

Notice of Meeting



Scan here to access the public documents for this meeting

Licensing Sub-Committee

Thursday, 13th January, 2022 at 10.00 am

in Second Floor Meeting Area, Council Offices, Market Street, Newbury

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: Wednesday, 5 January 2022

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 Vicki Yull (Principal Democratic Services Officer), Vicki.Yull1@westberks.gov.uk, 01635 503929.

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



To: Councillors Adrian Abbs, Tony Linden and Graham Pask

Substitute: Councillor Jeff Beck

Agenda

Part I

Page No.

- 1 **Election of the Chairman**
To elect a Chairman for the Sub-Committee.
 - 2 **Declarations of Interest**
To receive any declarations of interest from Members.
 - 3 **Schedule of Licensing Applications**
- (1) **Application No. (21/01001/LQN) Spoons Coffee Shop Ltd, Unit 7, The Colonnade, Overdown Road, Tilehurst, Reading, RG31 6PR** 5 - 44
- Proposal:** Application to Vary a Premise License
Location: Spoons Coffee Shop Ltd, Unit 7, The Colonnade, Overdown Road, Tilehurst, Reading, RG31 6PR
Applicant: Spoons Coffee Shop Ltd

This meeting will be streamed live here: [Licensing Sub-Committee Live Meetings](#)



Sarah Clarke
Service Director: Strategy and Governance
West Berkshire District Council

If you require this information in a different format or translation, please contact Vicki Yull on telephone (01635) 503929 or Vicki.Yull1@westberks.gov.uk.



Licensing Sub-Committee Report

Spoons Coffee Shop Ltd, Unit 7, The Colonnade, Overdown Road, Tilehurst, Reading, RG31 6PR, (21/01001/LQN)

Type of Application:	Application to Vary a Premise Licence
Parish:	Tilehurst
Ward Members:	Councillors Rick Jones, Tom Marino and Andy Williamson
Case Officer:	David Macey, Licensing Officer
Portfolio Holder:	Councillor Hilary Cole, Executive Member for Housing and Transformation
Head of Service:	Eric Owens, Service Director – Development and Regulation

1. Purpose of the Report

- 1.1 To set out the background information pertaining to this Licensing Application to vary an existing premise licence.

2. Recommendation

- 2.1 Members are asked to decide whether to:-
- Grant the application to vary the premises licence as made, subject to any mandatory conditions;
 - Grant the application to vary the premises licence, subject to any additional conditions and any mandatory conditions;
 - Exclude from the licence any of the licensable activities to which the application to vary relates;
 - Refuse the application to vary the premises licence;

Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give reasons for their decision.

3. Background

- 3.1 Members of the Licensing Sub-Committee are asked to determine the Application to vary the premises licence as the Licensing Authority has received a representation, which has not been withdrawn, raising concerns which appear to relate to the prevention of public safety and the prevention of public nuisance licensing objectives.
- 3.2 The Licensing Authority may only consider aspects relevant to the application that have been raised in these representations.

3.3 Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Licensing Act 2003 requires that these applications should be determined by the Licensing Authority's Licensing Committee. The Licensing Act 2003 allows for applications such as this one to be delegated to a Sub-Committee.

4. Application

4.1 The Licensing Authority had received an application, from Spoons Coffee Shop Ltd for a variation to an existing premise licence in relation to Spoons Coffee Shop Ltd, Unit 7, The Colonnade, Overdown Road, Tilehurst, Reading, RG31 6PR. This application had been recorded under reference number 21/01001/LQN. The reference for the existing licence is 19/00975/LQN.

4.2 A copy of the original licence is attached at Appendix 1 which includes a site plan. The application to vary the premise licence is attached at Appendix 2. Additional maps are included at appendix 3.

4.3 The premise, under its existing licence, is permitted to supply alcohol for both on and off site consumption during the following times:

Monday to Friday: 07h00 to 16h00

Saturday: 08h00 to 13h00

4.4 In addition to the mandatory conditions the existing licence includes additional conditions agreed with Thames Valley Police which were agreed at a hearing relating to:

- CCTV;
- Staff Training;
- Age Verification Policy;
- Notices at exits;
- Pre-employment checks for staff.

