

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 27 JUNE 2019

Present: Councillors Edwards (Chair), Grashoff and Woodward

6. DECLARATIONS OF INTEREST

There were no declarations of interest.

7. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - BEST ONE

The Head of Planning, Development and Regulatory Services submitted a report on an application for a review of Premises Licence in respect of Best One, 1a Nire Road, Caversham, Reading, RG4 5LT. The application for review had been submitted by the Chief Inspector of Weights and Measures, in its capacity as a named responsible authority, following a combination of underage alcohol sales and licensing condition breaches.

The application sought for the Premises Licence to be revoked as the only appropriate and proportionate step to promote the licensing objectives and safeguard the public.

A copy of the review application was attached to the report at Appendix PN-1. This set out details of the breaches of condition and underage alcohol sales which had been observed during inspections carried out on 25 October 2018, 18 February 2019 and 20 March 2019.

The report stated that representations had been received from Thames Valley Police and the Reading Borough Council Licensing Team, which were attached to the report at Appendices PN-2 and PN-3 respectively. Information provided by the Premises Licence Holder was attached at Appendix PN-4 and letters of support from local residents were attached at Appendix PN-5

The report stated that Mr Tajender Singh Parmar was the Premises Licence Holder and the Designated Premises Supervisor. The current Premises Licence, a copy of which was attached to the report at Appendix PN-6, permitted the following:

Hours for the Sale by Retail of Alcohol

Monday to Saturday	0800 hours until 2300 hours
Sunday	0800 hours until 2230 hours
Good Friday	0800 hours until 2230 hours
Christmas Day	1200 hours until 1500 hours, and 1900 hours until 2230 hours.

A plan showing the location of the premises and surrounding streets was attached to the report at Appendix PN-7.

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

- The prevention of crime and disorder;
- public safety;

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- The prevention of public nuisance;
- The protection of children from harm.

The report stated further that in determining the application the Licensing Authority must also have regard to the representations received, the Licensing Authority's statement of licensing policy and any relevant section of the statutory guidance to licensing authorities. Further, in determining the application the Licensing Authority could take such of the following steps as it considered appropriate for the promotion of the licensing objectives:

- Take no further action;
- To issue formal warnings to the premises supervisor and/or premises licence holder;
- Modify the conditions of the licence (including, but not limited to hours of operation of licensable activities);
- Exclude a licensable activity from the scope of the licence;
- Remove the designated premises licence supervisor;
- Suspend the licence for a period not exceeding three months;
- Revoke the licence.

(Where the Sub-Committee took a step mentioned in the third and fourth bullet points above it may provide that the modification or exclusion was to have effect for a period not exceeding three months or permanently.)

The report set out paragraphs 1.2 to 1.5, 1.7 to 1.12, 5.3 to 5.4, 9.11 to 9.13, 9.31, 9.38, 9.42, 9.43, 10.26 to 10.35, 11.1, 11.2, 11.6, 11.10, 11.16 to 11.18 and 11.24 to 11.26 of the Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018). The report also set out paragraphs 1.2 to 1.6, 3.2, 8.17, 8.18, 9.1 to 9.13, 9.15, 9.16, and 9.18 to 9.21 of the Council's Statement of Licensing Policy.

Mr T S Parmar, the Designated Premises Supervisor and the Premises Licence holder and his representative Mr Surendra Panchal were present at the meeting and addressed the Sub-Committee.

Matthew Golledge, the Trading Standards and Coroners Manager, Tessa Brunson, Community Alcohol Partnership Officer and Jean Champeau, Senior Licensing Enforcement Officer were present as Responsible Authorities and addressed the Sub-Committee. Peter Narancic, Senior Licensing and Enforcement Officer, presented the report at the meeting.

Resolved -

- (1) That having reviewed the Premises Licence in respect of Best One, 1a Nire Road, Caversham, Reading and having had regard to the four licensing objectives, the oral and written representations made, the Secretary of State's guidance as set out in the report and the Council's Statement of Licensing Policy as set out in the report, the Sub-Committee concluded that it would be appropriate and proportionate to suspend the Premises Licence for a period of one

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month and to attach conditions to the Premises Licence. The suspension was to allow the Premises Licence Holder time to implement the practices and procedures in order to uphold the licensing objectives;

- (2) That the following additional conditions be attached to the Premises Licence:

CCTV

- (a) The premises licence holder shall ensure the premises' digitally recorded CCTV system cameras shall continually record whilst the premises are open to the public and recordings shall be kept for a minimum of 31 days with time and date stamping. The entire licensable area shall be covered by the CCTV. There shall be at least one camera positioned 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 Thames Valley Police or Reading Borough Council together with facilities for viewing upon request. Recorded images shall be of such quality as to be able to identify the recorded person in any light. At least one member of staff on the premises at any time during operating hours shall be trained to access and download material from the CCTV system.
- (b) Signs shall be placed in prominent positions on the premises notifying customers that CCTV is in operation.

INCIDENT REGISTER

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;

- (a) 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 DPS or nominated representative at the end of each trading session;
- (b) A weekly review of the incident register shall also be carried out by the DPS.

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STAFF TRAINING

Staff employed to sell alcohol shall undergo training upon induction. This shall include, but not be limited to:

- The premises age verification policy
- The law relating to underage sales
- Dealing with refusal of sales
- Proxy purchasing
- Recognising valid identity documents not in the English language
- Identifying attempts by intoxicated persons to purchase alcohol
- Identifying signs of intoxication
- Conflict management
- How to identify and safeguard vulnerable persons who attend and leave the premises
- Identifying signs of drug usage and prevention
- 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.

STAFF TRAINING

- a) The Premises Licence Holder shall ensure that all staff employed in the sale of alcohol shall be trained in their responsibilities and a record of their training shall be maintained. Such training shall include, but not be limited to, how to retail alcohol in accordance with the premises age verification policy; how and when to refuse service of alcohol and identifying signs of intoxication and proxy purchasing. Refresher training shall be carried out every six months and documented. These records shall be made available to an authorised officer of Thames Valley Police or an authorised officer of Reading Borough Council.
- b) Staff authorised to sell alcohol shall be accredited to BII Level 1 Award in Responsible Alcohol Retailing (ARAR) or any other similarly nationally recognized approved accreditation curriculum within four weeks for existing and subsequent employees.

AGE VERIFICATION

- a) The premises shall at all times operate an age verification policy of at least Challenge 25 to prevent any customers who appear to staff members to be under the age of 25 years from purchasing alcohol without having first provided identification. Only a valid driver's licence showing a photograph of the person, a valid passport, national identity card or proof of age card showing the "PASS" hologram are to be accepted as identification. Notices advertising the Challenge 25 and proof of age policies shall be displayed in prominent positions on the premises.
- b) The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age.

REFUSAL BOOK

All staff involved in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals log (whether written or electronic). The log shall contain:

- Details of the time and date the refusal was made;
- The identity of the staff member refusing the sale;
- Any detail or description of the person refused and the reason why

This book /register will be available for inspection by a Police Officer or authorised officer of Reading Borough Council upon request.