre-drinking, pre-drug or aggressive/violent behaviour.

RISK: Alcohol, drugs or weapons being bought into venue

CONTROLS: "A zero tolerance to drugs and underage drinking" communicated to guests before the event by being printed on tickets.

-Posters displayed throughout premises to remind customers of zero tolerance policy and refusal of entry if caught



Continued from previous page...

-Attendants to supervise toilet Area & VIP area to limit opportunities

RISK: Disorder From Customers Queuing to Enter the Premises or When Leaving the Premises

CONTROLS: We will reduce the potential for excessive queue lines with a well managed and efficient door policy. Long queuing times can cause people to become agitated or aggressive.

-A Customer Dispersal Policy will minimise the potential for disorder from customers leaving the premises through a gradual change in music style and increasing lighting levels

-Sufficient Security staff + attendants will be available at the end of the evening to manage a controlled shut down of the premises and maintain good order as customers leave

PUBLIC SAFETY:

RISK: Injury or irritation to Staff and Guests who are under 18

CONTROLS: carry out full risk assessment every 12 months taking into account public safety to be carried out of the premises to identify potential hazards posed to staff or customers and kept at premises

-All staff will be made aware of the risk assessment and precautionary measures therein

-First aid boxes will be available at the premises and maintained with sufficient in date stock

-A recognised qualification in first aid will be held by minimum 1 staff, and all other staff will be trained as Appointed Persons throughout event.

-A first aid or quiet room will be made available to anyone requiring medical attention.

-Temperature levels and humidity in venues will be made controlled for the comfort and safety of customers. An environment that is too hot or too cold can make customers irritable. Our premises will be adequately heated and ventilated to avoid this. This will be achieved through use of air conditioning systems or fan ventilation.

RISK: Accumulation of drinking vessels and spillages

CONTROLS: Perimeter checks will be made outside the premises for any drinking vessels

-Spillages will be cleaned up immediately to prevent floors from becoming slippery or unsafe, and wet floor signs being put on display

-Bins will be secure at all times and away from public areas

RISK: Accident or emergency on the premises

CONTROLS: Written policy to deal with all types of accidents and emergency incidents will be in place at the premises.

-A copy of the fire risk assessment will be kept at the premises and made available for inspection by the fire authorities and licensing authority.

-A Fire detection system will be in place at the premises and will be fully functional at all times. The system will be tested regularly with records kept and made available for inspection.

-Means of escape in case of emergency will be clearly visible, unobstructed and well maintained including areas outside exits leading to a place of ultimate safety such as the street

-Checks will be carried out before event to ensure exits are unlocked and unobstructed.

-Staff training in fire safety and any premises safety policy will be provided for all staff to give them knowledge and confidence to deal with emergency situation, including location of equipment, utilities, services and layout of premises. training will include how to use fire extinguishers.

-Records will be kept of date and name of person trained and made available for inspection

-An incident book will be kept in order to record all accidents or incidents and made available for inspection.

RISK: Drug use or underage drinking

CONTROLS: A Zero tolerance policy to the use of drugs in the premises will be adopted and communicated to guests in advance of the event

-posters will be displayed throughout the premises to remind customers of the zero tolerance policy

-Refusing entry will occur to anyone who appears to be showing signs of drug use and contacting next of kin or the emergency services in appropriate circumstances. In such cases an entry will be made in the incident log book.

-A duty of care policy regarding persons suffering adversely from the effects of drugs will be in place at the venue. The policy will include drug awareness training for all staff so that they so they can recognise the effects of controlled drugs and provide medical attention if necessary.

-All staff will be briefed on the policy a record will be kept and of the date and name of that person trained.

-We will prevent the possibility of drink spiking by offering various anti-drinking spiking products to customers.

-If a customer suspects that their drink has been spiked we will report it to the police immediately. A process for this will be

*Continued from previous page...*

Clearly set out in our duty of care policy

RISK: Safety of guests leaving the premises

CONTROL: We will make announcements at the end of an evening for children to leave and allow a slow dispersal from the premises

-Increased lighting inside the premises will be considered toward the end of an evening to affect the alertness of customers before they leave the premises.

-Increased external lighting particularly in areas under direct control of the licence holder will be provided for added safety for customers as they leave the premises. Care will be taken so that lighting does not impact the neighbours.