4.5 The application is to vary a premises licence under the Licensing Act 2003. The applicant has set out in the application that the opening hours of the premises would be 07h00 to 00h00 Monday through to Saturday and 09h00 to 23h00 on Sundays. The applicant is seeking to be able to play recorded music during these hours indoors. The application requests that late night refreshments are authorised to be served from 23h00 to 0h00 Monday through to Saturday both indoors and outdoors in their enclosed private garden. The application also seeks to vary the licence to permit the sale of alcohol for on premise consumption from 07h00 to 0h00 Monday through to Saturday and 09h00 to 23h00 on Sundays.

4.6 The applicant has explained that the premise is currently being used as a coffee shop that is permitted to serve alcohol which seats around 45 covers. They would like to open in the evenings and on Sundays as a restaurant or bistro serving food and alcohol.

4.7 The premises are situated at the eastern end of a row of businesses (marked on the map and shown in the street view). These are in order an Indian restaurant, a hairdressers, a Co-op supermarket, a vets, a Chinese takeaway, property letting

agency, a chemist, and a surgery next to Spoons. In front of the businesses is a free customer car park. The nearest residential property is 2 Tring Road.

5. Consultation

- 5.1 The 28 day consultation period ran from 19 November 2021 to 16 December 2021. Responsible Authorities, Ward Members and the Parish Council were first advised by email on the 08 November 2021. The start of the consultation was delayed due to a misunderstanding around the requirements associated with the blue notices. The revised dates were circulated to the relevant parties. The application has been advertised in accordance with the regulations, with the required blue notices being placed at the premises and checked by an officer from the Public Protection Partnership in December 2021 and that an advert had been placed in the Reading Chronicle on the 25 November 2021.
- 5.2 During the consultation, an objection was received from Tilehurst Parish Council. A copy of the representation is attached at Appendix 4.
- 5.3 In objecting to the application, the Parish Council noted that the premise is a valued and much used coffee shop. The Members of the Parish Council were however concerned about the application to vary the premise licence. The Parish Council were concerned about the impact the extended hours would have on neighbours who lived in close proximity to the premise. They noted that the premise did not currently have planning permission to operate for the hours being applied for. The Parish Council also raised concerns about potential lack of toilets on the premise.
- 5.4 The Parish Council had suggested some conditions to be applied in the event that Members were minded to approve the variation.

6. Responses Received:

Fire Authority – None

The Chief Officer of Police Thames Valley – None

Environmental Health - None

The Local Enforcement Agency for the Health and Safety at work etc. Act 1974 – None

The Weights and Measures Authority/Trading Standards – None

Children's Safeguarding Board – None

Public Health - None

Home Office Immigration - None

Planning - None

The Licensing Authority – None

7. Options

- 7.1 The Home Office's Revised Guidance issued under section 182 of the Licensing Act 2003 (April 2018) must be taken into account when determining this Application.
- 7.2 Members are asked to consider, after taking the representations both oral and written into account, and having due regard to the licensing objectives, whether the application to vary the premise licence should be granted or rejected. Members will need to give reasons for their decision.
- 7.3 If Members are minded to approve the application they need to consider any additional conditions, other than those contained in the operating schedule, agreed with the parties and any relevant mandatory conditions in ss19-21 of the Licensing Act 2003 that they may wish to attach to the licence.
- 7.4 If Members are minded to include any additional conditions they will need to provide their reasons for doing so in the decision notice.

