

DRAFT

LICENSING SUB-COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 7 FEBRUARY 2018

Councillors Present: Jeff Beck, Graham Bridgman, James Cole (Chairman) and Quentin Webb

Also Present: Sharon Gavin (Technical Officer - Licensing), Emilia Matheou (Environmental Health & Licensing), Julia O'Brien (Licensing Team Manager) and Beth Varcoe (Solicitor), Councillor Peter Argyle (Council Member), Janet Giddings (Democratic Services Officer) and Jo Reeves (Principal Policy Officer)

PART I

3 Declarations of Interest

Councillors Beck, Bridgman and Webb declared a personal interest by virtue of the fact that they were acquainted with one of the objectors, Mary Bedwell, but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

4 Application No. 17/01790/LQN - Calcot (New Build), at the junction of Bath Road (A4) and Dorking Way, Calcot

1. The Sub-Committee considered a report (Agenda Item 2(1)) concerning Licensing Application 17/01790/LQN in respect of Marstons PLC, Calcot (New Build), at the junction of Bath Road (A4) and Dorking Way, Calcot.
2. In accordance with the Council's Constitution, Emilia Matheou (Licensing Officer, West Berkshire Council), Michelle Hazlewood, John McElholm, Martin Rayner (for the Applicant), PC Simon Wheeler (for Thames Valley Police as a Responsible Authority) and Mary Bedwell and Ian Savage (Objectors) addressed the Sub-Committee on this application.
3. The Chairman announced that he had been informed that some of the parties would like to provide additional information to the Sub-Committee for their consideration. Councillor Graham Bridgman noted that he had requested a map from Officers to show licensed premises in the vicinity of the application. The Chairman asked if any parties had any objections to this information being considered by the Sub-Committee. No objections were raised and a copy of the map was provided to all attendees.
4. Mrs Hazlewood apologised that she had not seen the Council's requirement for information to be received five working days prior to the meeting of the Sub-Committee. A bundle of information had been prepared which had been circulated to residents and Thames Valley Police and submitted to the Council four working days before the meeting. She requested that the Sub-Committee consider this information, which included an updated operational plan. If the Sub-Committee were not minded to accept the information, Mrs Hazlewood requested an extension in speaking time. The Chairman asked if any parties had any objections to this information being considered by the Sub-Committee. No objections were raised and the information bundle was provided to the Sub-Committee.

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5. PC Wheeler advised that he had received the applicant's information bundle four working days before the meeting. There were some references to case law which he refuted and there were additional incidents that the police had attended. He had therefore produced a separate set of material in response and requested that this information also be considered by the Sub-Committee. The Chairman asked if any parties had any objections to this information being considered by the Sub-Committee. No objections were raised and this information bundle was also provided to the Sub-Committee.

(The meeting was adjourned between 10.15am and 10.41am for the Sub-Committee to read the additional information.)

6. The Chairman announced that in accordance 7.14.3 of the Council's Constitution, the Sub-Committee would extend the speaking time for all parties to 12 minutes, in order to address the additional information received by the Sub-Committee.
7. Councillor Bridgman raised a technical question regarding whether the blue notices were displayed at appropriate intervals and for a sufficient period in line with the size of the proposed site. Ms Matheou confirmed that the applicant complied with the relevant requirements to advertise the application.
8. Ms Matheou, in addressing the Sub-Committee, raised the following points:
 - West Berkshire Council Licensing received an application made under S17 of Licensing Act 2003 for a premises licence to be granted for a New Build at the junction of Bath Road (A4) and Dorking Way, Calcot and the application was accepted on 18 December 2017.
 - The responsible authorities, Parish and Ward Councillors and Members were served with a copy of the application by email on 19 December 2017.
 - The application was for a public house, to be accessed via Dorking Way and served by 54 car parking spaces. The pub restaurant would provide 150 covers.
 - The applicants were seeking a Premises Licence to be granted for the licensable activities of the supply of alcohol, regulated entertainment and late night refreshment. The application for the sale of alcohol was from 10:00 to 00:00 Monday to Thursday, 10:00 to 01:00 Friday and Saturday and 11:00 to 0:00 for both on and off site consumption. The application for late night refreshment was for collection, consumption on the premises or for delivery of hot food after 23:00 seven days a week.
 - The application also sought non-standard timings to permit the sale of alcohol until 01:00 on Sunday and Monday adjacent to a Bank Holiday. Permission was also sought for the sale of alcohol from 10:00 on 31st December to 02:00 on 2nd January.
 - Other licensable activities, in particular regulated entertainment would be ancillary to the provision of food and alcohol. It was anticipated that any such regulated entertainment would be provided on an occasional basis and no more than twelve times per year.
 - The 28 day consultation period ran until the 15th January 2018. The application was advertised in accordance with the regulations with blue notices displayed at the premises. On 2nd January 2018 residents provided notification that the blue notices had blown away in adverse weather. The applicant was notified and the notices were replaced by 4th January 2018. A notice was also published in a local newspaper (Reading Chronicle).
 - During the statutory consultation period the Local Authority received seven representations.

