

**Present:** Councillors Woodard (Chair), Livingston and Vickers.

## **22. APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - TEXACO SERVICE STATION**

The Head of Planning, Development and Regulatory Services submitted a report on an application by Krisco Services Limited for the variation of the Premises Licence in respect of Texaco Service Station, 150 Oxford Road, Reading.

The report stated that the premises currently had a Premises Licence in force, which permitted the following:

### Hours for the Provision of Late Night Refreshment (indoor and outdoor)

Monday to Sunday                      2300hrs until 0500hrs

### Hours for the Sale of Alcohol

Monday to Sunday                      0600hrs until 0300hrs

The hours the premises were permitted to open to the public were Monday to Sunday 24 hours.

A copy of the Premises Licence was attached to the report at Appendix I.

The application was seeking to vary the Premises Licence to allow the sale of alcohol, Monday to Sunday 0000hrs until 2400hrs (24 hours). A copy of the application form was attached to the report at Appendix II.

A total of 20 representations had been received although one had subsequently been withdrawn. Representations had been received from Thames Valley Police and Reading Borough Council's Environmental Health (Noise) Team and were attached at Appendix III. 17 representations had been received from local residents and Ward Councillors, attached at Appendix IV. A map showing the location of the premises and surrounding area was attached at Appendix V.

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

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The report also stated that paragraph 9.4.1 of the Council's Statement of Licensing Policy, regarding licensing hours for Licensed Premises in Residential Areas, stated that in general the Authority would deal with the issue of licensing hours on the individual merits of each application, but that when issuing a licence, stricter conditions were likely to be imposed with regard to noise control in the case of premises that were situated in largely residential areas. In general, public houses located in and catering for residential areas

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wishing to open beyond 11pm would need to demonstrate clearly that public nuisance would not result from later operation.

Councillor Sarah Hacker, Battle Ward Councillor, and Councillor Chris Maskell, Battle Ward Councillor, both of whom had submitted representations, were present at the meeting and addressed the Sub-Committee on the application. Councillor Bet Tickner, representing Mr Jamie Cater who had submitted a representation, was present at the meeting and addressed the Sub-Committee on the application.

Mr Mike King, PC Simon Wheeler and Sergeant Rob Pitman, Thames Valley Police, were present at the meeting and addressed the Sub-Committee on the application.

Ms Teresa Colliass, Chair of the Oxford Road Neighbourhood Action Group, and Ms Karen Rowlands, Chair of the Baker Street Area Neighbourhood Association, who had both submitted a representation, were present at the meeting and addressed the Sub-Committee on the application.

Mr Richard Rowland and Mr Alan Overton, Reading residents, who had submitted representations, were present at the meeting and addressed the Sub-Committee on the application.

The applicant, Mr Krishnathasan Navaratnam, was present at the meeting and was represented by Mr Stewart Gibson, both of whom addressed the Sub-Committee and responded to questions.

### **Resolved -**

That, in order to promote the four licensing objectives, in particular the prevention of public nuisance, and having regard to the oral and written representations made, the Secretary of State's guidance and the Council's Statement of Licensing Policy, the application for the variation of the Premises Licence in respect of Texaco Service Station, 150 Oxford Road, Reading be refused. The Sub-Committee were not convinced that an extension of the licence by three hours would be proportionate or reasonable in promoting the four licensing objectives and the applicant had not demonstrated how they would deal with an increase in public nuisance as set out in the representations made on behalf of the Oxford Road Neighbourhood Action Group and the Baker Street Area Neighbourhood Association, as supported by Thames Valley Police.

(The meeting started at 5.00 pm and finished at 7.52 pm)