Background Papers:

- (1) The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under section 182 of the Licensing Act 2003
- (2) The Council's Statement of Licensing Policy Licensing Act 2003
- (3) The Council's Constitution
- (4) Planning Application:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/00884/FUL>
- (5) Previous Licensing Hearing:
<http://decisionmaking.westberks.gov.uk/ieListDocuments.aspx?CId=227&MId=5516&Ver=4>

8. Appendices

- Appendix 1 – Existing Licence
- Appendix 2 – Application
- Appendix 3 – Plans
- Appendix 4 – Objection

3 December 2019

Spoons Coffee Shop Ltd
7 The Colonnade
Overdown Road
Tilehurst
Reading
Berkshire
RG31 6PR

Public Protection Partnership
Environmental Health and Licensing
West Berkshire District Council
Council Offices
Market Street Newbury
Berkshire RG14 5LD

Our Ref: 19/00975/LQN
Please ask for: Cheryl Lambert
Direct Line: 01635 519184
Fax: 01635 519172
e-mail: Cheryl.Lambert@westberks.gov.uk

Dear Sir/Madam

Licensing Act 2003 – Premises Licence
7 The Colonnade, Overdown Road, Tilehurst, Reading, Berkshire, RG31 6PR,

Please find enclosed your Premises Licence. The licence must be retained by you whilst you are responsible for the premises and must be available on request, by any authorised officer.

The licence is accompanied by a Premises Licence Summary. This document must be displayed in a prominent position within the premises at all times.

It is the responsibility of the licence holder to check that the licence details are correct. If incorrect, you must contact the Licensing Team, in writing and state clearly why you believe the licence details are wrong. Where errors have been made and are the responsibility of the Council, they will be rectified as soon as possible. If errors have been made by the applicant in filling out the application, these will need to be addressed by making a variation to the licence issued.

The annual fee will be due on the date of issue of the licence each year. You will be sent an invoice prior to the anniversary of the issue date and failure to pay may result in suspension of the Premises Licence. Invoices are sent to the Premises Licence Holder at their registered address as quoted on the Licence.

You are reminded that the Designated Premises Supervisor's details must be correctly stated on the licence at all times and that all sales of alcohol must be authorised by a Personal Licence Holder. (Clubs and non alcohol licensed premises are exempted from this requirement).

Yours faithfully

Licensing Team

PUBLIC PROTECTION PARTNERSHIP
A SHARED SERVICE PROVIDED BY BRACKNELL FOREST COUNCIL, WEST BERKSHIRE DISTRICT COUNCIL
AND WOKINGHAM BOROUGH COUNCIL

West Berkshire District Council

Public Protection Partnership, Environmental Health & Licensing, Council Offices, Market Street,
Newbury, Berkshire RG14 5LD
Tel: (01635) 519184 Fax (01635) 519172

Licensing Act 2003 Premises Licence

Uniform Ref: 19/00975/LQN

Premises licence number 19/00975/LQN

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Spoons Coffee Shop
7 The Colonnade, Overdown Road, Tilehurst, Reading, Berkshire, RG31 6PR

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

Monday to Friday: 07:00 to 16:00

Saturday: 08:00 to 13:00

Alcohol On/Off Premises: **Both**

The opening hours of the premises

Monday to Friday: 07:00 to 16:00

Saturday: 08:00 to 13:00

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

On /Off Sales : **BOTH**

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Spoons Coffee Shop Ltd
7 The Colonnade, Overdown Road, Tilehurst, Reading, Berkshire, RG31 6PR

Registered number of holder, for example company number, charity number (where applicable)

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

Mrs Michelle Louise Spooner

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

19/01467/LIA West Berkshire Council

Date: 3rd December 2019

Signed:

Authorised Officer

Licence granted 06/11/2019

Annex 1 - Mandatory conditions

Premises - 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 under the premises licence must be made or authorised by a person who holds a personal licence.

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 (in force 1 October 2014)

3.
 - 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).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5.
 - (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.

6. 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."

7.
 - (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) "valued 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 this 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.
 - 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.

Annex 2 - Conditions consistent with the operating Schedule dated 26/07/2019

Replaced with conditions agreed with Thames Valley Police

Conditions agreed with Thames Valley Police 01/08/2019

CCTV

1. 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. Data recordings shall be made immediately available to an authorised officer of Thames Valley Police or West Berkshire 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.
2. Signs shall be placed in prominent positions on the premises notifying customers that CCTV is in operation.