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- A representation had been received by Thames Valley Police in their capacity as a Responsible Authority. No concerns were raised by Public Health and Wellbeing and Trading Standards withdrew an objection following an additional condition being agreed with the applicant. No comments had been received from Royal Berkshire Fire and Rescue Service, Health and Safety or the Local Safeguarding Children Board.
 - No formal mediation involving the Council had been undertaken.
9. Mrs Hazlewood, in addressing the Sub-Committee, raised the following points:
- The application was for a food-led family friendly and female friendly pub restaurant.
 - The applicant, Marstons PLC, operated 190 similar sites, including the Two Watermills in Newbury. None of the 190 sites were subject to a review or an action plan.
 - There would be a significant kitchen and it was anticipated that food sales would constitute 60% of the income.
 - Residents had expressed concern regarding noise. There had been no representations from Environment Health regarding noise nuisance. Many of the applicants other sites were near residential areas. The outside areas would not operate throughout the entire trading period.
 - Attempts to liaise with the police regarding their representation were made. The police representation included incident reports for premises not operated by Marston's PLC. None of the premises referred to by the police were subject to a review or variations to their conditions.
 - The applicant had taken on board the concerns expressed by residents and had revised their operational plan accordingly. Some amended conditions were included in the updated information bundle.
 - The condition to require a search policy as suggested by the police would be misplaced and a drugs policy would better address concerns regarding any drug taking on the premises.
 - A barrier could be installed to prevent use of the car park outside of trading hours.
 - To emphasise the food-led element of the business a condition was proposed to ensure that the kitchen was available until at least 22:00. The applicant would also welcome a condition to set a minimum number of 100 covers to be available to ensure the premises could not be operated as a stand alone bar.
10. Councillor Quentin Webb noted that the planning application for the site included housing close to the curtilage of the proposed licensed premises. He asked what the impact on residents would be from the amplified music played in the outdoor areas. Mrs Hazlewood advised that ambient background music was proposed and had been included in the application for transparency. If there were concerns regarding recorded music in external areas a condition to prevent music being played after a certain time would be agreeable.
11. Councillor Webb further asked whether an assessment of crime and disorder had been undertaken prior to submission of the application. Mr McElholm confirmed it had not.
12. Councillor Jeff Beck asked for clarification regarding what the applicant had meant by the information that the premises would be operated as a rotisserie, as outlined within the additional information bundle. Mrs Hazlewood advised that the applicant

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ran different menus according to the demographics of the area and was proposing to use their rotisserie menu as this was a higher price point than their carvery menu.

