

# Notice of Meeting

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## Licensing Sub-Committee

**Tuesday 20th November 2012 at 10.00 am**

**in Council Chamber, Council Offices,  
Market Street, Newbury RG14 5LD**

### **Members Interests**

Note: If you consider you may have an interest in any Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Friday, 9 November 2012

### **FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC**

If you require further information about this Agenda, or to inspect any background documents mentioned in the reports, please contact Denise Anns - Tel: (01635) 519486 - Email: [danns@westberks.gov.uk](mailto:danns@westberks.gov.uk).

Further information and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)

**Victoria Arms, Victoria Road, Mortimer, Reading RG7 3SE**



**To:** Councillors Jeff Beck (Chairman), Billy Drummond and Geoff Mayes

**Substitute:** Councillor Andrew Rowles

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# Agenda

<b>Part I</b>	<b>Page No.</b>
1 <b>Declarations of Interest</b> To receive any declarations of interest from Members.	
2 <b>Schedule of Temporary Event Notice Application</b>	
(1) <b>Application No.12/01751/LKB - Victoria Arms, Mortimer, Reading, RG7 3SE</b> <b>Proposal:</b> Temporary Event Notice <b>Location:</b> Victoria Arms, Victoria Road, Mortimer, Reading RG7 3SE <b>Applicant:</b> Mr Francis Philbert	1 - 6
(2) <b>Representation from Environmental Health</b>	7 - 8

Andy Day  
Head of Strategic Support

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If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



- 1 NOV 2012  
 BY HAND  
 RECEIVED

**Temporary Event Notice**

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

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

<b>1. The personal details of premises user (Please read note 1)</b>			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	PHILBERT		
Forenames	FRANCIS		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day 20	Month 3	Year 1957
4. Your place of birth	GRENADA		
5. National Insurance Number	YW179225D		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
54 VICTORIA ROAD MORTIMER READING BERKS RG73SE			
Post town	READING	Post code	RG73SE
7. Other contact details			
Telephone numbers	01189332624		
Daytime			
Evening (optional)			
Mobile (optional)	01841237712		
Fax number (optional)			
E-Mail Address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
Post town			Post code

9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

**2. The premises**

Please 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) (Please read note 2)

VICTORIA ARMS  
 VICTORIA ROAD  
 MORTIMER ROAD RT3SE

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	015084
Club premises certificate number	

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

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Please describe the nature of the premises below. (Please read note 4)

PUBLIC HOUSE

Please describe the nature of the event below. (Please read note 5)

LIVE BAND

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
24/11/12		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
21.00 - 24.00		
Please 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. (Please read note 10)	60	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

4. Personal licence holders (Please read note 12)		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes	No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority		
Licence number	015054	
Date of issue		
Date of expiry	12.12.2015	
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 13)		
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? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
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 b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 14)		
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? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
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 b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
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 b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 15)	
I shall (Please mark the appropriate boxes with an "X" )	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>

If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Make or enclose payment of the fee for the application	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below	<input checked="" type="checkbox"/>

**8. Condition (Please read note 16)**

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

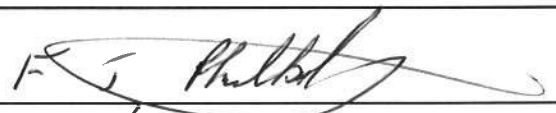
**9. Declarations (Please read note 17)**

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and


(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	2/10/12 -
Name of Person signing	FRANCIS PHILITERI

For completion by the licensing authority

**10. Acknowledgement (Please read note 18)**

I acknowledge receipt of this temporary event notice.

Signature	 On behalf of the licensing authority
Date	1-11-12
Name of Officer signing	SHARON GAVIN

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# Agenda Item 2(2)

Environmental Health have considered the latest application for TEN for the Victoria Arms, Mortimer. This is for Saturday 24th November 2012 between 21:00-24:00 covering supply of alcohol , provision of regulated entertainment and late night refreshment for up to 60 people.

This application is recommended for refusal considering the licensing objective - The Prevention of Public Nuisance.

The reasons for refusal are:

1. Noise complaints have been received for earlier TEN's held this year and last year concerning noise from the event, and late finish of music past the permitted time under the TEN
2. Discussions with the applicant resulted in agreed controls on the last TEN for 20.10.2012 covering perimeter checks to ensure that noise levels do not give rise to noise disturbance; the closure of doors and windows during the event other than for ingress or egress, and letter drops to nearby residents advising of the time and duration of the event with a contact number if noise is an issue. These conditions were not fully complied with, with letter drops not received by residents in close proximity, and music being played until 00:30, past the permitted time for finish of the event.
3. The information provided in the TEN application is incorrect - there have been two previous TENs in 2012. The declaration signed at the bottom of the application is therefore false.

It is therefore not considered appropriate for live and recorded music events at these premises continue to be covered by TEN applications. This application for a TEN is therefore refused due to concerns regarding the Prevention of Public Nuisance

Please do not hesitate to contact me if you have any queries.

Regards

Rosemary Green  
Senior Environmental Health Officer  
Environmental Quality  
West Berkshire and Wokingham Environmental Health and Licensing Service

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