Staff Training

3. All staff shall be trained in the requirements of the Licensing Act 2003 in relation to age restricted sales of alcohol before being authorised to sell alcohol.
4. All staff employed in the sale of alcohol shall be trained to record refusals of sales of alcohol in a refusals book or electronic register. The book/ register shall contain:
 - Details of the time and date the refusal was made;
 - The identity of the staff member refusing the sale;
 - Details of the alcohol the person attempted to purchase.This book /register will be available for inspection to an authorised officer of West Berkshire Borough Council or Thames Valley Police. A four weekly review of the refusal book/register shall also be carried out and signed off by the Designated Premises Supervisor or their nominated representative.
5. 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 West Berkshire Borough Council upon request and shall be retained, for one year. The record shall be signed off by the DPS or nominated Representative, monthly.
6. All staff employed to sell alcohol shall undergo training upon induction in utilising the Challenge 25 proof of age checking policy. This shall include, but not be limited to, dealing with refusal of sales, proxy purchasing and identifying attempts by intoxicated persons to purchase alcohol. Such training sessions are to be completed before the employee is permitted to sell alcohol, documented and refreshed every six months. Records of training shall be kept for a minimum of two years and be made available to an authorised officer of West Berkshire Borough Council or a Thames Valley Police officer.

7. The Designated Premises Supervisor shall ensure they and staff who are authorised to sell alcohol, are able to converse with customers and representatives of Statutory Agencies to a level that they are able to satisfactorily meet the four licensing objectives as contained in the Licensing Act 2003.
 - The prevention of crime and disorder.
 - Public safety.
 - The prevention of public nuisance.
 - The protection of children from harm

Age Verification Policy

8. 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. The age verification policy shall be in a written form and displayed in a prominent position;
9. Notices advertising the Challenge 25 and proof of age policies shall be displayed in prominent positions on the premises.

Public Nuisance

10. 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 and area quiet.

Other Initiatives

11. Before any person is employed at the premises sufficient checks will be made of their bona fides to ensure they are legally entitled to employment in the UK. Such checks will include:
 - Proof of identity (such as a copy of their passport)
 - Nationality
 - Current immigration status
 - Employment checks will be subject of making copies of any relevant documents produced by an employee, which will be retained on the premises and kept for a minimum period of one year. Employment records as they relate to the checking of a person's right to work will be made available to an authorised officer of West Berkshire Borough Council or Thames Valley Police upon request.

Annex 3 - Conditions attached after a hearing by the licensing authority dated 24/09/2019

The Licensing Sub-Committee resolved the licence be granted subject to the conditions as set out in the operating schedule, including conditions agreed with Thames Valley Police.