13. Councillor Beck asked whether the police had attended any incidents at the Two Watermills in Newbury. Mr Rayner confirmed that in the nine months that the premises had been operation there were no incidents reportable to the police. Mrs Hazlewood advised that there was an incident on 3rd February 2018 between two brothers which had been managed well by staff.
14. Councillor Beck requested a comment regarding that fact that there was no designated smoking area on the site. Mrs Hazlewood advised that ashtrays would be provided on some outside tables but the applicant did not wish to actively encourage smoking.
15. Councillor Bridgman enquired how the site would be managed. Mrs Hazlewood advised that an experienced manager would be recruited to commence their post eight weeks before opening. That manager would stay in post for at least six months to establish the premises.
16. Councillor Bridgman noted that the application sought to permit the sale of alcohol to the manager and their bona fide guests 24 hours per day and asked to whom alcohol would be sold. Mrs Hazlewood responded that Marston's stock was closely monitored and the manager would not be permitted to help themselves after hours.
17. Councillor Bridgman asked why the applicant chose a Challenge 21 policy over a Challenge 25 policy. Mrs Hazlewood advised that Marstons PLC had invested considerable effort into establishing a comprehensive training programme, including an online platform designed around a Challenge 21 policy which empowered staff. The manager of the premises would have accountability for ensuring all the staff had completed the training.
18. In response to a further question from Councillor Bridgman regarding a reference in the application to the opening times on Christmas Day, Mrs Hazlewood advised that previous Licensing legislation had required premises to close during Christmas Day and this was now an out of date reference.
19. Councillor James Cole asked what proportion of the premises' trade was anticipated to arrive after 22:00 for a drink. Mr McElholm stated that less than 5% would arrive late purely for a drink.
20. Councillor Beck asked what the policy would be for customers from coaches travelling on the M4. Mrs Hazlewood advised that they would not be permitted service as they would cause disruption to the desired customer base.
21. Councillor Beck asked for a response to objectors' fears that the applicant intended to build a hotel near the premises. Mr McElholm firmly refuted that Marstons PLC had any intention of constructing a budget hotel in the vicinity.
22. Councillor Webb noted that the road layout indicated on the site plan was incorrect and made the point that customers leaving the premises to travel towards Reading could not avoid travelling through a residential area. Mr McElholm noted that no objection had been submitted to the planning application by the Highways Officer.
23. Councillor Cole asked whether the applicant would accept a condition to require a Challenge 25 policy. Mrs Hazlewood advised that a Challenge 21 policy was acceptable to Trading Standards and it would not be possible to amend the existing training programme regarding age-restricted sales.

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24. Mrs Bedwell asked why the site was chosen, given its close proximity to a motorway. Mrs Hazlewood advised that it was a good site in a growing area which would require community amenities.
25. PC Wheeler asked why the proposed search policy was deemed irrelevant by the applicant when their additional information bundle suggested that door supervisors would search entrants to the premises if deemed necessary from a risk assessment. Mrs Hazlewood advised that the police had recommended an 'active' search policy which would need to be demonstrated and was a condition more relevant to a nightclub. An active search policy would require that a certain number of people be searched and this would not be appropriate to the types of events at which door supervisors would be used. The applicants counter-offer was a condition to require regular risk assessments.
26. Councillor Cole asked what the applicant would do if it was proved the premises required full time door supervisors. Mrs Hazlewood advised that the applicant would liaise with the police should a specific concern arise and they would continue to recruit door staff for exceptional events.
27. PC Wheeler asked if the applicant could explain the similarities and differences between the proposed site and the existing site in Newbury, including the local police priorities. Mrs Hazlewood responded that they were both residential area on arterial roads and she was not able to explain the police priorities.
28. PC Wheeler asked if Mrs Hazlewood was aware of any local examples, whether in West Berkshire or Reading, where a Challenge 21 policy had failed to be effective. Mrs Hazlewood responded that Marstons PLC had no failures in the recent round of test purchasing. Mr McElholm expressed the view that Marstons PLC were the best at new build pubs and were designed with an open plan feel which had the licensing objectives in mind.
29. Mrs Bedwell, in addressing the Sub-Committee, raised the following points:
 - She was the Chair of Holybrook Parish Council and represented a large number of residents who had made representations at the parish council's public meeting.
 - The site on which the pub would be built had been approved for 35 residential properties under the Council's Development Plan Document, which had been approved by the Planning Inspector. No commercial operation was considered and planning permission for the pub had not been granted.
 - The Council's Licensing Policy stated that due regard should be given to the impact of a licence on residents.
 - If the licence was granted there would be an impact on crime and disorder; a number of pubs in the area had closed down in recent years due to problems with drug dealing and public disorder.
 - The police's representation stated that drug dealing and anti social behaviour were local police priorities. The licence, if granted could put more pressure on the local police, in addition to the pressure caused by cuts in funding and reduced police numbers.
 - The proposed pub was close to other similar premises. Residents should not be subjected to more crime and disorder.
 - The noise associated with the pub would have a harmful impact on local children, particularly causing sleep deprivation from late night activities.