#### PUBLIC NUISANCE

RISK: Music, Singing and Speech noise breakout from the premises

CONTROLS:

-Recommendations in an Acoustic report produced by someone who is a member of the institute of acoustics will be implemented in the whole venue before this event. This will ensure that recorded or live music played will not be at a level which will be a nuisance to our neighbours.

-Doors will be kept closed to prevent noise breakout. Ventilation will be provided by mechanical means

-Sound limiting Device is installed

-Perimeter checks and listening checks by DPS/Staff

-A log book will be kept of any noise monitoring carried, the findings and any remedial action taken. The log will indicate whether it was routine noise monitoring or the result of a complaint

The log book will be available for inspection by the licensing authority or environmental health responsible authority

-A Contact telephone number will be made available to local residents and businesses which they can use to report noise disturbances to a responsible person at the venue.

RISK: Noise and nuisance from customers arriving and leaving the venue

CONTROLS: Reduce the potential for excessive queuing with a well managed and efficient door policy

-Long queues will be avoided and any queues will be directed away from residential properties

-Queues will be actively managed by attendants to keep noise down to a minimum. Rowdy behaviour from people queuing to get in will not be tolerated. Anyone behaving in an anti-social way and next of kin contacted.

-Our customer dispersal policy will minimise noise disturbance to local residents from customers leaving the premises.

Announcements and quiet or mellow music towards the end of an evening and increasing lighting levels will help reduce the potential of rowdy behaviour

-We will display prominent notices close to the exit doors requesting patrons to leave the premises quickly and quietly

RISK: Noise and Nuisance from customers using external areas while open

CONTROL: We will display prominent signs in external areas asking customers to keep the noise down

-Attendants will regularly monitor and manage external areas to ensure that customers are not causing a disturbance to local residents.

-Limit the number of smokers permitted outside at any one time after a certain time

-Discourage smokers from loitering outside by not permitting them to take soft drinks outside at anyone time after a certain time

-locate smoking areas away from residential properties

-Do not permit customers to congregate on and block the highway

-Regular patrols of area outside the premises will be undertaken by staff to clear any litter attributable to the premises

#### CHILDREN FROM HARM

RISK: Underage Sales of Alcohol

CONTROLS: alcohol sales restricted to rear bar only for 18+ aged parents and adults. Staff will ID anyone who looks less than 25 years old.

-Mocktails, alcohol-free wine, alcohol-free beer and soft drinks to be served at bars instead

RISK: Injury to Children

CONTROLS: first aider will be onsite, and all other staff will be appointed persons, as well as a dedicated space to administer first aid.

Continued from previous page...

## Section 4 of 9

### LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

(see also guidance on completing the form, note 6):

- ☒ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

- ☒ The provision of regulated entertainment
- ☒ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also guidance on completing the form, note 7)

### Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 8)

Event start date

/  /   
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

/  /   
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

(see also guidance on completing the form, note 9)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

(see also guidance on completing the form, note 10)

Continued from previous page...

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

(see also guidance on completing the form, note 11):

- ☒ On the premises only
- ☐ Off the premises only
- ☐ Both

#### Section 5 of 9

#### RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 12)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

Provision of live music from 19:00 to 23:00.

Open to guests from 19:00 to 23:15.

#### Section 6 of 9

#### PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 13)

Do you currently hold a valid personal licence? ☒ Yes ☐ No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue  /  /   
dd mm yyyy

Any further relevant details

#### Section 7 of 9

#### PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 14)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? ☐ Yes ☒ No

*Continued from previous page...*

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

#### Section 8 of 9

#### ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 15)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

### Section 9 of 9

#### CONDITION (See also guidance on completing the form, note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

#### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

#### DECLARATION (See also guidance on completing the form, note 18)

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six (6) months, or to both.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Zahid Khan

Capacity

DPS

Date

04 / 06 / 2019  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence-temporary-event-notice-reading-apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**OFFICE USE ONLY**