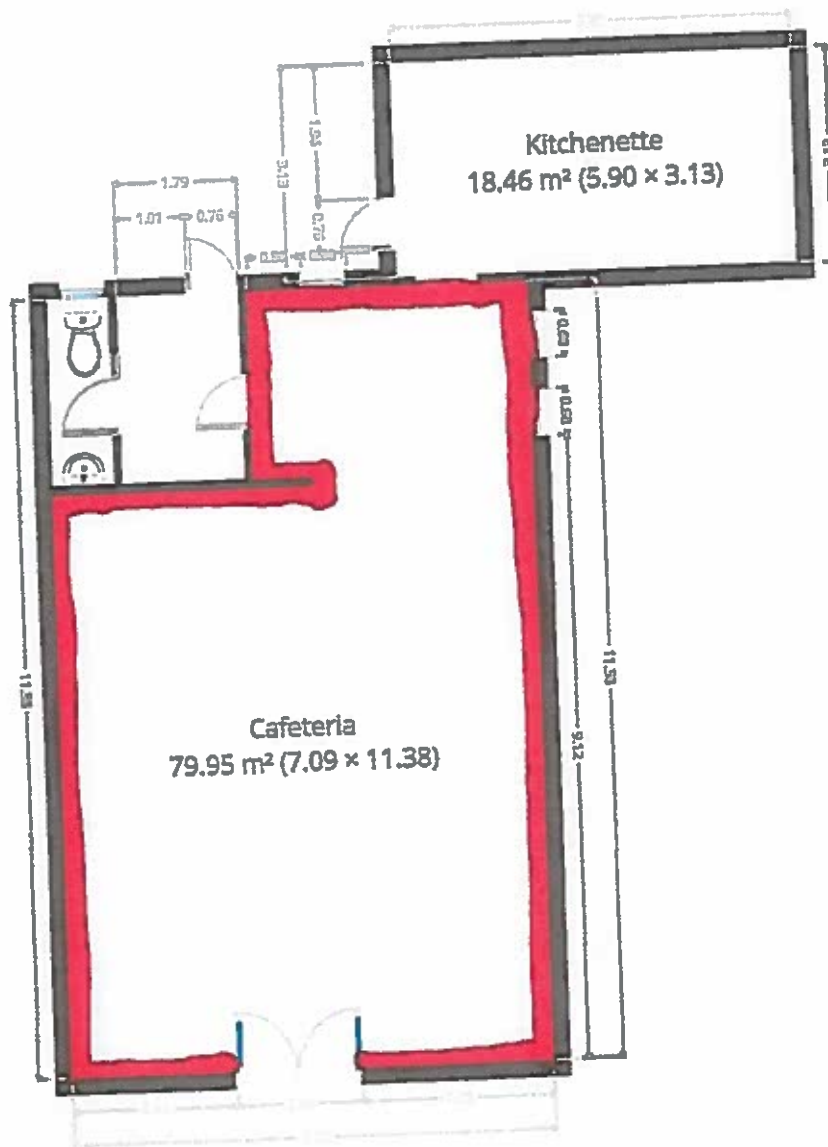
Annex 4 - Plans as submitted 26/07/2019

Plan 6

Statistics

Area: 98 m²
Living area: 112 m²
1 Floor
0 Office
0 Conf. room

Ground Floor



THIS FLOORPLAN IS PROVIDED WITHOUT WARRANTY OF ANY KIND. SENGOMA DISCLAIMS ANY WARRANTY INCLUDING, WITHOUT LIMITATION, SATISFACTORY QUALITY OR ACCURACY OF DIMENSIONS.

West Berkshire District Council

Public Protection Partnership, Environmental Health & Licensing, Council Offices, Market Street,
Newbury, Berkshire RG14 5LD
Tel: (01635) 519184 Fax (01635) 519172

Licensing Act 2003 Premises Licence Summary

Uniform Ref: 19/00975/LQN

Premises licence number	19/00975/LQN
--------------------------------	---------------------

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Spoons Coffee Shop
7 The Colonnade, Overdown Road, Tilehurst, Reading, Berkshire, RG31 6PR

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

Monday to Friday: 07:00 to 16:00

Saturday: 08:00 to 13:00

Alcohol On/Off Premises: **Both**

The opening hours of the premises

Monday to Friday: 07:00 to 16:00

Saturday: 08:00 to 13:00

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

On/Off Sales : **BOTH**

Name, (registered) address of holder of premises licence

Spoons Coffee Shop Ltd
7 The Colonnade, Overdown Road, Tilehurst, Reading, Berkshire, RG31 6PR

**Registered number of holder, for example company number, charity number
(where applicable)**

[Redacted]

**Name of designated premises supervisor where the premises licence authorises
the supply of alcohol**

Mrs Michelle Louise Spooner

Date: 3rd December 2019

Signed:

[Redacted]
Authorised Officer

Licence granted 06/11/2019

This page is intentionally left blank

COLLECTED BY
MAND
5-11-2021

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We SPOONS COFFEE SHOP LTD
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	19/00975/LQN
-------------------------	--------------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
SPOONS COFFEE SHOP UNIT 7, THE COLONNADE OVERDOWN ROAD TILEHURST			
Post town	READING	Postcode	RG31 6PR

Telephone number at premises (if any)	0118 9425577
Non-domestic rateable value of premises	

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

THE PREMISES IS CURRENTLY BEING USED DURING THE DAY AS A COFFEE SHOP, SEATING AROUND 45 COVERS. WE ARE CURRENTLY SERVING ALCOHOL TO CONSUME ON THE PREMISES.