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- Air pollution might also have health impacts on the proposed dwellings which would share the site.
 - The increase in numbers of people and traffic in that area would impact on public safety. The recent construction of IKEA and Lidl had already impacted local residents.
 - 200 dwellings were planned for the site opposite the pub. Residents would be subjected to further problems if the pub was granted a licence.
 - There would be an increase in public nuisance caused by large gatherings for sports events.
 - Holybrook Parish Council would consider granting the licence as an endorsement for the pub, which in her view was wrong for the area.
 - The Council had a duty of care to its taxpayers not to harm the quality of the environment.
30. Councillor Bridgman asked what evidence there was that there would be a harmful impact on children. Mrs Bedwell responded that the evidence provided by the police, and the reasons that local pubs had closed, had contributed to her conclusions.
31. Councillor Bridgman noted that it would be in Marstons PLC's interest not to allow disorderly behaviour. Mrs Bedwell expressed the view that you could not control the behaviour of the people who would use the pub.
32. Councillor Bridgman noted the disappointment felt by communities when local pubs closed and asked if the community should not welcome a new pub. Mrs Bedwell stated that the proposed pub was not appropriate for a residential area and there had been no local outcry when another local pub, Murdoch's, had closed.
33. Councillor Cole asked what made the Two Watermills in Newbury different to the proposed pub in Calcot. Mrs Bedwell stated that it was close to the M4 and would be advertised on the motorway which would attract additional traffic.
34. Mr Savage in addressing the Sub-Committee, raised the following points:
- He had lived in Dorking Way since 1985 and spoke on behalf of his neighbours. Their response was opposition to the granting of a licence.
 - If the licence was granted, the Council would be endorsing drink driving. The site would be visible from the M4.
 - There was no demand from local residents for another pub and recent closures of local pubs had been due to lack of custom.
 - Provision of 54 parking spaces indicated that the applicant expected customers to arrive via car. That would lead to drink driving and cause traffic accidents. These would need to be responded to by already stretched emergency services.
 - There were 274 casualties of traffic accidents on the M4 between Hungerford and Slough. 55 of those casualties were in West Berkshire. 70 out of 120 fatalities in the RG postcode area were caused by drink driving.
 - The area was already visited frequently by travellers and the car park would be attractive to the travelling community.
 - Traffic leaving the site and heading toward Reading would cause noise nuisance as they would have to travel via Dorking Way.
 - Any overspill parking would be on Dorking Way and this would have an adverse impact on local residents.

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- If the license was granted, emergency services would be further stretched.
 - The Council should fulfil its duty to local taxpayers and refuse the application.
35. Councillor Bridgman raised a query regarding the drink driving data and posited that all pubs in West Berkshire would need to be closed to reduce the figures. Mr Savage advised that the proximity of the site to the A4 and M4 gave it a particular problem.
36. Councillor Bridgman speculated that the business would fail if not supported by local residents. Mr Savage stated that 90% of the local population did not want another pub.
37. Councillor Bridgman expressed the view that an empty field was more likely to be attractive to travellers. Mr Savage stated that the field was fenced off and would no longer be when it became a car park.
38. PC Wheeler, in addressing the Sub-Committee, raised the following points:
- Although the application was covered by West Berkshire Council, it was essentially a Reading address. Reading had different issues to West Berkshire.
 - Unique Reference Numbers (URNs) for comparable premises in a five mile radius had been supplied in the agenda papers. Similar incidents around drugs, travellers and disorder had been experienced by all although not usually expected at food-led premises.
 - The location meant that a usually low-risk premises was likely to experience crime and disorder issues.
 - Police priorities in Calcot were around anti-social behaviour and drugs; in Newbury where the Two Watermills was already operated by the applicant, priorities were on speeding and youths gathering.
 - Additional information regarding incidents at comparable premises had been provided to the Sub-Committee. Three arrests had been made at The Cunning Man in Theale in January and he knew of an unreported assault at the Two Watermills. He would refute that this evidence was not indicative of the issues the proposed premises could experience.
 - The police recommended that if the Sub-Committee were minded to approve the licence, a condition to require a Challenge 25 policy should be applied. A nearby premises had failed a Challenge 21 test purchase.
 - Other conditions had also been proposed.
39. Councillor Bridgman questioned the basis for comparison of the premises PC Wheeler had referred to in his submission. PC Wheeler advised that he had looked at food led branded premises within a 2 mile radius of the proposed site. Councillor Bridgman asked why reviews of these premises had not been sought. PC Wheeler advised that he could not comment on this ongoing work.
40. Councillor Bridgman asked if PC Wheeler was aware of any issues at Marstons PLC premises regarding implementation of the Challenge 21 policy; PC Wheeler confirmed he did not.
41. Councillor Webb asked for a view on the proposed amended opening times. PC Wheeler welcomed the overall reduction in hours over seven days and expressed concern that without an effective dispersal policy customers might stay in the area after closing.