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

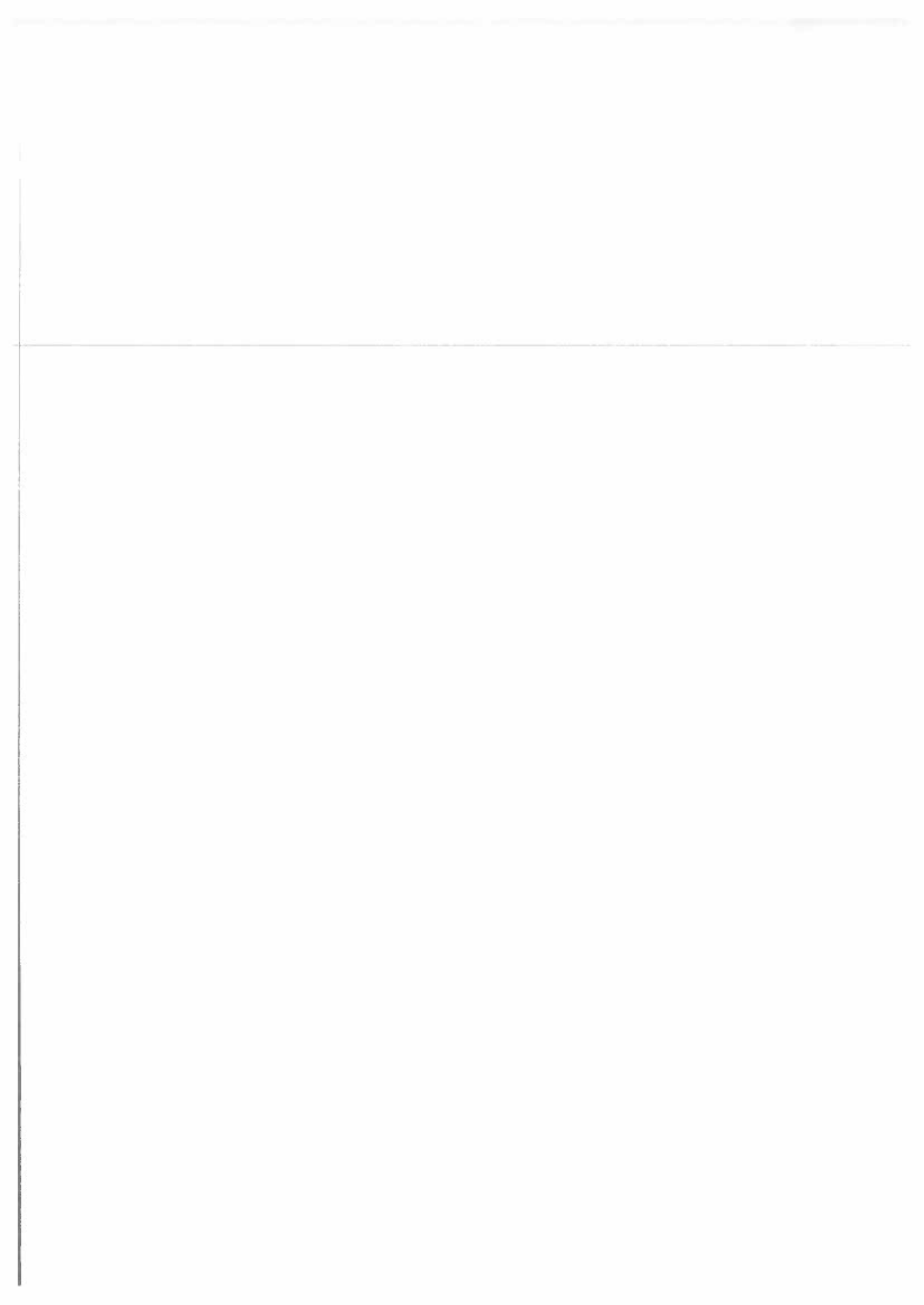
☐

MICHAEL SEIGH

05/06/14

M. Seigh

&lt; Previous 1 2 3 4 5 6 7 8 9 Next &gt;





## THAMES VALLEY POLICE

Division/Station : Reading Police Station Licensing Dept

From : C2107 Declan Smyth

To : Reading Borough Council

Subject :

Ref : Temporary Events Notice

Date: 6<sup>th</sup> June 2019

### TENS Objection Notice

#### After Dark Club 22<sup>nd</sup> June 2018 19:00 hours to 23:15 hours

To whom it may concern

I C2107 Declan Smyth on behalf of the Chief Officer of Thames Valley Police wish to formally object to the proposed Temporary Events Notice (TENS) under Section 104 Licensing Act 2003 as we believe that allowing the premises to be used in accordance with the TEN will undermine the four licensing objectives.

Thames Valley Police believe that due to the timing of this event and our recent concerns relating to incidents of crime and disorder at this premises, that this event will likely lead to further incidents and therefore in turn undermine and not promote the licensing objectives.

The applied for Temporary Events Notice relates to the extension of the hours for the supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 19:00 hours to 23:15 hours in order to hold a live music event for children and adults.