WE WOULD LIKE TO OPEN IN THE EVENINGS AND SUNDAYS TO PROVIDE A RESTAURANT / BISTRO SERVING FOOD AND ALCOHOL TO BE CONSUMED ON THE PREMISES.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)



Supply of alcohol (if ticking yes, fill in box J)



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Tue					
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details (please read guidance note 5)</u>
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events (please read guidance note 6)</u>
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)</u>
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Tue					
			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
			<u>State any seasonal variations for the performance of live music (please read guidance note 6)</u>		
Tue					
			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Wed					
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	07.00	00.00			
Tue	07.00	00.00			
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed	07.00	00.00	N/A		
Thur	07.00	00.00			
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	07.00	00.00	N/A.		
Sat	07.00	00.00			
Sun	09.00	23.00			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for the performance of dance (please read guidance note 6)		
Tue					
			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4) WE HAVE AN ENCLOSED PRIVATE GARDEN.	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	23.00	00.00			
Tue	23.00	00.00			
Wed	23.00	00.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur	23.00	00.00			
Fri	23.00	00.00			
Sat	23.00	00.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sun	—	—			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	07.00	00.00	N/A		
Tue	07.00	00.00			
Wed	07.00	00.00			
Thur	07.00	00.00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	07.00	00.00	N/A.		
Sat	07.00	00.00			
Sun	09.00	23.00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	07.00	00.00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Tue	07.00	00.00	
Wed	07.00	00.00	
Thur	07.00	00.00	
Fri	07.00	00.00	
Sat	07.00	00.00	
Sun	09.00	23.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

N/A.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

IN ACCORDANCE WITH EXISTING LICENSE

b) The prevention of crime and disorder

IN ACCORDANCE WITH EXISTING LICENSE.

c) Public safety

IN ACCORDANCE WITH EXISTING LICENSE

d) The prevention of public nuisance

IN ACCORDANCE WITH EXISTING LICENSE

e) The protection of children from harm

IN ACCORDANCE WITH EXISTING LICENSE.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	05.11.21.
Capacity	

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Post town		Post code	
Telephone number (if any)			

This page is intentionally left blank



This page is intentionally left blank



This page is intentionally left blank

Sent: 14 December 2021 15:47

To: Licensing and Executivecycle

Subject: RE: LA2003 Tilehurst - Variation of Premises Licence - Spoons Coffee Shop, Tilehurst, RG31 6PR

Afternoon Sharon

On behalf of Tilehurst parish Council, I am confirming members' **objection** to the granting of the Variation of premises Licence for Spoons Coffee Shop.

Whilst Members of this Council have welcomed the opening of this popular, much used and valued coffee shop, a number of concerns have been raised on this recent application for a Variation of the Premises Licence.

Members consider that there is no justification for extending the hours to such an extent, given the "close proximity to residential premises" noted by Environmental Health in the original planning application (19/00884/FUL).

Whilst we appreciate that planning permission is not a material consideration when permitting Licences etc, we would like to draw to your attention that the applicant does not have planning permission to open for the requested hours. To our knowledge no recent planning application has been submitted and below is confirmation of the existing planning permissions with regards to opening hours;

"The use hereby permitted shall not be open to customers outside the following hours: 0700 - 1600 Mondays to Fridays; 0800 - 1300 Saturdays; CLOSED - Sundays and Bank Holidays. Reason: To safeguard the amenities of surrounding occupiers. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies ECON5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)."

As evidenced by the applicants website, the opening hours on a Saturday are 09:00 until 14:00 which is outside of both their current licence and planning permissions.

Concern was also raised over the limited toilet facilities available and whether or not the existing provision is adequate. The plans for the building indicated that there is only one toilet within the premises.

If this variation were to be permitted, and relevant planning permissions gained, Members would suggest that conditions should applied, such as:

1. A restriction of the hours of use of the outside area, as noise from this could have a detrimental impact on nearby residents
2. Alcohol should only be served with a meal

Kind Regards
Jacky Major
Clerk of the Council

This page is intentionally left blank