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42. Councillor Webb asked if the CCTV plans were satisfactory. PC Wheeler stated that he would like to see the CCTV coverage extended to the external seating and the car parks.
43. Following a query from Councillor Beck regarding crime statistics in the area, PC Wheeler advised that he had provided all crimes, including shoplifting, to provide a holistic view of the issues in the local area.
44. Councillor Cole asked whether the applicant was wrong in PC Wheeler's view to consider their proposed site as different to other nearby premises. PC Wheeler stated that he did not have an issue with the applicant. The problem was that the proposed premises was likely to experience crime and disorder issues by virtue of its location. If in another area, it would be a low risk site. 40% of the business would still be run as a pub.
45. Mrs Hazlewood sought clarity on PC Wheeler's statement that 40% of the site was a pub. He responded that he was referring to the split of sales and the later opening hours did not suggest that alcoholic drinks would only be served alongside food.
46. Mrs Hazlewood questioned the crime statistics and noted that the 13 crimes closest to the site were in Sainsbury's or the petrol station. PC Wheeler stated that he was using the statistics as an indication of the issues in the area and the location of the shoplifting crimes did not detract from the anti-social behaviour prioritised by residents.
47. Councillor Argyle, in addressing the Committee as Ward Member, raised the following points:
 - These were unusual circumstances as the planning application had not yet been determined. The application would be considered by the Eastern Area Planning Committee due to the level of objection. As he was a member of the Committee he did not want to compromise his participation in determining the planning application. Therefore he was representing the views of the residents and would read a written representation as follows.
 - The additional information provided by the applicant was superfluous corporate marketing and did not take into account residents objections.
 - The applicant was completing a land grab rather than a viable commercial opportunity.
 - The pack was age and gender biased in respect of references to females and 'fifty-somethings'.
 - If the business was food related, who would eat after 23:00?
 - The 40 staff would not be full time so the applicant's claim was unfounded.
 - The applicant was corporately promoting food and ignoring social matters highlighted by residents.
 - The applicant has ignored police advice. Drug dealing has been witnessed locally.
 - The Theale pubs had been ignored which were struggling so the applicant was circumventing their livelihood and would put them out of work.
 - The Two Watermills was not relevant.
 - References to other premises A and D were not relevant and were in town centres.
 - The proposal regarding noise nuisance provided no comfort.

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- Refusal to accept crime statistics showed disrespect for the welfare of the community.
48. Mrs Hazlewood, in addressing the comments raised during the Sub-Committee, raised the following points:
- Licensing applications allowed concerns to be aired which was helpful but ultimately it was the Committee's job to determine whether to grant the licence.
 - The police had made a strong request regarding crime and disorder which had been echoed by the parish council. The proposed site was not part of a cumulative impact zone under the Licensing Act 2003.
 - Evidence provided was regarding crime and disorder at other premises. These were not operated by Marstons PLC. The Sub-Committee should determine the application on its merits.
 - Marstons PLC ran good pubs, worked with communities and listened to residents concerns. This was shown in the alternative operating plan.
 - A challenge 21 policy was satisfactory to Trading Standards.
 - There had been no complaints about the Two Watermills pub in Newbury operated by Marstons PLC.
 - The proposed hours were moderate and would allow good dispersal.
 - Rigorous management and good training systems would ensure the licensing objectives were upheld.
 - Staff would be empowered to challenge customers to provide identification to ensure there were no underage sales. A good system was already in place to support Challenge 21. Serve Legal were used to test the company's practices and not just the police.
 - Regarding nuisance, there would be a dispersal policy but the litter condition proposed by the police would be unenforceable.
 - A barrier would be placed over the car park to avoid inappropriate use.
 - The search policy would be misplaced. A drugs condition would be more effective to allay concerns.
 - The kitchen could be operational until at least 22:00, or a condition requiring a minimum number of covers could be applied, to emphasise that the business was food led.
 - The outdoor recorded music was not fundamental and could be deleted or given a curfew of 21:00.
 - The police's evidence was helpful but did not stand up to scrutiny.
 - The residents had made good comments and these had been listened to.
 - None of Marstons premises were subject to a review or action plan.
49. The Chairman thanked all those that attended and the Sub-Committee retired at 1.36pm to make its decision.
50. Having taken the representations into account, including the written representations made by Mr Simon and Mrs Christine Collard, Mr David and Mrs Christine Jones, Mr Anthony Thompson, the Licensing Sub-Committee **RESOLVED** that Application be granted, subject to the conditions set out in the operating schedule, as modified and

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detailed below, as well as the relevant mandatory conditions of the Licensing Act 2003 or secondary legislation.