Currently this premises is suffering from concerning levels of crime and disorder and incidents. These concerns have recently been outlined to the Designated Premises Supervisor (DPS) via a formal performance process on Wednesday 6<sup>th</sup> February 2019 as part of a stepped approach to resolve the number of incidents at the premises. (See **TVP-DS1**). Previous information from responsible authorities has suggested that potentially events of this nature that have been run before under a TEN and with the same undertakings given, may not have been compliant with such undertakings.

Furthermore, and in order to provide the licensing sub-committee with more specific evidence in support of our concerns we have provided the following exhibit relating to the premises:

**TVP-DS2** is a Thames Valley Police licensed Premises Summary Report of occurrences/incidents that have required the provision of a recordable crime/incident report for the period between 1<sup>st</sup> January 2018 and 6<sup>th</sup> June 2019. Occurrences are created by police officers or call centre staff whenever a crime is confirmed to have taken place, or an investigation is required to determine the nature of any complaint.

The current Secretary of States Section 182 Guidance states:-

*7.32 The system of permitted temporary activities gives police and EHAs the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives.*

**7.33** *If the police or EHA believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. The objection notice must be given within the period of three working days following the day on which they received the TEN.*

**7.34** *Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions which already apply to an existing premises licence or club premises certificate at the venue, or issue a counter notice to prevent the event going ahead. As noted above, there is no scope for hearings in respect of late TENs and if objections are raised by the police or EHA in relation to a late TEN, the notice will be invalid and the event will not go ahead.*

**7.35** *Such cases might arise because of concerns about the scale, location, timing of the event or concerns about public nuisance – even where the statutory limits on numbers are being observed. The premises user who signs the form is legally responsible for ensuring that the numbers present do not exceed the permitted limit at any one time. In cases where there is reason to doubt that the numbers will remain within the permitted limit the premises user should make clear what the nature of the event(s) is and how they will ensure that the permitted persons limit will not be exceeded. For example, where notices are being given for TENs simultaneously on adjacent plots of land it may be appropriate for door staff to be employed with counters. In each case it is important that licensing authorities and relevant persons can consider whether they believe that the premises user intends to exceed the 499 person limit, or will be unable to control or know whether the limit will be exceeded. Where the planned activities are likely to breach the statutory limits or undermine the licensing objectives, it is likely to be appropriate for the police or EHA to raise objections.*

**7.28** *If the licensing authority receives an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection unless all parties agree that this is unnecessary. The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a “notice (statement of conditions) and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.*

When considering the current secretary of states section 182 guidance above Thames Valley Police will say that we believe that it is necessary for us to object to this TENS application as it will undermine the licensing objectives. Our concerns surround the timings of the TEN which seeks to extend the hours for the sale of alcohol and to allow children access to the premises.

Therefore in our submission we respectfully ask the Licensing Sub-Committee to consider the evidence supplied by Thames Valley Police in relation to our objection notice, and to

issue a counter notice in response to this application as the only option available which shall ensure that the licensing objectives are not likely to be undermined.

In conclusion we have a host of issues relating to this premises including the DPS and management of these events, security of the premises, public safety, the prevention of public nuisance and **Protecting Children From Harm**. The premises licence holder has failed to adhere to the recommendations from both Thames Valley Police and Reading Borough Council. We at Thames Valley Police do not have the confidence in the management delivering the required steps to ensure the safety of both customers and staff.

We suspect the premises representatives will say that they have implemented all conditions placed upon them and that these are having a positive influence.

You may also be told in their defence that these are isolated incidents and the venue has not provided many other incidents of crime and disorder. Unfortunately we suggest that this is far more a consequence of the fact the venue regularly suffers low attendance and on some recent occasions has not even opened at all on certain nights rather than any good work on behalf of the venue when maintaining these type of events.

In closing Thames Valley Police would ask the sub-committee to consider the case of East Lindsey District council V Abu Hanif (t/a Zara's restaurant) 2016 where it is stated:

*“ The prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin consideration of prevention and deterrence”.*

Thames Valley Police submit that our objection notice supports the usage of the licensing objectives as a prospective tool to ensure that crime and disorder is prevented in relation to this current TEN application. (See TVP-DS3)

## Appendices

TVP-DS1 – TVP, RBC & After dark Performance meeting

TVP-DS2 – Thames Valley Police licensed Premises Summary Report

TVP-DS3 – East Lindsey District Council V Abu Hanif (T/A Zaras Restaurant) Case Law

Classification: OFFICIAL