The Premises to be licensed is in accordance with **Plan 3699-L105** and the internal and external areas outlined in red. The car park and car park barrier identified in the conditions of the Premises Licence is with reference to **Plan 3699/P100E**.

The amendments to the operating schedule are as follows:

Box B: Films (Indoors); Box C: Indoor Sporting Events; Box E: (Live Music) (Indoors); Box F: Recorded Music (Indoors); Box G: Performances of dance (Indoors);

Monday to Saturday: 10:00 to 23:30 hours

Sunday: 11:00 to 23:30 hours

Box F: Recorded Music (Outdoors)

Monday to Saturday 10:00 to 21:00 hours

Sunday 11:00 to 21:00 hours

Box I: Late night refreshment (Indoors and Outdoors);

To permit provision of refreshment between 23:00 and 23:30 hours

Box J: Supply of Alcohol (Indoors and Outdoors)

Monday to Saturday 10:00 to 23:30 hours

Sunday 11:00 to 23:30 hours

To permit sale by retail of alcohol 24 hours per day to residents and their bona fide guests

Box L: Hours premises are open to the public

Monday – Saturday 10:00 to 00:00 hours

Sunday - 11:00 to 00:00 hours

The Prevention of Crime and Disorder

- 1 It is considered that for the nature of the operation door supervisors will not usually be required, however, the Designated Premises Supervisor shall undertake regular risk assessments and where it is identified that door supervisors are appropriate, will employ the same.
- 2 When employed, a register of Door Supervisors shall be kept. The register must show the following details:
 - (a) full SIA registration number;
 - (b) date and time that the Door Supervisor commenced duty, countersigned by the Designated Premises Supervisor or Duty Manager;
 - (c) date and time that the Door Supervisor finished work, countersigned by the Designated Premises Supervisor or Duty Manager.

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- 3 The Door Supervisor register shall be kept at the premises and be available for inspection by an authorised officer of Thames Valley Police, or an authorised officer from West Berkshire Council and shall be retained for a period of six months.
- 4 Door Supervisors shall be clearly identifiable at all times whilst on duty and display Hi-Vis personalised armbands containing their SIA badge.
- 5 An incident log shall be maintained to record all incidents of crime and disorder or public safety occurring at the premises. The log shall:
 - (a) give dates, times and full details of any incident;
 - (b) record the names of any staff, including any Door Supervisor(s), involved;
 - (c) record the details of occasions when the police are called to the premises;
 - (d) be signed off by the Designated Premises Supervisor or nominated representative at the end of each trading session;
 - (e) be reviewed and signed weekly by the Designated Premises Supervisor or nominated representative;
 - (f) be available for inspection by Thames Valley Police and authorised officers of West Berkshire Council upon request; and
 - (g) be retained for at least one year.
- 6 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 and the car park and car park barrier shall be covered by CCTV. Data recordings shall be made immediately available to an authorised officer of Thames Valley Police or West Berkshire Council together with facilities for viewing upon requests, subject to the provisions of the Data Protection Act. Recorded images shall be of such quality as to be able to identify the recorded person in any light. At least one member of staff on the premises at any time during operating hours shall be trained to access and download material from the CCTV system.
- 7 Alcoholic drinks may not be removed from the premises in open containers save for consumption in external areas provided for that purpose.
- 8 No customers carrying opened bottles of alcohol drink upon entry shall be admitted to premises at any time the premises are open to the public.

Public Safety

- 9 The Premises Licence will comply with the reasonable requirements of the Fire Officer from time to time

The Prevention of Public Nuisance

- 10 No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
- 11 Children under the age of sixteen shall not be permitted to enter or remain at the premises after 22:00 unless resident, dining with an adult, or attending a pre-booked function.
- 12 The premises shall ensure that the kitchen remains open to orders of food until 22:00 hours and that waiter/waitress service will be available within the premises at all times it is open for licensable activities.

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- 13 An entry, closure and dispersal policy for controlling the opening and closing of the premises and the departure of customers from the premises at the conclusion of the licensed activities shall be put in place and shall be actively operated. The policy shall be in written format and made available upon request to an authorised officer of West Berkshire Council and Thames Valley Police.
- 14 The licensee shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to undue disturbance to local residents.
- 15 The doors and windows to the premises are to be double glazed.
- 16 All external doors/windows must be kept closed, other than for access and egress, when regulated entertainment is taking place so as not to cause disturbance to nearby residents and businesses.
- 17 Clearly legible and suitable notices shall be displayed at all exits requesting customers to respect the needs of local residents and to leave the premises area quietly.
- 18 The Designated Premises Supervisor shall regularly ensure that when the premises are open, litter is removed from all areas including the car park.
- 19 The scheme of works will be amended so as to ensure that a car park barrier can be constructed as part of the build.

The Protection of Children from Harm

- 20 The premises will operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 25 years.
- 21 At all times that the premises is operating under this licence, the Premises Licence Holder shall ensure that its staff operate a Challenge 25 Policy (to minimise the risk of alcohol being sold to underage consumers). This Policy shall (as a minimum provide) that before entry (or alternatively before any sale of alcohol), any person who appears to be under the age of 25 will be required to produce photo ID in the form of a passport driving licence, UK Military ID card; PASS (or similar) card to prove that he/she is over the age of 18, before being permitted.
- 22 Notices advertising the Challenge 25 and proof of age policies shall be displayed in prominent places at the premises so that they can be seen internally and externally.
- 23 All staff employed in the sale of alcohol shall be trained in respect of the law relating to the sale of alcohol. The training shall include: Details of the Challenge 25 Policy operated by the premises, how to ask for ID, what ID to accept, what to do if a customer complains about being refused/asked and how to record any challenges. This training will be documented in writing and made available on request to Thames Valley Police, Trading Standards and authorised officers of West Berkshire Council. Staff will be trained at least every 6 months and the content of the training will be reviewed and updated on a regular basis.
- 24 The premises shall maintain a refusals register. This register should detail the follow information: Date, time, member of staff, what was requested, whether ID was produced, if so what ID, or the reason for refusal. A responsible member of staff will review the refusals register weekly.
- 25 The Premises Licence Holder shall draw up and implement a premises specific Drug Policy in line with the requirements of Section 8 of the Misuse of Drugs Act 1971. The Policy shall be reviewed as necessary.

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- 26 Staff employed to sell alcohol shall undergo training upon induction. This training shall include, but not be limited to:-
- (a) the premises age verification policy;
 - (b) dealing with refusal of sales;
 - (c) proxy purchasing;
 - (d) recognising valid identity documents not in the English language;
 - (e) identifying attempts by intoxicated persons to purchase alcohol;
 - (f) identifying signs of intoxication;
 - (g) conflict management;
 - (h) how to identify and safeguard vulnerable persons who attend and leave the premises;
 - (i) Drug Policy and substance awareness and effects;
 - (j) Search Policy;
 - (k) Dispersal Policy;
 - (l) crime scene preservation; and
 - (m) Child Sexual Exploitation.
- 27 Refresher training shall be provided every six months and signed records made available for inspection by a Policy Officer or authorised officer of West Berkshire Council upon request. These records are to be kept for a minimum of two years of the date of training.

Reasons

The Sub-Committee noted that the Council had not adopted a special policy in respect of the cumulative impact of licensed premises in this locality. Furthermore, with regard to the issues relating to planning, the Sub-Committee did not consider those issues were relevant to the Application for a premises licence which is made under a distinct regulatory regime. The Sub-Committee had regard in particular to section 13 of the Council's Licensing Policy which states that "the Council will at times separate its licensing and planning roles."

The Sub-Committee was satisfied that the grant of the premises licence subject to conditions promoted the four licensing objectives.

(The meeting commenced at 10.00 am and closed at 1.36 pm)



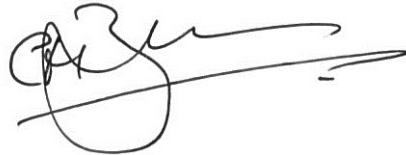
Name

Councillor Jeff Beck

Date of Signature

6 March 2018

LICENSING SUB-COMMITTEE - 7 FEBRUARY 2018 - MINUTES



Name Councillor Graham Bridgman

Date of Signature 6 March 2018



Name Councillor James Cole

Date of Signature 6 March 2018



Name Councillor Quentin Webb

Date of Signature 6 March 2018